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Froehlich Is 'Judge of the Year'



Judge
Harold V. Froehlich

The Bench Bar Committee of the State Bar of Wisconsin has named Judge Harold V. Froehlich, Outagamie County Circuit Court, Judge of the Year. The award will be presented January 29 at the State Bar's Midwinter Convention in Milwaukee.

Froehlich, 66, has been a judge for 17 years. In that time, the State Bar noted, he has demonstrated "professional excellence, high ideals, personal character and a willingness to advance the quality of justice by the creation or implementation of innovative programs."

Before joining the bench, Froehlich represented the Appleton area in the state Assembly for a decade. After four years in the Legislature, he was elected Assembly speaker.

He also served in the U.S. Congress (where now-Justice David Prosser, Jr., was his administrative assistant). In his one term in Washington, he was a member of the House Judiciary Committee

during the impeachment proceedings against President Richard M. Nixon. He was one of seven Republicans on the committee to join the Democrats in voting for impeachment. His vote for impeachment was a major factor in his defeat for re-election in 1974, after which he returned to the practice of law in Appleton.

In 1981, Froehlich was appointed judge. He was elected in 1982, re-elected in 1988 and 1994, and served as chief judge of the Eighth Judicial Administrative District from 1988 to 1994 and as chairman of the Committee of Chief Judges from 1992 to 1994.

Froehlich's skills as a negotiator and his tireless efforts as a spokesman for the judiciary have led to increased recognition by the Legislature and the governor of the need for adequate funding and staffing of the court system. Many lawyers and judges wrote to the Bench Bar Committee in support of Froehlich's nomination. Judge Joseph M. Troy summed up the sentiments expressed in many of the letters: "Without his efforts," Troy wrote, "the judicial system would be weaker, less responsive to the demands of the public and the Bar, less innovative and less effective state-wide." ♦

New Legislators Ride Along

The Judicial Ride-Along Program, first begun in 1993, is being reprised for the entire state Legislature, beginning with newly elected lawmakers.

The program pairs legislators with judges from their districts for a half day on the bench to improve communication between the two branches of government.

Seventy percent of Wisconsin lawmakers participated in the program from 1993 to 1995. The vast majority of participants gave it high marks for providing a real-life education on the pressures facing the courts.

Rep. Larry Balow, D-Eau Claire, was the first of the new group to participate in the program this winter. He sat with Judge Eric J. Wahl and afterward told the Eau Claire *Leader-Telegram* that all legislators should have this experience.

In addition to showing his or her legislator a busy court calendar, each judge is demonstrating the Circuit Court Automation Program (CCAP) to increase awareness of the many important functions court technology serves.

Also participating in the program this winter are Sen. Jon Erpenbach, D-Madison (with Judge Patrick J. Fiedler); and the following members of the Assembly: Steve Kestell, R-Elkhart Lake, and Joe Leibham, R-Sheboygan (both with Judge Timothy M. Van Akkeren); Lee Meyerhofer, D-Kaukauna (with Judge Dennis C. Luebke); Mark Miller, D-Monona (with Judge Mark A. Frankel); Phil Montgomery, R-Green Bay (with Judge Peter J. Naze); and Mark Pocan, D-Madison (with Judge Gerald C. Nichol).



Rep. Larry Balow



Sen. Jon Erpenbach

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New Grant County Judge Is Appointed



Judge
Robert P. VanDeHey

Governor Tommy G. Thompson appointed Robert P. VanDeHey to fill the vacancy left by Judge John Wagner's retirement. VanDeHey will run unopposed for election to the seat in April.

From 1986 to his appointment, VanDeHey was with Hoskins, Kalnins, McNamara, VanDeHey & Day in Lancaster (he was made a partner in 1990). Since 1996, he also had been Lancaster city attorney.

In the past, he has clerked for Judge Wallace A. Brady, Juneau County Circuit Court, and Judge (now State Bar President) Susan R. Steingass, Dane County Circuit Court.

His experience includes more than 60 jury trials and numerous court trials. He has prepared and argued two cases before the Wisconsin Supreme Court and has authored a number of appellate briefs.

VanDeHey earned his bachelor's degree from the University of Wisconsin in 1982 and his law degree from the University of Wisconsin Law School in 1985.

He is married to a sixth-grade teacher; they have three sons.

Also vying for the appointment—but opting not to run—were Attorney Mark Bromley and Grant County District Attorney Emil T. Everix. ❖

Sternberg Resigns; Martin Named BAPR Acting Administrator



Attorney
James L. Martin

James L. Martin, an assistant City of Madison attorney who has sat on the Board of Attorneys Professional Responsibility (BAPR) for two years, has been named acting administrator of BAPR following the resignation of Gerald C. Sternberg.

BAPR is a board of eight lawyers and four public members, all selected by the Wisconsin Supreme Court and serving a maximum of six years. BAPR is responsible for investigating grievances involving possible attorney misconduct or medical incapacity. After an investigation, BAPR determines whether to dismiss the grievance, impose a private reprimand or make the alleged misconduct the basis for a complaint or petition to the Supreme Court seeking one of several possible disciplinary actions. The Court then determines what discipline to impose.

Longtime BAPR Administrator Sternberg resigned effective November 13 to take a post with the state Department of Health and Family Services.

Martin assumed the acting position in early December and is taking a leave of absence from the Madison City Attorney's Office. ❖

1999 Law Day Planning Is Under Way

January is the time to start planning for Law Day, May 1. The 1999 *Law Day Planning Kit*, produced by the Director of State Courts Office and the State Bar of Wisconsin, will soon be distributed to judges, clerks of court and lawyers who have volunteered to head up Law Day planning efforts in their counties.

The Kit contains ideas for Law Day activities, press release templates, mock trial scripts, an order form for a variety of handouts that are available free of charge or at very little cost and much more.

The 1998 *Law Day Kit, Sesquicentennial Edition*, recently won the American Judicature Society's Special Merit Citation for making a significant contribution towards the improvement of justice.

Anyone not heading up a Law Day committee who would like to place an order for a free *Kit* may call Court Information Officer Amanda K. Todd at (608) 264-6256 or e-mail requests to amanda.todd@courts.state.wi.us. ❖

New Legislators Ride Along

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The other newly elected legislators, with the exception of three from Milwaukee who are lawyers and opted instead to meet with Chief Judge Michael J. Skwierawski, will soon be invited as well. They are all members of the state Assembly: Terese Berceau, D-Madison; Jean Hundertmark, R-Clintonville; Julie Lassa, D-Plover; Jerry Petrowski, R-Marathon; Mark Pettis, R-Hertel; Kitty Rhoades, R-Hudson; Dan

Schooff, D-Beloit; Gary Sherman, D-Port Wing (a lawyer who is opting to sit in a county where he seldom practices); Christine Sinicki, D-Milwaukee; Scott Suder, R-Abbotsford; and John Townsend, R-Fond du Lac.

The three new lawyer-legislators from the Milwaukee area are: Pedro Colon, D-Milwaukee; Mark Gundrum, R-Hales Corners; and Jon Richards, D-Milwaukee. ❖



Rep. Phil Montgomery



Rep. Steve Kestell

Judges' Responsibilities Under New Victims' Rights Legislation

JUVENILE (938.12 OR 938.13(12))	ADULT
<p>Basic Rights</p> <ul style="list-style-type: none"> • confer with DA/CC (938.265) • receive notice of hearings from DA/CC (938.27(4m)) • make statement at disposition (938.335 (3m)(a)) <p>Before a Consent Decree</p> <ul style="list-style-type: none"> • inquire if DA/CC has complied with rights to confer, make statement and receive notice and has sent actual notice (938.32(1)(b)1m) <p>Before a Plea</p> <ul style="list-style-type: none"> • inquire if DA/CC has complied with right to confer and receive notice (938.30(4m)) <p>After Delinquent/CHIPS Finding</p> <ul style="list-style-type: none"> • inquire if DA/CC has made reasonable attempt to inform victim of right to make statement (938.335(3m)(b)) <p>Before Disposition</p> <ul style="list-style-type: none"> • determine whether victim wishes to make statement (938.355(3m)(a)) • inquire whether DA/CC has complied with rights to receive notice and make statement (938.355 (3m)am)) <p>Before Continuance</p> <ul style="list-style-type: none"> • take into account the interests of the victims (938.315(2)) 	<p>Basic Rights</p> <ul style="list-style-type: none"> • confer with DA (971.095(2)) • receive notice of hearings from DA (971.095(3)) • make statement at sentencing (972.14(3)(a)) <p>Before Dismissal</p> <ul style="list-style-type: none"> • inquire whether DA has complied with right to confer (971.315) <p>Before a Plea</p> <ul style="list-style-type: none"> • inquire if DA has complied with right to confer (not notice) (971.08(1)(d)) <p>After Conviction</p> <ul style="list-style-type: none"> • DA/CC must make reasonable attempt to inform victim of right to make statement (972.14(3)(b)) <p>Before Sentencing</p> <ul style="list-style-type: none"> • determine whether victim wishes to make statement (972.14(3)(a)) • inquire whether DA has complied with rights to receive notice and make statement (972.14(2m)) <p>Before Continuance</p> <ul style="list-style-type: none"> • take into account the interests of the victims (971.10(3)(b)3) ❖

DA = District Attorney; CC = Court Commissioner; CHIPS = Children in Need of Protection and/or Services.

Editor's Note: The new law took effect December 1, 1998. Judge C. William Foust, Dane County Circuit Court, created this chart.

Appellate/Trial Judges Trade Places

District II Court of Appeals judges, headquartered in Waukesha, and circuit court judges from the Second, Third and Fourth Administrative Districts, will take part in the Judicial Exchange Program this winter and spring, following a February 11 orientation session.

During the orientation, the circuit court judges will spend a morning watching, but not participating in, a Court of Appeals conference. They will have an opportunity over lunch to ask questions of the appellate judges and will spend the afternoon meeting office staff and learning about the technological tools the Court of Appeals uses.

Circuit court judges who are participating will be taking part in Court of Appeals' conferences, beginning with the February 22 decision conference. The conference panels will consist of two Court of Appeals judges and one circuit court judge. The circuit judges will be assigned to read and participate in conference discussions on nine cases, one of which they will be given to write. They will also be assigned to supervise the staff attorney's drafting of one *per curiam* opinion.

In the spring, Court of Appeals judges will hear jury trials and motions calendars.

District II appellate judges taking part in the program include: Daniel P. Anderson, Richard S. Brown and Neal P. Nettesheim. Circuit court judges participating are: Emily S. Mueller, Racine County; S. Michael Wilk, Kenosha County; Gary J. Langhoff, Sheboygan County; Dale L. English, Fond du Lac County; Robert G. Mawdsley, Waukesha County; and Annette K. Ziegler, Washington County.

Districts III and IV of the Court of Appeals and the circuit courts in those districts have already participated in the program.

This unique opportunity for continuing education is aimed at making the different levels of the courts more aware of the issues their colleagues face. Trial judges also come away from the experience with insights into making a record that will stand up better to appellate review.

