

Patience Drake Roggensack  
Chief Justice

# Supreme Court of Wisconsin

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J. Denis Moran  
Director of State Courts

Diane M. Fremgen  
Clerk of Supreme Court

October 21, 2016

Wisconsin Freedom of Information Council  
5006 Vilas Communication Hall  
821 University Ave.  
Madison, WI 53706

Re: Access to Inspect and/or Copy Records

Dear Ms. Hall:

I write in response to your letter that this office received on October 20, 2016. As an initial matter, although your letter does not cite the Public Records Law, Wis. Stat. §§ 19.31-.39, it implies that you are making your request under that statute. The Supreme Court of Wisconsin, however, has never ruled on whether it or any custodian of court records is subject to that statute. Nonetheless, I will respond to your request for access to filings under the 11 case numbers listed in your letter, which really represent three proceedings in the Supreme Court. For ease of reference, I will refer to those 11 case numbers and three proceedings collectively as the Supreme Court John Doe II cases.

To the extent that you request access to or copies of "[a]ll records, filings and related exhibits filed with the Wisconsin Supreme Court" in the Supreme Court John Doe II cases, you should be aware that the Supreme Court has directed this office to maintain certain filings in those cases under seal. Those documents remain under seal. Consequently, you will not be allowed to review or obtain copies of those documents.

Like all persons, you are welcome to review all filings and other documents that are in the public court file for the Supreme Court John Doe II cases. You may identify any specific documents that you would like copied. My office will make copies of those identified documents upon payment of the applicable copying charges. Please note that you will be charged \$.40 per page that this office copies, which is the standard copying fee that this office charges for copies of documents in public court files.

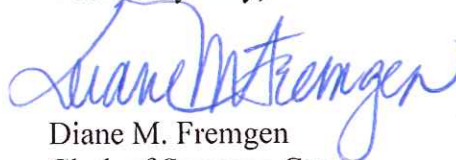
I believe that you are already aware that for the Supreme Court John Doe II cases, this office previously created a compact disc containing images of many of the documents that were initially maintained under seal up through May 7, 2015. At the time that compact disc was

created, this office charged \$5.00 for a copy of the disc. You would still be able to obtain a copy of the disc upon payment of the \$5.00 fee. Obtaining a copy of that disc would provide you with many of the filings in the Supreme Court John Doe II cases.

If, however, you want one hard copy of each document in the public court file, as your letter appears to request, please be advised that the copying charges will be well in excess of the \$100.00 amount you reference. The public court file for each of the three proceedings contains thousands of pages and occupies six or seven red accordion folders. Further, please understand that it will require a considerable amount of staff time to make such a large number of copies.

Please advise whether you would like a copy of the compact disc and which of the other documents in the public files you would like copied. This office can then determine the number of pages and the copying charge that you would need to pay.

Yours very truly,



Diane M. Fremgen  
Clerk of Supreme Court

CC: Chief Justice Roggensack  
Justice Abrahamson  
Justice Ziegler  
Justice Gableman