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## eFiling gains momentum as Milwaukee County comes on board

On April 2, Milwaukee County Circuit Court joined 17 other Wisconsin counties now offering eFiling. The Milwaukee project includes civil, family and small claims cases.

Now more than two months into the launch, Clerk of Circuit Court John Barrett is enthusiastic about the possibilities that eFiling offers: increased accessibility, convenience and security for litigants, clerks and judges along with potential savings to taxpayers in lower storage costs and other related processing costs.

In ongoing efforts to publicize eFiling to Milwaukee's legal community, Barrett is spreading the word through presentations at law firms, an article in a legal magazine, signage in the courthouse and press releases. The Clerk's Office also conducted a presentation on May 15 for 168 attorneys, legal staff and office managers, law students, paralegals and other interested parties at Marquette University Law School. A webcast of the presentation can be viewed online at: <http://law-media.marquette.edu/Mediasite/Play/e2902ef9e23f4a229bfcdb4a75bbac441d>.

"As we expected, the use is increasing day by day," Barrett said. "We hope more lawyers and self-represented litigants will look to electronic filing as an easy, convenient and secure way of addressing the community's legal needs with the court system."

Wisconsin's eFiling system was developed by the Consolidated Court Automation Programs (CCAP) after the Wisconsin Supreme Court approved statutory guidelines in

2008 under Wis. Stats. § 801.17. Counties began to offer eFiling in certain case types (Small Claims, Civil and Family) in 2009. Counties may 'opt in' to eFiling if the local judges and clerk of circuit court implement the appropriate procedures. Over the next several years, the number of counties in which the circuit court offers eFiling is expected to grow.

eFiling is continually improved as more counties come online, said Jean Bousquet, Chief Information Officer for the state court system. Upcoming software updates will make eFiling easier for court staff and attorneys.

For example, clerk of circuit court staff can choose where to place file stamps on the filed documents, and attorneys will have the ability to notarize documents and select multiple documents to upload at the same time, Bousquet said.

Some of the improvements were made as a result of lessons learned as Milwaukee County initiated eFiling.

"All in all, it is going very well from our perspective," Bousquet said. "John (Barrett) and his staff are very supportive and work through issues with us. They have brought a lot of new good ideas to the table. We, in turn, are programming a new release of eFiling and making changes to case management to address these items." ■

*Additional information about eFiling, including an online demonstration, can be found on the court system's website at [www.wicourts.gov/ecourts/efilecircuit.htm](http://www.wicourts.gov/ecourts/efilecircuit.htm).*



## Supreme Court appoints new law librarian



Julie Tessmer

The Wisconsin Supreme Court has appointed Julie Tessmer to serve as Wisconsin State Law Librarian. Tessmer has worked at the library since 1982.

Tessmer succeeds Jane Colwin, who retired in June 2011. Since that time, Tessmer has held the position on an interim basis.

Tessmer's extensive professional experiences include serving as law library consultant in Nigeria and Serbia for the National Center for State Courts. She also has chaired and served on a number of committees for the Law Librarians

Association of Wisconsin and the American Association of Law Librarians.

A member of the United States Navy - Reserves Component, Tessmer served in Iraq in 2009-10, and is certified as Legalman through the Naval Justice School. ■

## Dane County wins \$50,000 grant

The Dane County Clerk of Circuit Courts Office received formal notification this spring that it has been selected for a \$50,000 grant from the State Justice Institute. The grant will pay for a project that will help the office to determine how best to allocate existing staff and introduce new efficiencies into caseload and workflow processing.

Details are still being worked out, but Clerk of Circuit Court Carlo Esqueda said the office will be partnering with the National Center for State Courts to perform the study. ■



Carlo Esqueda



## Director's column: New statewide CJCC will value local input

By A. John Voelker, Director of State Courts

In the last edition of *The Third Branch*, I wrote about effective criminal justice innovations, concluding as follows: "As we learn more about what works best, we will spread the word so courts throughout the state may take



A. John Voelker

advantage of what's been learned without having to start from scratch."

Like most things, this is easier said than done. Learning what works best, communicating it effectively, and accomplishing systemic changes can be challenging. A primary reason for this difficulty is that the criminal justice system is complex. It includes many interests and independent agencies that need to work together to be effective.