The program, started in Wisconsin in 1997, was modeled after a similar program that has operated for years in the federal courts. Federal judges have found their program to be rewarding, but humbling. When U.S. Supreme Court Chief Justice William H. Rehnquist presided over a civil rights trial in Richmond, Va.—marking the first time this century that a U.S. Supreme Court justice had presided over a trial—he was reversed on appeal. ❖

Supreme Court Takes Show on the Road



Supreme Court Justice Jon P. Wilcox discusses the Court's role at a luncheon with volunteers from a local shelter for victims of domestic violence. The Court recognized the contributions of 20 volunteers who work in court-related programs.

The Wisconsin Supreme Court heard six oral arguments in Superior in October as part of its *Justice on Wheels* program.

About 300 people turned out to watch the Court's proceedings in Branch 2 of the Douglas County Courthouse. Before the start of each argument, local attorneys who had studied the briefs gave a short case synopsis.

In addition to hearing cases, the Court held a press conference and had lunch with legal studies students at the University of Wisconsin-Superior and with volunteers who work in court-related volunteer programs in and around Superior. The Douglas County Bar Association honored the Court with a reception that brought in judges and lawyers from all over northwestern Wisconsin.

This was the Court's sixth *Justice on Wheels* trip and the first time it had ever sat in Superior. The Court began the outreach effort in 1993 and has also heard oral argument in courthouses in Green Bay, Eau Claire, Wausau, Milwaukee and La Crosse. ❖

New Dunn County Judicial Center Opens

Construction of the new Dunn County Judicial Center began in May 1997. The Center opened its doors October 22. The larger building on the left houses the 911 center, the district attorney, child support, the register in probate, four courtrooms and other offices. The building on the right houses the Dunn County Sheriff's Department, the Menomonie Police Department and (in the octagonal wing) a detention center for 96 inmates and 60 Huber inmates.

The Dunn County Sheriff's Department moved into the new building in December and the jail inmates were scheduled to move in January.

The old courthouse, completed in 1960, had a Y shape with the main doors in the middle and offices spanning three wings and several floors. The clerk of circuit court, the judges and the district attorney were all on separate floors and child support was in a different wing. In addition, the sheriff and jail were 10 blocks away and prisoners on their way to court had to be escorted through the main hallways past victims, witnesses and jurors.

Fire destroyed Dunn County's first courthouse and all county records in 1858. Soon after, the Dunn County Board appointed a committee whose sole duty was



The Dunn County Judicial Center opened October 22.

to dispose of one keg of nails that was saved from the courthouse fire. ❖

DOT Issues Reminder on Citations

Wisconsin law requires courts to forward adjudicated citations to the Department of Transportation (DOT) within five working days of the conviction. The DOT Citations Unit is reminding court staff during the first few weeks of the new year to be sure to write the correct year and to follow these guidelines:

- use a felt-tip pen to complete the citation;
- do not stack citations when completing the court disposition (the writing carries through the copies);
- do not use staples on citations;
- use Field 53 (not Field 52) for the adjudicating court code;
- make all court entries (rubber stamps or amendments, for example) to the back side of the citation (only the arresting officer's writing should be on the front of the citation);
- record a conviction under §343.05(3), operating without a license, as a minor offense with three points, regardless of

whether it is a first or subsequent offense (courts do not need to amend convictions of § 343.05(3) to reflect second or subsequent offenses);

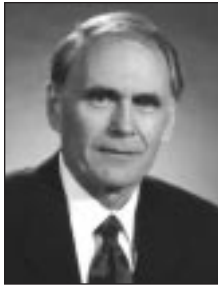
- record unnecessary acceleration, spinning doughnuts, exhibition of power and squealing tires as four-point violations, whether they are written on a Uniform Traffic Citation or a municipal citation;
- use a single, specific speed, not a range, when amending speed. Because point assessments are statutory, based on the charge, a judge wishing to change the points a defendant is assessed must amend the charge to one which carries the desired assessment.

Questions on reporting court dispositions may be directed to the DOT Citation Unit, (608) 267-4591. Suggestions for improving the process may be sent to: Valerie Elmer, Wisconsin Department of Transportation/Bureau of Driver Services, P.O. Box 7995, Madison, WI 53707-7995. ❖

Great Lakes Court Summit Reaches Across Borders



Justice
Linda K. Neuman,
Iowa Supreme Court



Chief Justice
Richard J. Scott,
Manitoba Supreme
Court

Held in late September, the Great Lakes Court Summit brought 33 supreme court justices and court administrators from Indiana, Iowa, Minnesota, Wisconsin and Canada to Madison for a two-day program. The summit provided justices and administrators with an opportunity to share experiences, ideas and expertise on case law and court administration. Funded by a grant from the State Justice Institute

(SJI) and coordinated by Assistant to the Chief Justice John Voelker, the summit also sought to evaluate the usefulness of multi-state conferences and to report the findings of the conference to national organizations.

Panels and presentations dealt with several issues, including: the politicization of the judiciary, comparative law and the information superhighway, enforcing judgments across borders and judicial ethics.

Presenters at the conference, representing various fields and courts, included: Judge Antoine Garapon, director of the Institute of High Studies on Justice (Paris); Justice Thomas A. Cromwell, Nova Scotia; Professor Carl Baar, Brock University (Ontario); Justice Claire L'Heureux-Dubé, Supreme Court of Canada; Professor Henry Perritt, Jr., Chicago-Kent College of Law; Ron Staudt, vice president, LEXIS-NEXIS; Professor Russell J. Weintraub, University of Texas-Austin School of Law; Roger Warren, president of the National Center for State Courts; Judge Rich Hopper, Community

Justice Project, Minnesota; Mark Carey, Dakota County, Minn., Community Corrections; Chief Justice Richard J. Scott, Manitoba; James C. Alexander, Wisconsin Judicial Commission; Judge Thomas H. Barland, Eau Claire County Circuit Court; Justice Linda K. Neuman, Iowa Supreme Court; Justice Alan C. Page, Minnesota Supreme Court; and Chief Justice Randall T. Shepard, Indiana Supreme Court.

Many of the presenters and other scholars submitted manuscripts on the issues discussed at the summit. The manuscripts were compiled and distributed to participants and SJI-designated libraries.

Independent evaluator Professor Gordon Baldwin, University of Wisconsin Law School, reported: "The high quality of manuscripts submitted by panelists endures and deserves publication. The most notable feature of this event, however, remains in the personal discourse and interplay of views." ❖

Supreme Court Keeps Jury Data Public

After a lengthy public hearing on November 17, the Wisconsin Supreme Court, by a unanimous vote, declined to adopt a rule that would have shielded jurors' personal information from the public in civil and criminal trials.

Director of State Courts J. Denis Moran had filed the petition on behalf of the Wisconsin Records Management Committee.

Judges Gary L. Carlson, Taylor County Circuit Court, and Emily S. Mueller, Racine County Circuit Court, argued on behalf of the proposal. They told the Court that the system has an obligation to protect the privacy and safety of people who serve as jurors. They pointed out that personal information such as home and business addresses and social security numbers are part of the public record. In addition, jurors' responses to questions during *voir dire* also become part of the record. Depending upon the nature of the case, lawyers may ask jurors, for example, where their children go to school. While Carlson and Mueller agreed that a rule limiting the questions lawyers may ask during *voir dire* would be problematic (trial judges already have the authority to do this where appropriate), they argued that this information should be sealed at the conclusion of a trial and that jurors should be referred to throughout the trial by numbers instead of names.

In addition, they told the Court that a compromise idea, where juror information would be shielded only in certain cases, could

taint juries by implying before the start of the trial that the defendant and/or his or her acquaintances are considered dangerous people.

Carlson and Mueller were joined by District Court Administrator Gail Richardson, District V, and a former juror who, after her jury service, took a job with the courts and happened to process a letter from the defendant she had helped to convict. He was seeking the home addresses of all the people on the jury.

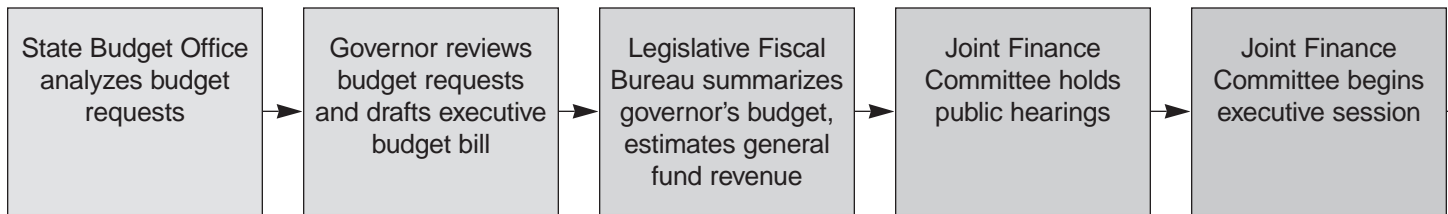
Arguing against the proposed rule were numerous lawyers and members of the media. In addition, Chief Judge Michael J. Skwierawski, District I, told the Supreme Court the entire bench in Milwaukee opposed the petition.

Opponents argued that the public status of jurors as members of the community is what gives the jury system its integrity. Further, they were skeptical that the proposal would not limit *voir dire*.

On a motion from Justice N. Patrick Crooks, who said the petition "runs contrary to the openness that has always been a policy in this state," the Court denied the proposal. The Supreme Court followed its vote with a discussion in which the justices agreed on the importance of taking steps to ensure jurors' privacy and security in a manner consistent with both a litigant's right to a fair jury and the state's open records law. ❖

Budget Process in Full Swing

The court system's budget request for fiscal years 1999-2001 is now in the hands of the analysts who will help shape the governor's budget recommendations. Following is a combination road map and timeline on the budget process.



State Budget Office Reviews Requests November-January

The overall responsibility of the State Budget Office is to provide whatever information the governor requests to permit him to arrive at a recommended appropriation level for each year of the forthcoming biennium for each state agency.

The analysis by the Budget Office—the first phase of the budget review process—includes a check on the technical accuracy of the request, analysis of the justifications for the requested changes and evaluation of the policy implications of such changes. The state budget director (an appointee of the Department of Administration (DOA) secretary) is integrally involved in the review of agency requests and the development of the governor's budget recommendations. Typically, there is also considerable involvement by the DOA secretary—although the nature of this involvement varies from budget to budget.

By November 20 of each even-numbered year, according to state law, the DOA secretary must provide the governor and each member of the next biennial Legislature a compilation of all budget requests and the actual and estimated revenues for the current and coming biennium. These revenue estimates are the basis for the governor's decision-making process.

Governor Drafts and Delivers Budget December-January

In arriving at his budget recommendations, the governor may elect to hold very detailed briefing sessions with State Budget Office or other executive office staff, or he may choose to focus on recommended changes to agency requests or examine major policy or dollar changes. He may also choose to hold public hearings on agency budget requests or meet with agency heads. In recent years, these meetings have not been common as the governor's decision-making process has not been public.