Creating an environment in which these independent organizations cooperate takes time, but can result in big dividends. This has been effectively demonstrated by several county criminal justice coordinating councils (CJCC) around the state. In reviewing the operation of Wisconsin CJCCs, the National Center for State Courts identified six principles that make them effective. A CJCC must:

- Identify needs and desires
- Include the right people
- Be an independent structure authorized to make decisions
- Have members willing to collaborate
- Rely on data and be focused on outcomes
- Have funding to support the work of the CJCC

The Governor signed Executive Order 65 on April 9, creating the statewide Criminal Justice Coordinating

Council and giving us the opportunity to experience the benefits of cooperation at the state level. Our ability to create a statewide CJCC that is effective is critical because there may not be a second chance. Any future effort is doomed to face critics who argue, "We tried that but it didn't work." We know it can work; local leaders have proven it and have given us the road map for success.

I am a member of the new CJCC, and I know from discussions at the initial meeting that local input will be important and valued. When presented with the opportunity to communicate, please take advantage of it. Let us know what has worked in your community, and what can be done at the state level to reduce obstacles for change at the local level. Subcommittees will be established to review certain issues and will include non-council members, so consider volunteering to serve.

The statewide CJCC is new, but we know that the issues it will tackle are entrenched. More than 40 years ago, a final report of the National Commission on the Causes and Prevention of Violence, To Establish Justice, to Insure Domestic Tranquility was published. It noted the following:

"This pattern (of increasing crime and violence) suggests the existence of substantial built-in obstacles to change. The pervasive fragmentation of police, court, and correctional agencies suggests that some catalyst is needed to bring them together. An assumption that parallel and overlapping public agencies will cooperate efficiently can no longer suffice as a substitute for deliberate action to make it happen in real life."

Let's use the new CJCC as the catalyst to make positive changes in the criminal justice system. ■

## Making progress on effective justice strategies

By Shelly L. Fox, Special Projects Manager, Office of Court Operations

2012 is proving to be a banner year for building effective justice strategies in Wisconsin. Both inside and outside of the court system, progress is occurring on a number of fronts. Here are a few highlights of current efforts.

### NCSC report released statewide

The National Center for State Courts report, *Effective Justice Strategies in Wisconsin: An Overview*, was unveiled to a statewide audience in late April. The report is the result of a joint project of the National Center for State Courts, the Effective Justice Strategies Subcommittee of the Supreme Court's Policy and Planning Advisory Committee (PPAC), and the State Justice Institute.

Director of State Courts A. John Voelker prepared a webcast announcing the publication of the report as well as the formation of the first statewide Criminal Justice Coordinating Council. The release to judges was followed by a series of statewide press releases in early May. A number of judges served as media contacts to explain Wisconsin's effective justice strategies (EJS) efforts. The report may be viewed electronically on the Wisconsin

Courts website at the following address:

[www.wicourts.gov/courts/programs/docs/ejsreport.pdf](http://www.wicourts.gov/courts/programs/docs/ejsreport.pdf).

### Statewide CJCC gets to work

On April 9, Gov. Scott Walker signed Executive Order #63 in Eau Claire, formally creating a statewide Criminal Justice Coordinating Council (CJCC). The group has already met several times and has established four standing subcommittees on the following topics: Data, Benchmarks, Public Outreach and Alternatives to Incarceration.

The new council is a first for Wisconsin and will assist the Governor by directing, collaborating with, and coordinating the services of state and local governmental agencies and non-governmental entities in the criminal justice system. As noted in Executive Order # 63, the Council will conduct planning, research, and evaluation activities regarding the Wisconsin criminal justice system with the goal of improving the criminal justice system's policies, operations and outcomes.

Creation of a statewide CJCC was one of the primary

## Jackson County Joint Treatment Court celebrates six months

By Judy Luttio, Treatment Court Coordinator, Jackson County Circuit Court

June marks the six-month anniversary of a successful experiment in Black River Falls: a treatment court attached to both the Jackson County Circuit Court and the Ho-Chunk Nation Tribal Court. The Joint Treatment Court currently has 19 active members – three of whom are members of the Ho Chunk tribe. All were convicted of crimes in the circuit court and given the option to participate in the Joint Treatment Court.

The court was launched on December 28, 2011, when Ho-Chunk Nation Interim Chief Judge Amanda Rockman and Jackson County Circuit Court Judge Thomas E. Lister presided over the first dual session of the Jackson County Treatment Court and the Healing to Wellness Court (HTWC). This was an historic day for Jackson County, the Healing to Wellness Court and the state of Wisconsin.