The governor's budget recommendations, in addition to changes in appropriations, include whatever statutory language is needed to accomplish the policy changes contained in his budget recommendation. In the case of the courts' budget, these might include, for example, changes in the nature of an appropriation (annual to continuing), in the methodology used to pay reserve judges or in the level of various court fees.

Under state law, the governor is required to deliver the biennial budget message to the Legislature on or before the last Tuesday in January in odd-numbered years (January 26 this year); however, in a majority of recent budgets, this has been delayed at the request

of the governor (by an average of two weeks). The statutes also require that the governor send the Legislature the state budget report, the executive budget bill(s) and suggestions for raising additional revenue. Accompanying these submissions is the governor's budget book, which provides a brief description of each agency, summary fiscal information and a listing of the governor's recommended changes to an agency's existing budget level. All of the budget changes recommended by each agency must be shown in the governor's budget book as well, although how this is to be done is often not specified.

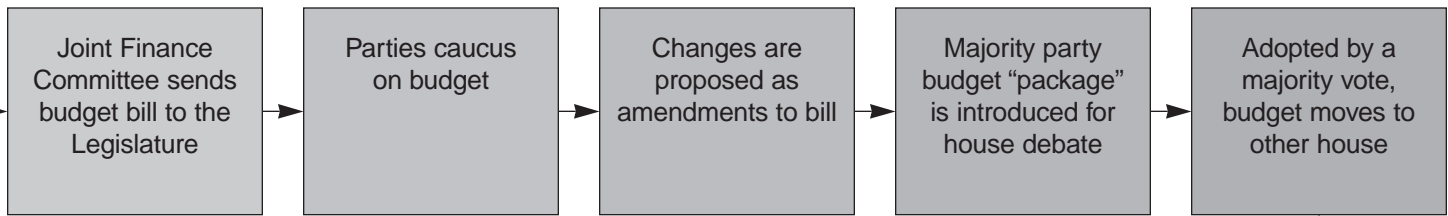
Joint Finance Committee Takes the Lead February-May

The focus of budget deliberations shifts to the Legislature in February. The executive budget bill must be introduced, without change, into one of the houses of the Legislature by the Joint Finance Committee. Upon introduction, the bill must be referred back to that committee for review.

As soon as the budget is introduced, the Legislative Fiscal Bureau (see *Behind the Scenes*), a non-partisan legislative service agency that is responsible for assisting the Joint Finance Committee and the Legislature as it deliberates on the budget, begins preparing an extensive summary of the governor's budget recommendations (including statutory language changes) and references to all sections of the governor's budget bill that relate to a specific budget item. This summary document is then periodically updated throughout the legislative budget process and is the reference point for legislative budget deliberations. When completed, it provides historic tracking of budget decisions, reflecting the actions of the governor, the Joint Finance Committee and the Legislature, as well as any vetoes by the governor.

In January, before the Legislature has any official role in the budget process, the Fiscal Bureau works on an independent estimate of general fund revenue which is provided to the Joint Finance Committee and the Legislature. Because the state Constitution requires a balanced budget, this estimate often sets the tone for legislative budget deliberations.

Once briefed by the Legislative Fiscal Bureau on the contents of the executive budget bill, the Joint Finance Committee holds public hearings. These hearings take two forms. The first, called agency informational hearings (usually in late March, in Madison), are public hearings at which representatives of the judicial branch (such as the chief justice, the director of state courts and the chief judge of the Court of Appeals) and designated state agencies are invited to appear before Joint Finance to speak on the governor's



budget proposal and the effect it would have on the agency and its programs. Sessions at which members of the general public are heard regarding any area of the budget are the second type of hearing. These public hearings are traditionally held at various locations around the state during late March or early April.

While Joint Finance is holding its hearings, other committees of the Legislature may also hold hearings and review portions of the governor’s budget proposal. Some committees may choose to forward recommended changes to Joint Finance for possible inclusion in its version of the budget.

When the public hearings are done, Joint Finance begins executive sessions on the governor’s proposed budget. It is in these sessions—which may last from late April to early June—that the committee’s decisions are made. While these meetings are public, comment from the public or from agency officials generally is not taken. The committee may choose to amend portions of the governor’s bill, or may construct its own budget bill. In addition, it normally removes what it considers “policy only” items from any legislation it forwards to the full Legislature.

Prior to these executive sessions, the Fiscal Bureau prepares issue papers for the committee on various items in an agency’s budget. These papers, which are released to the public a day or two prior to committee executive sessions, review policy and fiscal options and present alternatives to the governor’s recommendations for the committee to consider. In addition, any committee member may request that the Fiscal Bureau prepare a motion to amend the budget, which the member could then present for the committee’s consideration. The Bureau also prepares a list of items for which no issue papers have been prepared. Unless committee members request that any of these items be considered individually, they are generally folded into the committee’s version of the budget without discussion.

The Joint Finance Committee normally adopts a budget that contains numerous changes to what the governor submitted. These changes generally take the form of a substitute amendment to the governor’s budget bill.

The Legislature Tackles the Budget June

At this point, the budget bill, as recommended by the Joint Finance Committee, returns to the house that initially referred it. Both houses are then briefed on the budget and the house considering the budget begins simultaneous (majority and minority) party caucuses on it. Any proposed changes at this point must be offered and adopted in the form of drafted amendments to the bill.

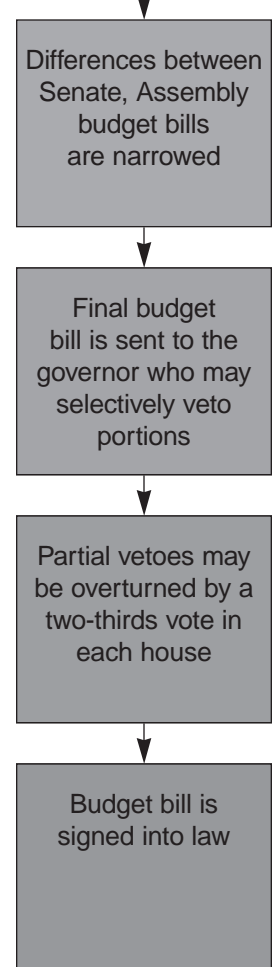
While numerous amendments are proposed, a small number are ultimately offered and debated in each house. In general, however, most of the considered changes are formulated and put forth by the majority caucus as a result of caucus deliberations. This process ultimately results in an adopted majority package of changes; this may take the form of a simple amendment to the Joint Finance Committee bill or a new substitute amendment.

Once the individual caucuses have finished their deliberations, the majority party budget “package” will be introduced and floor debate will begin. As with any other legislation, the budget bill, as adopted by a majority vote of that house, then moves to the other house where a similar pattern of budget review and adoption is followed. The two houses rarely pass identical versions of the budget and differences between the two versions of the bill are either resolved by conference committee or by narrowing them through a series of amendments. This generally takes place in late June.

A New Budget is Signed August

The final bill, as approved by both houses, is not sent to the governor until he calls for it. This delay may be up to several weeks. This gives the governor and his staff time to review the items in the final legislative budget bill and to consider—in consultation with the State Budget Office, agency heads and legislators—which items to veto. The governor has the power to selectively delete portions of the budget bill (both language and dollar amounts) without rejecting the whole bill. These partial vetoes may in turn be reviewed by the Legislature and overturned by a two-thirds vote in each house.

Once signed into law (this occurs in late July or early August), the budget bill becomes the state fiscal policy document for the next two years. ❖



Behind the Scenes, Two Teams Shape Courts' Budget

DOA Justice Team

They may not make the headlines, but Cindy Archer and Brett Coomber are important to the budget process. They are in charge of analyzing the courts' budget request and drafting recommendations on what should go into the governor's executive budget bill.

Archer leads the Department of Administration (DOA) Justice Team and Coomber is a member of that team, assigned to review the courts' budget. Together, they analyze the technical accuracy of the budget request, the justifications given for the requested changes and the policy implications of such changes.

Archer, a native Texan, moved to Wisconsin in 1977 to attend the University of Wisconsin-La Crosse (she earned her bachelor's degree there in 1983). She returns to Texas on a regular basis to visit her family, all of whom still live there.

She got her first taste of DOA work through two internships—one during college and one while she was in graduate school (she earned a master's degree in public policy and administration from the La Follette Institute of Public Affairs at the University of Wisconsin in 1986).

After graduate school, she spent a year with the Legislative Audit Bureau performing program evaluations. In November 1987, she accepted a full-time position as a policy and budget analyst on DOA's Environmental and Commercial Resources Team. She has remained with the DOA since then, serving next on the General Government Team (analyzing justice-related budgets, which used to be assigned to this team) and finally (in 1994) as manager of the Justice Team, her current position.

Archer lives on Madison's near East Side. When she is not plowing through budget requests, she enjoys her two springer spaniels, fishing and working out at the gym.

Coomber is fairly new to Wisconsin, having moved here in July 1997. In September 1998 he accepted the DOA position. An Illinois native who grew up in Freeport, he was most recently a financial specialist at Honeywell Inc. Coomber earned his bachelor's and master's degrees from Western Illinois University (in 1983 and 1986, respectively) and earned a second master's degree—in public administration—from Northern Illinois University in 1996.

Coomber has worked in the public sector for most of his career, planning and directing a variety of programs aimed at economic development and long-range planning. He was director of



Program Supervisor Debbie Salm and Fiscal Analyst Barbara Zabawa of the Legislative Fiscal Bureau's Justice Team examine the courts' budget submission.

community development for Freeport, Ill.; director of public works for the Village of Machesney Park, Ill.; economic development specialist for the City of Rockford, Ill.; and executive director of Growth Dimensions of Belvidere, Ill.

When he is not crunching numbers, Coomber enjoys boating, motorcycles, music, sports, weight lifting and friends. He lives on Madison's East Side.

LFB Justice Team

Like the State Budget Office, the Legislative Fiscal Bureau (LFB) employs analysts who are responsible for reviewing each state agency's budget. The Fiscal Bureau's Justice Team works with budgets from the courts, Department of Corrections, Department of Justice, Office of Justice Assistance, State Public Defender, district attorneys, Judicial Commission and state lottery. It also works on Indian gaming and other gaming issues.

The program supervisor of the Fiscal Bureau's Justice Team is Debbie Salm and the fiscal analyst responsible for review of the courts' budget is Barbara Zabawa.

Originally from Detroit, Salm graduated from high school in Two Rivers, Wis., and from the University of Wisconsin in 1975. Following college, Salm worked in a variety of employment and training-related positions with the State Manpower Council and the Department of Industry, Labor and Human Relations.

In 1982, she became a fiscal analyst with the LFB, working with the courts and justice-related agencies. In 1988, she joined the National Council on Crime and Delinquency (NCCD) as a consultant, working with juvenile justice and child welfare agencies around the country on risk and needs assessment and case management issues. In 1996, Salm rejoined the LFB as Justice Team leader.

Salm is married to Don Salm, an attorney with the Legislative Council. The household includes four children, a hamster and, she admitted, a few dying houseplants. She enjoys traveling, going to the theater, reading and chaperoning marching band trips.