The Jackson County Treatment Court has been in existence since 2008, and the HTWC began development in April 2011. The two courts began working together last summer.

### The nuts and bolts of collaboration

The Joint Treatment Court is overseen by a team that includes representatives from both systems. The entire team weighs in on each case, but when individual decisions need to be made, the individual court where the case originated makes those decisions.

Like other treatment courts across the state, the court is helping participants to stay sober, achieve reunification with their children, find opportunities for education and seek employment. But beyond the accomplishments in individual cases is the bigger achievement: helping the state judicial system to serve a greater number of offenders while extending the Ho Chunk Nation's sovereignty by offering additional services to its members while providing better solutions to longstanding problems.

The collaboration of the courts addresses the needs of

see **Treatment court** on page 15

## Supreme Court approves new *ex parte* communication rule

On May 22, the Wisconsin Supreme Court issued an order unanimously adopting a proposed change to the Code of Judicial Conduct to acknowledge the active role of the trial court judge in problem-solving courts program – also called therapeutic or treatment court programs – and to clarify that the judge may take part in meetings and other exchanges of information as part of his/her work on the court without running afoul of the prohibition on *ex parte* communications.

The new language follows the American Bar

Association national model and reads as follows:

60.04 (1) (g) 6. A judge may initiate, permit, engage in or consider *ex parte* communications knowingly waived by a participant when the judge is assigned to a therapeutic, treatment or problem solving docket in which the judge must assume a more interactive role with participants, treatment providers, probation officers, social workers, prosecutors, defense counsel, and others.

The rule change will have a broad impact given the growth of these courts over the last few years. There are currently 51 problem-solving court programs operating in 40



Members of the Wisconsin Supreme Court meet with Supreme Court Commissioner Julie Rich to discuss a proposed change to the Code of Judicial Conduct that recognizes the more interactive role of treatment court judges.

Wisconsin counties, targeting a broad range of problems related to mental health, drugs, drunk driving, veterans' issues and more.

The court took action after hearing from three of Wisconsin's experts on therapeutic courts, Judges Kathryn W. Foster, Waukesha County Circuit Court, Elliott M. Levine, La Crosse County Circuit Court, and Lisa K. Stark, Eau Claire County Circuit Court.

In response to a question from Justice David T. Prosser Jr. about other types of treatment courts that might be on the horizon, Levine told the court that the next few years will likely see expansion of mentor programs, which are already frequently offered as part of veteran court programs and are showing promise in connection to other court programs. ■



## Wisconsin welcomes 13 new judges

### Three incumbents lose their seats in April election

The April 3 election featured contested circuit court races in 10 counties, with multiple seats in play in Brown, Milwaukee and Racine counties. Three recently appointed judges lost their races (in Dane, Milwaukee and Racine counties) while a number of other new appointees were elected without opposition. In addition, Gov. Scott Walker appointed a new judge in Green Bay a month after the election. Here is the rundown.

#### Calumet County Circuit Court

Judge Jeffrey S. Froehlich beat Atty. Wayne Fulleylove-Krause by a wide margin. Froehlich was appointed last October to succeed Judge Donald A. Poppy.

#### Dane County Circuit Court, Branch 11

Assistant State Public Defender Ellen K. Berz beat Judge Roger A. Allen, whom Gov. Scott Walker appointed last December to succeed Judge Daniel R. Moeser. In late May, Walker appointed Berz to the seat so she could begin work prior to August 1.

#### Kenosha County Circuit Court, Branch 2

Judge Jason A. Rossell beat Atty. Ed Antaramian. Walker appointed Rossell last November to succeed Judge Barbara A. Kluka.

#### Manitowoc County Circuit Court, Branch 2

Judge Gary L. Bendix, appointed in October to replace Judge Darryl W. Deets, won his race against Assistant District Atty. Robert Dewane.

#### Menominee-Shawano County Circuit Court, Branch 2

Judge William F. Kussel Jr., appointed last fall to replace Judge Thomas G. Grover, defeated challenger David Winter, a municipal court judge.

#### Milwaukee County Circuit Court

**Branch 17:** Administrative Law Judge Carolina Stark beat Judge Nelson W. Phillips III, whom Gov. Walker appointed last year to succeed Judge Francis T. Wasielewski.

**Branch 23:** Deputy Register in Probate Lindsey C. Grady beat



Judge-elect Ellen K. Berz



Judge-elect Carolina Stark



Judge-elect Lindsey C. Grady



Judge-elect Michael H. Bloom

#### Hock selected to replace Bischel

Assistant U.S. Atty. Tammy Jo Hock was sworn in on May 18 as Brown County's new Branch 3 judge. She was appointed to replace Judge Sue E. Bischel, who retired in February after nearly 20 years on the bench.

Prior to becoming a federal prosecutor, Hock spent six years as an assistant Brown County district attorney. She began her law career in private practice in Green Bay.

A DePere native, Hock earned her bachelor's degree from Marquette University and her law degree from the UW Law School. She and her husband, Ben, have three children.



Judge Tammy Jo Hock

Atty. Hannah Dugan. The two were running to succeed Judge Elsa C. Lamelas.

#### Oneida County Circuit Court, Branch 2

District Atty. Michael H. Bloom, who finished second in the primary, beat Atty. John F. O'Melia (brother of Oneida County's other circuit court judge, Patrick F. O'Melia). This election was to fill a vacancy created by Judge Mark A. Mangerson's appointment to the Court of Appeals. Following the election, Gov. Scott Walker appointed Bloom, allowing him to take the bench prior to Aug. 1.



Judge-elect Thomas B. Eagon

#### Portage County Circuit Court, Branch 1

District Atty. Thomas B. Eagon beat Corporation Counsel Mike McKenna in the race to succeed Judge Frederic W. Fleishauer.

#### Racine County Circuit Court

**Branch 5:** Incumbent Judge Michael E. Nieskes lost his seat. Nieskes had been Racine County district attorney for six years when Gov. Scott Walker appointed him to fill the vacancy created by the death of Judge Dennis Barry. He lost the seat to Atty. Michael J. Piontek, a private practitioner.



Judge-elect Michael J. Piontek

**Branch 10:** In a very close race to replace Judge Richard J. Kreul, who is retiring at the end of his term (*see separate story, page 11*), Atty. Timothy D. Boyle beat Municipal Judge Mark F. Nielsen. About 60 votes separated the two candidates and a recount was conducted that slightly

see **New Judges** on page 22

## Eight new judges elected without opposition

Three judge candidates running for open seats in Brown, Milwaukee and Walworth counties faced no opposition in April. Five others recently appointed by Gov. Scott Walker also enjoyed uncontested elections. Here's the rundown:

### Brown County Circuit Court

**Branch 2:** Judge-elect Thomas J. Walsh (elected to replace Judge Mark A. Warpinski)

**Branch 6:** Judge John P. Zakowski (appointed 2011, elected 2012; replaces Judge J.D. McKay)



Judge-elect Thomas J. Walsh



Judge John P. Zakowski



Judge Frank D. Remington

### Dane County Circuit Court, Branch 8

Judge Frank D. Remington (appointed 2011, elected 2012; replaces Judge Patrick J. Fiedler)

### Eau Claire County Circuit Court, Branch 4

Judge Jon M. Theisen (appointed 2011, elected 2012; replaces Chief Judge Benjamin D. Proctor)



Judge Jon M. Theisen

Photo credit: Dan Reiland, Eau Claire Leader-Telegram



Judge-elect Mark A. Sanders



Judge Gregory B. Gill

### Milwaukee County Circuit Court, Branch 28

Judge-elect Mark A. Sanders (elected to replace Judge Thomas R. Cooper)

### Outagamie County Circuit Court, Branch 4

Judge Gregory B. Gill Jr. (appointed 2011, elected 2012; replaces Judge Harold V. Froehlich)

### Walworth County Circuit Court, Branch 1

Judge-elect Phillip A. Koss (elected to replace Judge Robert J. Kennedy)

### Waukesha County Circuit Court, Branch 2

Judge Jennifer R. Dorow (appointed 2011, elected 2012; replaces Judge Mark D. Gundrum, who replaced Judge Daniel P. Anderson on the Wisconsin Court of Appeals, District II). ■



Judge-elect Phillip A. Koss



Judge Jennifer R. Dorow

## Two new Court of Appeals judges elected without opposition

Judge Mark A. Mangerson and Atty. Joanne F. Kloppenburg were elected without opposition in April to seats on the Court of Appeals District III and District IV, respectively.