Barbara Zabawa started working for the LFB as a fiscal analyst in August 1998. Prior to this, she worked as a law clerk in the Medicaid Fraud Control Unit at the Department of Justice. Zabawa has completed her first year of law school at the University of



Fiscal Analyst Brett Coomber and Justice Team Leader Cindy Archer analyze the CCAP budget request.

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Court Reporters Have 103 Years Among Them

The Wisconsin courts bade farewell to three veteran court reporters recently.

Robert L. Carpentier, court reporter for 24 years for Judge Michael W. Brennan, Clark County Circuit Court, retired December 30.

Carpentier witnessed many memorable courtroom moments in his long career, but a paternity hearing years ago still sticks in his mind. "The guy came in and he said, 'I don't know why I have to pay support; it was my birthday the night this happened and this was my present.' So Judge Brennan said, 'Well, why should we taxpayers pay? We weren't even invited to the party.'"

Carpentier was working at the post office when he heard about the court reporter job at a party. He applied and was selected in spite of his status as a Vikings and Bears fan. "I've gotten a lot of grief through all the years, especially when the Packers win," he admitted. "They've been pretty quiet lately though."

In retirement, Carpentier plans to camp, fish and "just sit around." His wife, Andrea, will continue to work as a secretary in the District Attorney's Office.

Leland J. Guetschow, a Manitowoc County court reporter for more than 42 years (the last 11 with Judge Darryl W. Deets), retired January 4. He was the last pen writer in Wisconsin, meaning he took shorthand instead of using a machine.

Guetschow began his career as a stenographer for a Manitowoc attorney and caught the eye of Judge Jerome Ledvina, who convinced him to become his court reporter. "I didn't know what I was getting into," Guetschow recalled. "We had a jury trial just a few weeks after I started and I about dropped my teeth a few times there."

He then spent 28 years working for Judge Leon Jones. During most of these years, he also served as clerk of the juvenile court and as the judge's secretary.

One of his more memorable courtroom moments was a small claims case involving a local tavern owner and an all-male revue. The tavern keeper had signed a contract with the performers prior to seeing their show. Once she saw it, at another local bar, she was less interested in having them dance at her establishment. In rapid-fire testimony, she described the performance

and two post-performance contests. The litigants in the next case, a landlord-tenant dispute, commenced their proceeding by warning that they would not be as interesting as the previous case.

In retirement, Guetschow wants to do some volunteer work with local historical societies, at-risk children and the elderly. He loves to travel and is already planning a trip to Rome in March. He also plans to stay in close touch with his courthouse friends, especially Deets.

"We're very close friends," he said, adding that Ledvina and Jones were also wonderful to work for. "It's just been very enjoyable and I have learned so much here," he said. "I don't know what it would have cost for this education."

When Dennison M. Sager officially retired January 15, he had served as court reporter for just shy of 37 years. His last appointment, running 16 years, was with Circuit Court Judge Earl W. Schmidt in Menominee and Shawano Counties.

Sager began his career in 1962 as an assistant reporter and clerk for Judge
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Navigating the Internet: Useful Web Sites

by: *Connie Von Der Heide, Reference/Outreach Services Librarian, Wisconsin State Law Library, and Karen Leone de Nie, Program Assistant to the Supreme Court*

Mediation Information and Resource Center (MIRC) <http://www.mediate.com>

A comprehensive site on mediation and alternative dispute resolution, it contains articles, advice on how to select and locate a mediator and information on mediation training and education opportunities. Visitors can participate in an interactive magazine on dispute resolution and share successes and concerns and ask questions or give advice. Lists links to other related sites.

The Official Teen Court Web Site <http://tqd.advanced.org/2640>

Built by the Knox County Teen Court in Galesburg, Ill., this site features interviews with Teen Court participants, "helpful hints" for starting a Teen Court, a sample procedure manual, Teen Court statistics, mock trials for training volunteers, a list of other useful Teen Court links and more. Visitors can join the online discussion of Teen Court issues.

The National Clearinghouse on Child Abuse and Neglect Information <http://www.calib.com/nccanch/>

The National Clearinghouse on Child Abuse and Neglect Information includes two databases and an online directory

providing information on prevention, identification and treatment of child abuse and neglect. The databases contain profiles of community-based prevention programs. This site includes online articles, statistical resources, legal information, funding information and catalogs of conferences and publications.

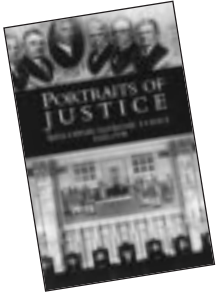
The Sourcebook of Criminal Justice Statistics 25th Anniversary Edition <http://www.albany.edu/sourcebook/>

The Sourcebook of Criminal Justice Statistics contains more than 600 tables from over 100 sources. The data are organized into sections: characteristics of the criminal justice system; public attitudes toward crime and criminal justice-related topics; nature and distribution of known offenses; characteristics and distribution of persons arrested; judicial processing of defendants; and persons under correctional supervision. Information may be viewed using Adobe Acrobat Reader (available free on the Internet at <http://www.adobe.com/prodindex/acrobat/readstep.html>).

The Web site is updated continually and changes are announced in the "What's New" section, which also identifies new data sources available elsewhere on the Internet. ❖

Sesquicentennial Projects Have Long Life

On May 29, 1848, Wisconsin became the 30th state admitted to the Union. Throughout 1998, the Wisconsin courts, along with many others, celebrated the state's sesquicentennial in a variety of ways. Following are highlights of many of the Supreme Court Sesquicentennial Committee's projects. Most of the publications referenced can be found on the courts' Web site (www.courts.state.wi.us) or ordered by calling Program Assistant Karen Leone de Nie, (608) 266-1298, or by e-mail, karen.leonedenie@courts.state.wi.us.



- **Portraits of Justice: Wisconsin Supreme Court 1848-1998** is a book which tells the stories of the 75 justices who have served on the Wisconsin Supreme Court since statehood. A limited budget did not permit a large enough printing to make these available for sale. The book is available on the courts' Web site and in public libraries.
- **Wisconsin's Legal History** is a series of articles by Madison Attorney Joseph A. Ranney which highlights many of the important people and events that have shaped Wisconsin law. Available as a booklet and on the Web site. No charge.
- **The Supreme Court Hearing Room** is a full-color brochure written by former Chief Justice Roland B. Day that tells the history behind the artwork in the Hearing Room. Available in hard copy and on the Web site. No charge.
- **1998 Law Day Kit, Sesquicentennial Edition** helped judges, attorneys and court staff around the state to add a sesquicentennial twist to their 1998 Law Day celebrations. It recently won the American Judicature Society's Special Merit Award. Available in hard copy only. No charge.
- **Wisconsin's Historic Courthouses poster** was a project of the Wisconsin State Historical Society, with assistance from the Director of State Courts Office and the Wisconsin Supreme Court. The poster highlights some of the state's historic county courthouses. Available in hard copy only. Will be folded for mailing unless a mailing tube and return postage of \$3 are sent.
- **County Courthouse/Legal History** packets were assembled for each of Wisconsin's 72 counties. They were intended to give brief histories of Wisconsin's county courthouses for Law Day, but became excellent sources of legal lore and county court/jail/judge history that continue to be used in speeches and handouts throughout the state. Each judge in the state received a packet about his or her county court history. Available in hard copy only. No charge.
- **Sesquicentennial Minutes** with a focus on Wisconsin's legal history were aired on Wisconsin Public Television. The Minutes highlighted the Bashford-Barstow gubernatorial election of 1855 and the Civil War draft riots of 1862, both of which evolved into Wisconsin Supreme Court cases. Another Minute told of the legal and legislative battles Rhoda Lavinia Goodell fought in order to become the first woman admitted to practice law before the Wisconsin Supreme Court in 1879. Call Wisconsin Public

Television at (608) 263-4575 for information on ordering copies. Tapes contain all 52 Wisconsin history minutes and are \$25.95 plus \$3 shipping.

- **Stand the Storm**, a half-hour documentary on the 1854 runaway slave case Ableman v. Booth (see *Rope of Sand* entry below for full description) was produced by Wisconsin Public Television in cooperation with the Wisconsin Supreme Court and funded by a \$30,000 grant from the Wisconsin Sesquicentennial Commission. It made its statewide debut on December 16, 1998, on Wisconsin Public Television. Available for purchase through the Supreme Court for \$8.50.



Sherman Booth

- **Rope of Sand**, a play commissioned by the Wisconsin Supreme Court with funds from the Wisconsin Sesquicentennial Commission, was performed four times over Statehood Day weekend. The play told the story of a runaway slave named Joshua Glover who escaped to Wisconsin in 1852, but was captured two years later and jailed in Milwaukee to await return to Missouri. Local abolitionists, led by newspaper publisher Sherman Booth,



Joshua Glover

broke down the jail door and freed him. Glover went on to Canada and freedom, but Booth faced a protracted legal battle for his part in the escape. *Rope* and the documentary *Stand the Storm* played out—in very different ways—the tug of war between the state and federal courts. Script and other informational pieces available in hard copy only. Non-school groups that perform the play will be required to pay a royalty to the playwright.

- **Justice in Their Own Words** is an oral history project undertaken by the Wisconsin Supreme Court and Director of State Courts Office. To date, more than 20 of Wisconsin's long-serving active, reserve and retired judges have been interviewed for this project. The four-volume series of transcripts is available at the Wisconsin State Historical Society, University of Wisconsin Law School, Marquette University Law School and the Wisconsin State Law Library. This is an on-going project that depends upon volunteer interviewers and court reporters. ♦

Celebrating 150 years...

Information on other court sesquicentennial projects is being sought. Please send samples, clippings, summaries or anything that is available for the courts' archive to Court Information Officer Amanda K. Todd at the address on the back cover. ♦

VOLUNTEERS IN THE COURTS: _____

A Partnership for Justice

by: Karen Leone de Nie

Program Assistant to the Supreme Court

DOJ Funds Study of Wisconsin Court-Related Volunteer Initiative

After talking with court volunteers in Madison in May 1997, U.S. Attorney General Janet Reno returned to Washington and wrote, "I have so many new ideas on volunteer programs and what DOJ [U.S. Department of Justice] might do." As a start, DOJ has provided a grant to a Florida professor to study and report on Wisconsin's *Volunteers in the Courts* initiative.

Under the auspices of the Bureau of Justice Assistance (BJA), which is part of DOJ, political science Professor W. Clinton Terry of Florida International University visited Wisconsin in November to gather information on how and why the courts use volunteers. Terry's first stop was Madison, where he met with Chief Justice Shirley S. Abrahamson before joining a group of circuit court judges from around the state to hear about their counties' court-related volunteer programs. The meeting was facilitated by Judge Dennis J. Barry, Racine County Circuit Court. The following circuit court judges were scheduled to participate: Andrew P. Bissonnette, Dodge County; Roderick A. Cameron, Chippewa County; John A. Damon, Trempealeau County; William C. Griesbach, Brown County; Dennis J. Mleziva, Kewaunee County; Joseph M. Troy, Outagamie County; Steven W. Weinke, Fond du Lac County; and Annette K. Ziegler, Washington County.

Terry also made stops in Appleton, Oshkosh, Dodgeville and Richland Center to talk with judges, program coordinators and volunteers and to observe how various court-related volunteer programs operate. During his travels he met with numerous program

coordinators, including: Kristy Bradish, Winnebago County Conflict Resolution Center; Stu Driessen, Outagamie County's Volunteers in Offender Services; Leslie Frisinger, Dane County Supervised Visitation Program; Marcia Hill, Iowa County Teen Court; Karen Lasker, Dane County Permanency Plan Review Panel; Circuit Court Judge Edward E. Leineweber, Richland County Community Service Project; Sheri Lynch, Dane County Victim Offender Conferencing; Juvenile Court Administrator James Moeser, Dane County Volunteers in Detention; Henk Newenhouse, Ph.D., Richland County Courthouse Resource Center; Marsha Varvil-Weld, Dane County Court Appointed Special Advocates.

Most of the credit for the success of these programs and for the recognition the state has received in this area goes to the people working at the local level. "I met a large number of truly wonderful people," Terry said, "all of whom are committed to their volunteer work."

The final report, which will outline numerous types of programs and profile some of the volunteers helping the courts, will appear this year as a *BJA Bulletin*, a national publication that will give the Wisconsin initiative national exposure and help make it a model for other states.

To date, there are more than 150 court-related volunteer programs operating in 58 counties and 11 tribes, and one program which works throughout the state. Over 5,000 volunteers make this possible. ❖

History of *Volunteers in the Courts: A Partnership for Justice*

- **February 1996:** A two-day workshop set up by then-Justice Shirley S. Abrahamson under the direction of then-Chief Justice Roland B. Day, explored establishing a court-community partnership to address the needs of the justice system and highlighted court-related volunteer programs currently in operation in both Wisconsin and New Jersey. The workshop identified a need to inventory the existing programs.
- **April 1996:** A one-day workshop focused on the American Association of Retired Persons' National Guardianship Monitoring Program. This spurred the creation of several pilot programs in Wisconsin.
- **June 1996:** A *Volunteers in the Courts* Coordinating Committee was formed to create and distribute questionnaires

to identify existing volunteer programs. Over 350 individuals and organizations responded.

- **April 1997:** Almost 200 people attended a one-day conference in Madison highlighting various volunteer programs throughout the state. The first edition of the *Volunteers in the Courts: Court-Related Volunteer Programs in Wisconsin* catalog debuted at the conference. A project of the Wisconsin Supreme Court and the State Bar of Wisconsin, it contained information on over 100 programs using more than 4,500 volunteers.
- **June 1998:** The Wisconsin Supreme Court and State Bar of Wisconsin teamed up once again to produce the second edition of the *Volunteers in the Courts: Court-Related Volunteer Programs in Wisconsin* catalog. ❖

Conflict Resolution Center Mediators Take Home Priceless Rewards



Chief Justice Shirley S. Abrahamson (back row, right) at the Fond du Lac Conflict Resolution Center. Front row: Center Director Mary Beth Carew; County Board Chairman George Stauchfield; Renee Weinschel, volunteer mediator. Back row: County Executive Allen Buechel; Jerry Bonlander, Janice Webb and Mary T. Hall, volunteer mediators; and Joyce Reinke, assistant to the director of the Center.

Sometimes they enter a room at the Fond du Lac Conflict Resolution Center in silence, other times lashing out, but they usually leave shaking hands. The problems that follow participants in small claims mediation here range from landlord/tenant disputes to consumer/merchant disagreements to difficult neighbor relations.

When mediation participants leave the Fond du Lac Conflict Resolution Center feeling satisfied, the volunteers who helped them find a solution share their sense of accomplishment.

Volunteers Protected by Federal Act

Recent federal legislation protects volunteers, nonprofit organizations and government entities from liability in certain situations and places caps on damages assessed against volunteers. Congress took this action because liability concerns were deterring potential volunteers from becoming involved with organizations that provide valuable services.

The Federal Volunteer Protection Act provides immunity for volunteers who are "acting within the scope of the volunteer's responsibilities" and are properly licensed, certified or authorized to undertake their designated responsibilities as long as their actions are not "willful or criminal" (Section 4(a) of the Act). The new law preempts similar state laws, except those providing additional protection to volunteers.

For full text of the Act online, go to http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=105_cong_bills&docid=f:s543enr.txt.pdf. ❖

"By the time [the disputants] leave they are often smiling," said Laurel Rothwell, a volunteer mediator at the Center. They may have entered the program with what they thought was an unresolvable conflict, but often leave making a commitment to a resolution that is mutually acceptable, a resolution they shared in creating.

Rothwell has been involved in the program from the start. She learned about mediation at a 1993 League of Women Voters conference. League Board Member and Center Director Mary Beth Carew, along with others, took the idea back to Fond du Lac and approached the courts and various agencies for their support. In February 1994, the Fond du Lac Conflict Resolution Center was incorporated and one year later it began hearing small claims cases.

In August 1997, in a testament to the success of the program, mediation was made mandatory in all disputed small claims cases in Fond du Lac County. The Center also handles civil cases ordered into mediation by circuit court judges.

Every Thursday, when parties to small claims actions appear in court, the judge tells them that they must first try mediation to resolve their cases. They are matched with a volunteer mediator to begin the process the same day. In 1997, the Center mediated 300 cases with a 74 percent success rate. By July 1998, 243 cases had already been mediated through the Center.

In 1995, Carew recruited and helped train 10 volunteer mediators. More than three years later, nine of those volunteers are still active and nine more have joined them. "They want to give something back to our community," she said. "They are dedicated, they show up every Thursday, even in the middle of a snowstorm . . . It's a profession."

Rothwell said she became a volunteer at the Center to contribute to the community. But she continues because "we get something ourselves." It is rewarding to help people make their own decisions and to help them develop skills that they will use again, she said.

Mediators at the Center use classic communication techniques to help disputants reach common ground. They paraphrase and repeat each person's argument and try to help him or her understand the other's position. The goal is to help the parties "shift from the position of what they want and to move to a constructive position of what they need," said Rothwell.

Another volunteer mediator, local businessman Robert Royce, tries to get participants past ultimatums such as, "I'll see you in court," so they can listen and talk to one another. "That's when the fun begins," he said. "It's real . . . it's using common sense to come to an agreement. It just makes your day."

At the end of a mediation session, Rothwell sometimes hears a participant say that he or she would use mediation again. Comments like those are all the motivation Rothwell and the other volunteers need to keep coming back each Thursday to help people come to long-lasting, self-determined resolutions to many of life's problems. ❖

For more information on the Fond du Lac Conflict Resolution Center, contact Executive Director Mary Beth Carew at (920) 929-7600.

Dane County Juvenile Court Recognizes Commitment to Youth and Families



Retired Judge
Ervin M. Bruner

The first annual Dane County Juvenile Court Recognition Awards Banquet went a long way toward proving that “heroes are not giant statues framed against a red sky,” the theme for the evening. Held in October, the banquet honored 11 people and one community group that showed exemplary commitment to improving their communities and helping youth and families.

Members of the community and juvenile justice agencies made the nominations. The awards honored not only the recipients, but also the three individuals for whom the awards were named. These people have made enduring contributions to the county juvenile justice system.

Ervin M. Bruner, Dane County’s first juvenile court judge, retired after nearly 20 years of service and left behind a legacy of progressive ideas and leadership. The Ervin Bruner Award was given to Maureen Torphy, former juvenile court administrator and Department of Human Services manager, and Lynn “Barney” Marquardt, a 26-year veteran of the Verona Police Department and founding member of the Juvenile Law Enforcement Association.

Peter Rubin, who died in 1996, worked as an attorney in the State Public Defender’s Office where he advocated for youth in the juvenile justice system for over 20 years. His commitment to helping youth went beyond his professional life to his work with his church and neighborhood. Dennis McClain, supervisor of the Dane County Detention Home, and Newton Newton, who worked at the Bockari Group Home until his death in June 1998, were honored with the Peter Rubin Award.

George A.W. Northrup, who died of cancer in 1997, served as a Dane County Circuit Court judge for more than 10 years. “Despite battling cancer for much of the last year of his life,

Judge Northrup demonstrated a commitment, compassion and respect for others that served as a model for us all,” said Dane County Juvenile Court Administrator James Moeser, who coordinated the banquet. Recipients of the Northrup Award were Jackie Millar and Lynn Carruthers. Millar, a victim of attempted homicide, now speaks to youth and professionals about her experience and the consequences of violence. Carruthers, also a victim of violent crime, is a volunteer with Joining Forces for Families and is an active member of the Castille-Granada Neighborhood Organization.

Outstanding Achievement Awards went to Meti Adams, who was involved with the Neighborhood Intervention Program and the Future Leader’s Club and is now a student at a Chicago college, and Charity Lowery, who is a mother of a two-year-old daughter, maintains a 4.0 grade point average and works part-time.

Outstanding Service Awards were presented to John Olson for over 30 years as a teacher, coach, athletic director and assistant superintendent for Madison Metropolitan School District; the East Madison Community Center for three decades of service to youth and families in the Truax neighborhood; Edie Halls Bek-Gran for over 25 years of service to children as a social worker with Dane County Human Services; and Joann Kessler, a bailiff with the Dane County Sheriff’s Department.

The Dane County Juvenile Court and Juvenile Law Enforcement Association sponsored the event.

Dane County Circuit Court Judge Robert R. Pekowsky, who led the event planning committee, said: “It’s important, now more than ever, that we recognize the day-to-day contributions of citizens and staff to better the lives of children and families in Dane County. The individuals recognized this year represent the kind of commitment and accomplishment that is necessary to build strong communities, neighborhoods and families.” ❖

Behind the Scenes

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Wisconsin. She worked as a health information consultant for The MEDSTAT Group in Ann Arbor, Mich., before moving to Madison in 1997.

Zabawa received a master’s degree in public health from the University of Michigan in 1996 and a bachelor’s degree in English from Lawrence University in 1993. After graduating from

Lawrence, she received a Watson Fellowship, which allowed her to travel to Europe for one year to study workplace health issues.

Zabawa grew up in Wausau and is married to Kevin Lodholz, a computer consultant. Zabawa and Lodholz recently purchased a house and they devote much of their spare time to home improvement projects; however, Zabawa hopes to play more piano, learn to speak Spanish and travel to New York City, the Grand Canyon and Hawaii within the next few years. ❖

Court Reporters

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Gustav Keller, Outagamie County Court. Following that, he worked in the Brown County Circuit Court for Judge Richard J. Farrell and then Judge N. Patrick Crooks (now a state Supreme Court justice). He was later transferred to Shawano County, which shortened his long commute, to work first for Judge Michael G. Eberlein, Jr., and then for Schmidt.

His years in court—which at one time included between 60 and 70 divorce cases in a month—convinced him that divorce is “the most traumatic litigation.” He has been a witness to some violent courtroom incidents during divorces and criminal proceedings, as well as a few escapes.