Mangerson initially was appointed by Gov. Scott Walker to succeed Judge Edward R. Brunner, who retired last September (*see The Third Branch, fall 2011*). Mangerson was an Oneida County Circuit Court judge for nearly 25 years prior to his appointment to the Court of Appeals. He also is a member of the



Judge Mark A. Mangerson

Judicial Council and the Executive Committee of the Wisconsin Judicial Conference, and has served on the Judicial Commission.

Kloppenburg is a longtime assistant attorney general who ran unsuccessfully against Justice David T. Prosser Jr. in April 2011. One year after that race, she ran unopposed to succeed Judge Margaret J. Vergeront, who retired after 18 years on the Court of Appeals (*see The Third Branch, winter 2012*). ■



Judge-elect Joanne F. Kloppenburg

## LEADERSHIP

**Municipal judge takes on truancy**

Four years ago, Madison Municipal Court Judge Daniel P. Koval had an idea for a court that would target kids who were habitually truant. It started small, at Madison West High School, and now has expanded to all four Madison high schools. To date, more than 350 students have gone through the school-based court, and the program appears to be working: Of the kids who participated in the 2009-10 school year, 92 percent have stayed in school.

This spring, Koval's efforts were honored with an Outstanding Service Award from the Dane County Juvenile Court. The recognition acknowledged Koval's uniquely effective approach in the truancy court. He brings together not just the student and the parent and principal, as is the

case in the traditional model, but the broader group of adults who may be involved in the teen's life.

"Besides the school district truancy support staff member (Alison Brown) and me, there are a number of people who may participate in the court sessions," Koval said. "They include principals, teachers, school social workers, school nurses, school psychologists, school counselors, any outside-agency staff persons who are dealing with the kids on other legal issues, and of course the student and his/her parent or guardian."

Koval arrays the participants around a conference table

see *Leadership* on page 13

**STOP Grant work includes new 'bench cards' and training sessions**

By Shelly L. Fox, Special Projects Manager, Office of Court Operations

In collaboration with service providers and the larger community, Wisconsin's STOP Violence Against Women Advisory Committee has made great strides in the last 12 months toward identifying and promoting best practices to enhance victim and public safety and increase offender responsibility in cases involving domestic violence, sexual assault and stalking.

**Strategic planning**

Under the leadership of the committee chair, Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, the STOP Advisory Committee engaged in strategic planning last year, identifying the following four strategic areas of focus for the 2011-14 funding cycle:

- Protective orders
- Courtroom trends and issues (with a focus on courthouse safety)
- Bond, sentencing and probation
- Firearms restriction, surrender & return in cases involving domestic violence and/or sexual assault.

The STOP Advisory Committee will focus its efforts on achieving specified objectives within each strategic area of focus to ensure that STOP grant funding is applied in an effective, coordinated manner that achieves successful outcomes for the court system in these areas.

**New DV bench tools**

Chaired by Judge Ellen R. Brostrom, Milwaukee County Circuit Court, the Domestic Violence Bench Tools Subcommittee is working to develop a set of educational materials for judges that can be used in domestic violence trial work. The subcommittee has drafted a series of 12-15 'bench cards' on topics such as protective orders, *Crawford* evidentiary issues, issues specific to elder and teen dating abuse, and more. The group will work throughout the summer to finalize the materials and develop a distribution plan. Subcommittee members are working with the Office of Judicial Education to prepare suggested editorial changes for the current Benchbooks on issues related to domestic violence and sexual assault.

**2012 judicial district trainings**

Judge Marshall B. Murray, Milwaukee County Circuit

Court, and Atty. Tess Meuer, legal director for the Wisconsin Coalition Against Domestic Violence, will present a session entitled "*Restraining Orders: Improving Victim Safety and Court Effectiveness*" at judicial district training sessions this fall. The sessions are designed to include judges as well as staff from the clerks of court offices, and will cover issues such as domestic violence dynamics specific to the restraining order process, maintaining safety in the courtroom, federal firearm and full faith and credit laws for restraining orders, and more.

**Training clerks of court**

The STOP Advisory Committee partnered with the Wisconsin Coalition Against Sexual Assault to present a series of training sessions on sexual assault issues at the 2012 Clerks of Court Institute and the Clerks of Court Staff Regional Specialty Seminars held this spring. Eighty-seven percent of participants rated the quality of the training provided as '4' or '5' on a 1-5 scale. Participant comments included the following: "Informative. Made me think about it from another angle"; "Reminder that I should never assume how people react and to treat everyone with sensitivity."