Sager said his years with the courts have been very pleasant and usually interesting as well. “The stage is always the same,” he said, “but the play is always different.” ❖

“Promoting Safe Families” Conference Held in Madison



Conference workshops were attended by members of the legal, education, law enforcement, mental health and health care communities, along with social workers, foster and adoptive parents and staff of numerous organizations that work with families and children.

More than 200 people gathered in Madison in November for a two-day conference entitled “Promoting Safe Families: Wisconsin Court Improvement Strategies,” sponsored by the Wisconsin Supreme Court and the U.S. Department of Health and

Human Services. The keynote address was given by Carol W. Williams, D.S.W., associate commissioner of the Children’s Bureau under the U.S. Department of Health and Human Services.

The goal of the conference, which was organized by Court Improvement Program Coordinator Michelle Jensen, was to exchange information on child abuse and neglect and discuss how the courts can best handle these difficult cases.

Participants had an opportunity to attend four of the 12 workshops offered, many focusing on various strategies used in Children in Need of Protection and/or Services (CHIPS) cases. Topics included: mediation in CHIPS cases; education/mentoring for parents involved in CHIPS cases; the unified family court approach; the evolving role of judges in child abuse and neglect cases; and more. There were also studies of CHIPS programs and improvement strategies in place in Dane, La Crosse and Milwaukee counties. Kenosha County’s Termination of Parental Rights Processing Improvements and Project Fast Track Adoption were also examined.

Those attending the conference received informational materials on all the workshops. This binder is available at the Wisconsin State Law Library or by calling (608) 266-1557 and also contains information on the Adoption and Safe Families Act of 1997. ❖

People in the News

Chief Justice **Shirley S. Abrahamson** has been awarded the American Judicature Society’s highest honor, the Herbert Harley Award. Named for the Society’s founder, the Harley award is reserved for individuals who make outstanding efforts and contributions that substantially change and improve the administration of justice in their states.

Judge **Harold V. Froehlich**, Outagamie County Circuit Court, recently got a close-up look at the random selection process for jurors. A computer-generated notice requested that he report to Branch 4 of the Outagamie County Courthouse for jury duty. Froehlich had no problem finding the right place, as he presides in Branch 4, but he was unsure how he would find the time to hear the case *and* deliberate on it. For the record, Outagamie County does not use the Circuit Court Automation Program.

Justice **N. Patrick Crooks** spoke about the job of a justice and how the Supreme Court decides which cases it will hear at the *Municipal Judge Seminar on Drugs and Driving* on November 4 in Milwaukee. **Nina J. Emerson**, director of the University of Wisconsin Law School’s Resource Center on Impaired Driving, which sponsored the conference, lauded Crooks’ participation in the program.

Jefferson High School’s “Real Life: Marriage and Divorce” unit culminated this fall with a mock trial presided over by Reserve Judge **Arnold K. Schumann**, reported the *Daily Jefferson County Union*. “Real Life” is part of a contemporary family-relations class. Attorneys, judges, court staff and others volunteer their time to help students understand the issues involved in marriage. The mock trial is based on an actual divorce case.

Judge **Lee S. Dreyfus, Jr.**, Waukesha County Circuit Court, was pictured in *The Freeman* (Waukesha) swearing in student peer mediators from Pewaukee Lake Elementary School and Asa Clark

Middle School. The program trains kids to help other kids solve their problems without violence.

“When you give a speech on a beautiful day, on a golf course, it’s going to be short,” Wisconsin Supreme Court Justice **Jon P. Wilcox** noted as he began remarks to the Jefferson County Rotary Club in September, reported the *Daily Jefferson County Union*. Wilcox explained the job of the Supreme Court to the audience of 40 Rotarians (which included Jefferson County Circuit Court Judges **John M. Ullsvik** and **Jacqueline R. Erwin**) and answered questions.

Neenah High School, in a letter to the editor of *The Oshkosh Northwestern*, thanked the many professionals who shared their time with students in an American government course, including Chief Justice **Shirley S. Abrahamson** and Judges **Dee R. Dyer**, Outagamie County Circuit Court, and **Robert A. Hawley**, Winnebago County Circuit Court. They identified this as “an important activity to assist these new young voters to better understand their role in and responsibility to the community, state and nation.”

The Journal Times (Racine) celebrated Wisconsin court history in a September article that listed a variety of court firsts, including: first Racine lawsuit (Attorney **Marshall Strong** in the late 1830s or early 1840s sued a sailor for killing a wolf and recovered six cents); first judge to wear a black robe in Racine County (Judge **Elmer Goodland** in 1959); first judge to use a speaker phone in court (Judge **Dennis J. Flynn** in 1976); and first female judge in the county (Judge **Nancy E. Wheeler**, who now serves as a reserve judge, in 1989).

A 42-year-old alcoholic took the stage at Cumberland High School to be sentenced for beating his wife while he was drunk. Nearly 200 students watched as Barron County Circuit Court Judge **Edward R. Brunner** sentenced the man to serve two years’

continued on next page

probation and five days in the county jail, pay \$120 in court costs, attend a program for batterers and have no contact with his wife for two years. Brunner told a *Milwaukee Journal Sentinel* reporter that after watching the number of juvenile offenders increase, he thought it was time to bring the courts to the community. The program, "Court in the School, Life Choices," not only allows students to witness actual court hearings, but also gives them the opportunity to ask questions about the justice system. Brunner has also held court at Rice Lake High School and the Barron Area Community Center.

Judge **Joseph M. Troy**, Outagamie County Circuit Court, spoke at a training session for Appleton East High School students who serve as Patriot Peer Mediators and Helpers, reported *The Post-Crescent* (Appleton). "Mediation and other ways of resolving conflicts are a very welcome change, frankly, for a lot of people," Troy said. "More people are being helped now."

The *Milwaukee Journal Sentinel* reported on the \$500,000 federal grant awarded to Milwaukee County Children's Court to fund a three-year project to transform the way child neglect and abuse cases are handled. One component of the new program will be to use mediation in child protection cases. "It's a significant change," said Milwaukee County Circuit Court Judge **Thomas R. Cooper**. "We have to come up with a mechanism that gives parents a feeling that they have control, that they can do something to get their kids back right away."

Obituaries

Judge Dennis C. Bailey Washburn County Circuit Court

Retired Judge Dennis C. Bailey, who served in Washburn County Circuit Court from 1985 to 1991, died October 28, 1998. He was 61.

Bailey practiced law in Washburn County for more than 25 years, serving as city attorney for Spooner and assistant district attorney before his election to the bench.

He was past president of the Inter-County Bar Association, past chair of the District 11 Professional Responsibility Committee of the State Bar of Wisconsin and past president of the Spooner Area Chamber of Commerce.

Bailey is survived by five daughters, eight grandchildren, his mother and other relatives. ❖

Commissioner Henry F. Renard Washington County Court

Retired Family Court Commissioner Henry F. Renard, who served on the bench in Washington County for 19 years, died June 17, 1998. He was 78.

Renard began practicing law in West Bend in 1950 and was an assistant district attorney and later district attorney in the 1950s into 1960. A big fan of weddings, he performed 1,310 ceremonies including three in German and one on an airplane.

A World War II veteran, Renard flew B-17 Flying Fortress bombers on 24 missions before being shot down on Christmas Day 1944. He then spent half a year in a German prisoner of war camp.

Renard is survived by his wife, Mary Ann, two daughters, Susan Schuster and Linda Kellow, two grandchildren and other relatives. ❖

Wisconsin Counties magazine covered **Justice David Prosser, Jr.'s** investiture. "We have been fortunate over the years to work with **Justice Prosser**," Wisconsin Counties Association Executive Director **Mark Rogacki** wrote in the magazine. "His honesty, fairness and strong work ethic will serve the citizens of our state well." Another issue of the magazine featured Chief Justice Shirley S. Abrahamson on the cover and a lengthy interview with her. "The path Chief Justice Abrahamson has laid out for future generations is one of integrity, utmost dedication to our state and responsibility to the laws of our great state of Wisconsin," Rogacki wrote. "And the doors she has opened . . . they just might be too numerous to count."

During Langlade County's Domestic Violence Awareness Month, Circuit Court Judge **James P. Jansen** submitted an article to the *Antigo Daily Journal*. "We [the courts] see how children of abusive parents become abusive parents themselves," he wrote. To help break the cycle, Jansen urged readers to intervene in situations of domestic violence.

"Familiarity breeds respect: How Wisconsin citizens view their courts," by Professor **Herbert M. Kritzer** of the University of Wisconsin and **John Voelker**, assistant to the chief justice, appeared in the September-October 1998 issue of *Judicature*, a publication of the American Judicature Society. A recent consumer-oriented survey found that individuals who have had a recent experience with the courts have a more positive image of the courts than those who have not had personal exposure to the judiciary.

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Judge Lowell D. Schoengarth Clark County Circuit Court

Retired Judge Lowell D. Schoengarth, who served first as a County judge and then as a circuit court judge for a total of 29 years on the bench, died September 25, 1998. He was 81.

Schoengarth was born in Neillsville in 1917 and returned there to practice law after attending the University of Wisconsin Law School and serving four years in the Army Infantry Corps. After eight years in private practice, he succeeded his father, Oscar Schoengarth, as Clark County judge.

Two years ago, he and his wife, Virginia Johnson Schoengarth, moved to Columbia, Mo.

Schoengarth is survived by his wife, two daughters, two sons and 11 grandchildren. ❖

Judge Earl J. McMahon Columbia County Circuit Court

Judge Earl J. McMahon, who sat in Columbia County from 1984 to 1991, and as a reserve judge after that, died December 28, 1998. He was 77.

McMahon was born in 1921 in the Township of Fort Winnebago and earned his undergraduate and law degrees from the University of Wisconsin. He practiced law in Lodi and Portage from 1948 to 1984. Prior to setting up his practice, he was a naval officer, serving on submarines in the Atlantic and Asiatic-Pacific Fleets during World War II.

McMahon was preceded in death by his two brothers and one sister. He is survived by a brother-in-law and nieces and nephews. ❖

Through the Benefits of a Fulbright

by: Judge Frederic W. Fleishauer
Portage County Circuit Court



Judge Frederic W. Fleishauer spent his evenings in Uruguay discussing concepts such as parole eligibility, burden of proof and “three strikes and you’re out” in Spanish with Uruguayan lawyers and judges. The translation proved daunting and highlighted for him the need for accurate technical interpretation in Wisconsin courts.

I remembered a Fulbright scholarship as something on a bulletin board you dreamed about as an undergraduate. But now, at the urging of an old friend from Uruguay, I had applied for a Fulbright Award. The forms weren’t too bad, and the references were easy after 20 years in the same community. Even the language evaluation by a Spanish professor had gone better than I expected.

Nevertheless the letter announcing I had received the award surprised me. It also set me off on a long road of preparation. Leaving a farm with horses, dogs, cats, fish and a hedgehog in the middle of a Wisconsin winter was a challenge, as was working out school, medical, plane and living arrangements in Uruguay. Although nine months to prepare seemed like a long time, the plane’s departure still came too soon.

Arduous best describes an overnight flight in an airline seat. Sleep seemed to defy all except my eight-year-old son. Finally the welcome rays of the sun around the window curtains ended our pretense. After my wife, son and I waited in the customs line in Montevideo that afternoon, exhaustion alone remained to greet our hosts.

We dutifully hugged, kissed and smiled for them, but apprehension more aptly characterized our mood. It was a gray fall day, with low clouds and high humidity, raining off and on, and the drive to the city didn’t lift our spirits. The air, saturated with diesel smoke, burned our nostrils and litter flooded our view. Buildings appeared gray with disrepair, and even the miles of ocean along the highway seemed brown and dirty.

We parked near the apartment building that would soon be our home and walked the short distance over cracked sidewalks littered with dog feces and dodged raw sewage. At first glance the apartment seemed like a refuge. Our hosts had gone to great lengths with new linens, houseplants and kitchenware to make us feel at home. The cockroaches in the cupboard quickly changed that impression. A smell of sewer gas emitted from open drains and mixed with the odor of propane from a leaky gas stove. My wife and I collapsed silently on opposite sides of the bed that night, each wishing we could return to the airport but afraid to share our feelings.

The next morning, the sounds of the surf woke us. Ocean breezes had driven the smog and clouds off to Brazil and cleared the sewer odor from the apartment. Our dispositions brightened

considerably. We set out to learn to cook on a stove that only worked half the time, sign a Spanish apartment lease, enroll our son in school and violin lessons and acquaint ourselves with a new neighborhood. The baker, barber, laundry, produce market, grocery, an ocean beach and a park full of palm trees were within an easy walk. The city bus carried us to further destinations. After a few practice trips, including encounters with the bus “guard” whose duty was to fit us into the bus like sardines, it proved to be an efficient and inexpensive way to travel.

Eventually the original purpose of the trip confronted me. The bus now carried me to a law office early in the morning, where I diligently reviewed the lectures my Uruguayan colleague, Pablo, and I had initially translated over the Internet. It was important work. The translation software I started my work with, including an expensive Spanish language legal dictionary, translated “legal briefs” into the Spanish term for men’s underwear. Now we perused each word together, in English and Spanish, to prepare the final drafts. We also took time to laugh and reminisce over the many years which had passed since Pablo had defended Fidel Castro in my high school history class in 1961.

The Center for Judicial Studies, which serves as the primary source for continuing judicial education in the country, had invited me to lecture through the Fulbright Commission. Knowing that my Spanish language abilities were of concern to them, I prepared to meet Dr. Abraham Mantaras, director of the Center, with a good deal of misgiving. I hadn’t used Spanish regularly for twenty years. Despite my daily reading of Uruguayan newspapers on the Internet, I feared my Spanish still left a lot to be desired. I also knew that Dr. Mantaras spoke no English.

We crossed the street to a graying, weathered building which originally was the office of a major daily newspaper. Now it houses a criminal court and a family court, along with the Center for Judicial Studies. The stress of children crying and nervous people awaiting court proceedings reinforced my mood as we climbed the stairs.

A charming, well-educated gentleman, Dr. Mantaras instantly put me at ease. For over an hour he spoke rapidly in colloquial Spanish about the Uruguayan court system and my lecture series. Although I misunderstood some of what he said, I was able to discuss the basic parameters for the project. He seemed satisfied and Pablo reported that I had done well. I breathed a little easier.

In the coming days we met again with Dr. Mantaras to arrange the details for my lectures. He also began an effort to engage me in the legal community of Montevideo through various introductions and projects. The first of these was a series of conferences on Uruguayan Criminal Procedure Code which had recently been modified. The conferences offered judges, prosecutors and defense counsel the first look at the theory and practice ramifications of the new code. Attending gave me both the opportunity to meet and converse with many of the people who would attend my lectures and an initial viewpoint of the Uruguayan legal system.

At the conferences, Dr. Mantaras introduced me to a number of judges whom he described as the best in the country. We arranged visits to their courtrooms to watch criminal, civil and family law proceedings and subsequent individual conferences with the judges to discuss what I had observed in the working court sessions.

My first court visit was for a medical malpractice case before Dr. Bernadette Memvielle (judges don't use the title judge in Uruguay). The courtroom had been recently remodeled. About the size of my office, it contained a desk on a raised platform, two counsel tables, a desk for the reporter/clerk, a chair for the witness and three chairs for spectators. Photos of their national revolutionary hero replaced flags.

I asked the judge's permission to observe the proceeding. She affably welcomed me and quickly responded to counsel's questions about my presence, reminding them that Uruguayan court proceedings were open to the public. Several aspects of the hearing immediately startled me. The judge opened the proceedings and began questioning the witness, a medical doctor, regarding a voluminous medical record on the judge's desk. The lawyers remained quite passive, and the plaintiff's lawyer asked no questions of the witness. The clerk/reporter kept the record of the proceedings on a personal computer word processing program. The judge often gave directions to the clerk as to the content of the record.

Uruguay's code-based judicial system centers on the judge. The judge developed the primary factual investigation and determined what aspects of that investigation ought to be recorded in the official record, which wasn't verbatim. The lawyers brought out details and argued about their implications. This hearing, which appeared similar to a deposition in our system, was actually part of an ongoing trial process. They don't have trials as we know them. All information that is gathered remains part of a trial record which the judge eventually uses to reach the decision. They don't have juries. This emphasis on the judiciary has a cost. Although their population is one half of Wisconsin's, they have twice as many judges.

Weekends segmented my encounters with the courts of Uruguay and broke the work-like atmosphere of the week. My son's invitations to birthday parties brought us along to family grill-outs called *parilladas*. We visited museums about gauchos, Uruguayan currency, art and prehistoric archeology. A gaucho rodeo, a restored Portuguese colonial city and the beaches on the Atlantic ocean also beckoned along with many walks through beautiful public parks and gardens.

Monday mornings put us back on the buses. I took my son to his Spanish school and then went off to the law office. Lunch often found us in the Uruguayans' favorite spots. Although Montevideo teems with McDonald's, the local fast food *chivito* (a grilled, sliced steak sandwich) came faster with full service and cloth napkins for lunch.

A group of judges and attorneys gathered in the Center for Judicial Studies for informal discussion and my lecture for the evening. At the Center's request I had prepared lectures on civil case management techniques and judicial ethics. The audience had difficulty comprehending our concept of a trial and how all of a lawyer's work points to that goal. They were most interested in judicial ethics and a translated copy of Wisconsin's Judicial Code of Conduct. Uruguay has no specific judicial ethics code and the discussions provoked strong opinions about issues like *ex-parte* communications and the appearances of impropriety.

I spoke initially from prepared notes to avoid the difficulties of an open dialogue, but soon my language skills improved enough to support an open discourse. Despite that, no experience could impress the need for accurate interpreting skills more clearly. Speaking in a foreign language about technical legal terms was a daunting experience even for a trained professional. Describing life imprisonment presented no problem, but parole eligibility, "three strikes and you're out" and the burden of proof proved more

complex. My defense was to change the subject, a luxury translators don't enjoy.

In light of this difficulty, I was glad my visit to the Uruguayan criminal court came as a guest. Dr. Jose Balcaldi, the criminal court judge, had to personally come to the security check point and escort me past the guard. Although their judicial system requires public criminal proceedings, they have never had them in practice. There are no public criminal courtrooms. They conduct the criminal courts from a complex of offices housing the judge and judge's staff, the police investigators, the prosecutors, the public defenders and a small jail holding cell with a lineup room. A separate, large public waiting area held many people waiting to testify or learn the outcome of the proceedings.

Dr. Balcaldi explained that he took the initial complaints from victims, directed the police investigation, determined the appropriate charge, set bail and, after the collection of evidence, finally determined guilt and the sentence. The prosecutor and public defender could participate in any proceeding and offer argument but they were not required to. Any statements collected by the police, prosecutor, defense attorney or judge's staff remained in the file record for the court's final decision. Because there is no community supervision, most defendants remain in custody pending the outcome of their cases. Often the final judgment results in their release because of the long pre-trial detentions. These circumstances require early intervention by all parties.

Dr. Balcaldi also told me that his office had recently been painted for the first time in thirty years. A nation which prospered through agricultural sales in both world wars, Uruguay has now started to recover from the slump caused by forty years of peace and an over-extended social welfare system. Restoration projects fill the streets. The structure for their national judicial office complex, erected in 1970, has recently received its skin of glass.

Many gracious private homes and public buildings, from a more prosperous era, also await renovation. The elegant home of my colleague's aunt, the matriarch of his family, was among those in need of repair. It beckoned us now as we prepared to leave the country.

Earlier during our stay, Aunt Sarah had invited us to dinner in honor of our son's eighth birthday. Unable to give him a party ourselves, we welcomed the invitation. The graying walls and cracking plaster couldn't subdue the welcoming joy of a warm family and a chicken dinner celebration. This elderly lady and her family hadn't lost the sense of style and grace which made you feel like royalty.

Now we approached the old mansion again facing the sadness of saying goodbye. We brought roses for Aunt Sarah. After sharing gifts, prolonging our last conversations and embracing with tears, we left for the airport. As we pulled away from the curb, we looked back to see Sarah waving from the balcony, still tenderly holding her arm full of roses.

The Uruguay my wife and I had been so anxious to retreat from now clung to our souls as home in the image of this woman. We had grown comfortable sharing its tree-lined avenues along the beaches with her family. I had come to understand and appreciate its judicial system and words from its Spanish language had fluttered back into my active vocabulary like butterflies in a hayfield. My son's chatter in Spanish while he played and my wife's conversations with Aunt Sarah about their flowers seemed the norm. The return to our North American home now caused the apprehension.

Months later as I looked back, Aunt Sarah's image on the balcony seemed dreamlike, and the entire trip a fantasy, one which became real only through the benefits of a Fulbright. ❖

THE NATION CONNECTS TO WISCONSIN

Wisconsin judges and court staff attended conferences throughout the country this fall.

The National Association of Women Judges' (NAWJ) 20th Annual Conference met in St. Louis in October to discuss various topics, from ensuring justice for women of color to issues of expert witnesses and admissibility of technical evidence. Circuit Court Judges **Mel Flanagan**, Milwaukee County, and **Mark A. Frankel**, Dane County, attended the conference.

Flanagan reported that the panel on sentencing women offenders started a discussion on national trends and innovations in this area. She will serve as a local faculty member for NAWJ's *Understanding Sexual Violence* workshop to be presented in Madison on February 17-19.

One program offered suggestions for handling complicated technical issues in the courts, according to Frankel. It was proposed that an expert be hired (at the expense of the parties) in certain cases to educate judges on complex information.

Circuit Court Judges **W.M. McMonigal**, Green Lake County, and **Harold V. Froehlich**, Outagamie County, attended the American Judges Association (AJA) Annual Meeting and Conference in Orlando, Fla. A new vendor show highlighted services and technology available to the courts which McMonigal reported was well received. It complemented an evidence class presented via video conference by Professor **Fredric I. Lederer**, who was in Florida, to his class at the College of William and Mary in Virginia.

McMonigal learned that the use of technology can shorten trials by 30 to 50 percent and increase viewer participation. He added that the conference "removed any doubts I had about the need for higher technology in the courts."

Froehlich, a member of the AJA board of directors, noted that the 1994 Violence Against Women Act requires courts to enforce valid civil and criminal protection orders from other jurisdictions and reported that Kentucky is leading the way in implementing a successful statewide registry to enter interstate orders.

Wisconsin Supreme Court Justice **Ann Walsh Bradley** attended a seminar entitled *International Human Rights Law: Its Application in National Jurisprudence* at the Wye River Conference Center in Maryland. Twenty participants, including judges and justices selected from U.S. federal and state supreme courts and supreme courts of other countries, met to discuss human rights treaties and current issues in international human rights law.

In October, Supreme Court Commissioner **William Mann** attended the 16th National College on Judicial Conduct and Ethics in Chicago. He reported on comprehensive approaches to educating judges and court personnel on the issue of sexual harassment and curriculum materials developed in California.

The *National Symposium on Children, Courts and the Federal Child Support Enforcement Program* in Denver was attended by a four-member Wisconsin team made up of District VIII Chief Judge **Philip M. Kirk** (Waupaca County Circuit Court), District III Chief Judge **Mark S. Gempeler** (Waukesha County Circuit Court), Supreme Court Senior Policy Analyst **Charlene J. Allen** and District IX Court Administrator **James E. Seidel**.

At the close of the symposium, the team developed a four-part action plan which included: initiating a dialogue to address how interstate child support enforcement will affect Wisconsin's

unique percent-expressed orders, providing education on the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, initiating a pilot project for Waukesha County *pro se* litigants and planning ways to address child support issues in Wisconsin's tribal courts.

Milwaukee County Circuit Court Chief Judge **Michael J. Skwierawski** and Judge **Michael J. Barron** attended the National Conference of Metropolitan Courts in Miami, in October. Skwierawski attended a one-day segment on the role of the chief judge and the transition from judge to administrator. Skwierawski was elected to the board of directors of the Conference. Barron, who serves as secretary and chief financial officer for the Conference, reported that the purpose of the meeting was to disseminate information and ideas on administering large urban courts.

District V Court Administrator **Gail Richardson**, of Dane County, attended the Third International Conference on Courthouse Design in Toronto. The faculty of architects, judges and professors led discussions on courthouses as civic landmarks and the importance of incorporating current and future technology in courthouse planning.

Judge **Michael W. Brennan**, Clark County Circuit Court, attended the *Basic Issues of Science* seminar for federal and state judges in Huntington, N.Y., in October. Brennan reported that the seminar addressed moral, ethical and legal questions associated with environmental toxicology and genetics. He strongly encouraged Wisconsin judges to attend this seminar in the future, calling it a "most exciting educational challenge."

In October, federal bankruptcy judges and state trial court judges came together for a six-day conference entitled *The Art of Judging: Individual and Societal Perspectives*. Taylor County Circuit Court Judge **Gary L. Carlson** was among the participants. The conference, sponsored by the Federal Judicial Center and Lewis and Clark College, Portland, Ore., included programs on philosophy, ethics, history, geology, physics and music, among others.

While in Portland, Carlson visited the county courthouse to observe traffic arraignment court. "Too many times judges don't have the opportunity to see how other judges really look on the bench," said Carlson. "It is good to do so because it gives you pause to think about how others probably see you."

In November, Court Information Officer **Amanda K. Todd** attended the Court Public Information Officers' Conference in Baltimore. Conference attendees learned about crisis management and communication and participated in a panel discussion called *The Ethics of Outreach*, where judges, journalists and others discussed the sometimes thorny issues surrounding when and how judges may communicate with the press.

Research Librarian **Jane E. Colwin** and State Law Librarian **Marcia J. Koslov** (now serving as temporary deputy district court administrator in Milwaukee) presented a program titled *Where Have All the County Law Libraries Gone? Public Access to Legal Information in Wisconsin* at the Wisconsin Library Association's annual conference in October. They discussed the impact of the decreasing number of county law libraries (due to budget and space constraints and new technology) on public libraries, identified core legal materials and discussed the resources and services available at the State Law Library. ♦

People in the News

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"It appears, at least in Wisconsin, negativity toward the courts is a function of popular images rather than actual experience," according to the article.

In an article in *The Journal Times*, Racine County Circuit Court judges tried to "break down the stereotype that the judicial system hinders child support collections." As of September 30, 1998, \$230,860 in child support was paid by jail deposit (money parents pay to get out of jail after being found in contempt of court for nonpayment of child support). This money goes to the children or reimburses the state welfare system. Judge **Charles H. Constantine** urged parents to seek help from the courts.

Marinette County Circuit Court Judge **Charles D. Heath** celebrated his 60th birthday surrounded by courthouse staff, friends, relatives and golf balls, according to a photograph in the *Eagle Herald* (Marinette). Balloons weighted with golf balls (the judge is an avid golfer) surrounded the bench.

Before Supreme Court Justice **Janine P. Geske** left the bench, a *Milwaukee Journal Sentinel* reporter brought her together with Chief Justice **Shirley S. Abrahamson** and Justice **Ann Walsh Bradley** to "discuss career choices, tough calls and decisions." They talked about why they chose law, the women's movement of the early 1970s, the Supreme Court's role, their toughest cases, children in the courts and what qualities make a good judge. During the interview Bradley recalled her first day of her first job when her employer told her, "I have no problems with a woman trying to do a man's job." Those times have changed, according to Abrahamson, who noted that Wisconsin law school classes are now about half women.

Reflecting on his first year on the bench, Manitowoc County Circuit Court Judge **Patrick L. Willis** could name only one regret: not being able to appear in the annual fund-raiser, Heartarama, which "pokes good-natured fun at local government and the people who run it," according to the *Herald Times Reporter* (Manitowoc).

Justice **Jon P. Wilcox** traced his interest in government and wildlife conservation to his rural roots during an interview with

reporter **Tony Anderson** of *Wisconsin Opinions*. All of his grandparents operated farms. Keeping the tradition alive, the justice now maintains his own farm in Waushara County. "I was the first person in my family to go on to university and law school," Wilcox said.

"Well made and absorbing" was the verdict on the television documentary *Stand the Storm* in a front-page story in the *Green Bay Press-Gazette*. The sesquicentennial project, produced by Wisconsin Public Television in cooperation with the Wisconsin Supreme Court, premiered statewide on Wisconsin Public Television on December 16. It told the story of an important Wisconsin Supreme Court case, *Ableman v. Booth*, that centered on runaway slave **Joshua Glover** and his rescuer, abolitionist **Sherman Booth**. The article featured comments from actors **Tim Dorsey**, **Karl Hallsten** and **Stu Smith**, and from Chief Justice **Shirley S. Abrahamson**, who also appears in the video.

Judge **Joseph M. Troy**, Outagamie County Circuit Court, and Outagamie County Board Supervisor **Patricia Stevens** were featured together under the headline "Riding with the Judge" in a story on the Judicial Ride-Along Program. Stevens spent a half day on the bench with Troy and told *The Post Crescent* (Appleton), "I'm enjoying it very much. Judge Troy is an easy man to discuss things with, and I'm going to be more familiar with the court system."

Judge **Eric J. Wahl**, Eau Claire County Circuit Court, hosted Representative **Larry Balow**, D-Eau Claire, for a half day on the bench, a story that was written up in the *Leader-Telegram* under the headline "Caretakers of the Law." Balow told reporter **Dan Holtz**, "It gave me a chance to understand the courts and what the judges go through. It was a learning process and a lobbying session at the same time. I wish everyone had the opportunity to do it."

La Crosse County Circuit Court Judge **Ramona A. Gonzales** balances work, faith and family with perseverance and a positive attitude, according to an article in the *Times Review*, a publication of the Diocese of La Crosse. Gonzales was born in the Dominican Republic, but her family was forced to flee and take residence in Chicago in 1963.

Milwaukee County Circuit Court Judge **Maxine A. White** will receive the Black Excellence Award at a banquet on February 26. The Award is given by *The Milwaukee Times*. Proceeds from the banquet will benefit the Louvenia Johnson Endowment Fund, which gives scholarships to aspiring journalists. ❖



Judge **James P. Jansen**, Langlade County Circuit Court, traveled to Ukraine to work with judges and law enforcement officials who are building a new justice system. Here, he meets with Judge **Elizabeth Ignatyuk** in her courtroom. Ukrainian courtrooms have three chairs at the bench. In major cases, two judges and one citizen juror preside. Each courtroom has a barred cage for the defendant. It is anticipated that these courtrooms will have to be modified, as Ukraine has adopted a constitution that affords defendants the right to a trial by jury.

Clerks Elect New Officers

The Clerks of Circuit Court Association met in October in Appleton. One of the actions of the Association was to initiate a search for a new legislative liaison following the resignation of Tom Hawks.

The following clerks of circuit court were elected to Association offices: President Gail Gentz, Kenosha County (re-elected); Vice President Judy Coleman, Dane County (re-elected); Secretary Nancy Robillard, Door County (replaced Secretary Claudia Singleton, Jackson County); Treasurer Bernadette Flatoff, Portage County (replaced Treasurer Sheila Reiff, Walworth County). ❖

The Third Branch

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WISCONSIN SUPREME COURT

1999 Judicial Education Program Calendar (tentative)

JANUARY	FEBRUARY	MARCH
	Elder Law February 17-19 Holiday Inn, Madison	Clerks of Circuit Court March 16-18 Radisson Hotel, Madison <i>(For clerks, chief & deputy chief judges & district court administrators)</i> Municipal Judge Trial Seminar March 25-26 Pioneer Inn, Oshkosh
APRIL	MAY	JUNE
Prison Tour April 9 Evidence Workshop April 14-16 Valley Inn, Neenah	Civil Mediation May 2-7 <i>(Judges only; limited enrollment)</i> Law & Humanities May 6-7 Lake Lawn Lodge, Delavan New Municipal Judge Orientation/Institute May 5-7 Heidel House, Green Lake College Faculty Development Follow Up May 10 The Pointe, Minocqua <i>(By invitation only)</i> Traffic Seminar May 18 Criminal Law & Sentencing May 19-21 Ramada, Eau Claire	Domestic Violence Seminar June 16-18 Ramada, Wausau
JULY	AUGUST	SEPTEMBER
Municipal Judge Special Topic Seminar July 15-16 Valley Inn, Neenah		Judicial College September 13-17 Wagon Trail Resort, Ellison Bay, Door County <i>(Judges only)</i> Municipal Court Clerks Seminar September 16-17 Ramada, Fond du Lac
OCTOBER	NOVEMBER	DECEMBER
Municipal Judge Traffic Seminar October 14-15 Grand Geneva Resort, Lake Geneva Civil Law October 27-29 Paper Valley, Appleton		Juvenile Law December 1-3 Grand Geneva Resort, Lake Geneva

A Bench Bar Conference will be held January 26-28, 2000 at the Midwest Conference Center (formerly the MECCA) in Milwaukee. The judiciary will be lodging at the Milwaukee Hilton.

More information on the seminars will be forthcoming. ❖

The Third Branch

Wisconsin Supreme Court

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