**National training opportunities**

One of the primary areas of focus for the STOP Advisory Committee is providing effective, high-quality training for judges and court commissioners on issues related to domestic violence, sexual assault and stalking. Over the past eight years, the STOP Advisory Committee has sent more than 100 judges and court commissioners to training sessions (primarily sponsored by the National Judicial Institute on Domestic Violence) on these important issues. The STOP Advisory Committee offers scholarships that fully cover the travel costs for judges and court commissioners to attend these trainings, including reserve judge coverage. Those interested in attending one of these national training seminars are asked to contact their district court administrator. ■

Questions and ideas may be directed to Shelly Fox, special projects manager, Office of Court Operations, (608) 261-0684, or [shelly.fox@wicourts.gov](mailto:shelly.fox@wicourts.gov).



## RETIREMENTS

### Seven longtime judges step down

Judicial retirements continued apace this spring with seven longtime circuit court judges stepping down. In this issue, we profile six of them: Judges Glenn H. Hartley, Robert J. Kennedy, Richard J. Kreul, Elsa C. Lamelas, Mark A. Warpinski and James E. Welker. In the next issue, we'll profile Judge Sarah B. O'Brien, who wrapped up her service on the Dane County Circuit Court in May.

### Judge Glenn H. Hartley Lincoln County Circuit Court

By Ian McCue, *Court Information Intern*

When Judge Glenn H. Hartley first ran for a spot on the Lincoln County bench in 1999, he was planning a rather short stay. After a 25-year career in private practice, where he focused on insurance litigation, he thought two terms on the bench would be plenty.

But after completing two terms, he decided to run again in 2011.

"I kind of live by the motto that you learn what you can and you do what you can in the time you've got," he noted.

Hartley's current term runs through 2017; he is stepping down in June after nearly 13 years as a Lincoln County judge. The

Governor is expected to appoint a replacement.

Hartley still remembers his first-ever decision as a judge in vivid detail. As he worked his way through the first case of his career, he recalls thinking "this was a lot easier when I was the guy making objections."

Among the more memorable cases of his career came late last year, when Hartley presided in homicide involving a young son accused of murdering his mother for the money he would receive from her life insurance policy. That case brought a "hard-fought" jury trial that lasted close to a week. In the end, the man was convicted and Hartley sentenced him to life without the possibility of release.

Despite such difficult cases, the judge remained motivated by those who approached him on the streets outside his courtroom to tell him how he had helped improve their life and by his drive to always make the fairest decisions for those tried in his court. Adding to those factors was the excitement and "adrenaline when you're sitting here at 10 o'clock at night waiting for a jury to come back."

While Hartley will miss spending time with those people he interacted with every day in the courthouse — including staff, police officers and lawyers — he looks forward to the day when he can set his own schedule.

"For the first time in 13 years, if I want to change my mind on what I want to do this afternoon, I can do it without being a slave to the calendar," he said.

Hartley also looks forward to being just another member of the community. As one of two judges in a small county (Lincoln County's population is 30,000), he has experienced what many Wisconsin judges in sparsely populated areas live with: regular and sometimes uncomfortable contact



Judge Glenn H. Hartley

with many of the people who appear in court.

"You often knew the people that came in front of you," Hartley said. "You maybe weren't best friends, but in a small community, you generally know who everybody is and know where they work and know their family."

And while these community ties sometimes make his job more challenging, a small community also has its benefits. Hartley has found that his familiarity with many of the places that play a role in the cases before him is sometimes helpful to understanding the facts of the case.

Once he does exit the doors of the Lincoln County Courthouse for the final time as a judge, Hartley plans on enjoying more time outdoors on the lake adjacent to his house and on his motorcycle — which he plans to take on an extended trip to the West Coast possibly as soon as next summer.

This summer will be booked with family activities. Hartley and his wife, Barb, are planning on heading to Oregon to visit his son, who is currently in law school. Trips to visit his daughter and grandson, who live just south of Madison, will also be more frequent.

Among the skills Hartley has honed in his judicial career, he said one important one will stick with him and help him through the challenges of new pursuits. That skill is patience — something he admits he lacked as a practicing lawyer.

"I think the job makes you be patient and to listen to what somebody's got to say completely before you react," he said. "That's a very good thing."

### Judge Robert J. Kennedy Walworth County Circuit Court

Walworth County Circuit Court Judge Robert J. Kennedy said he is proud of the fact that he made no serious enemies during his time on the bench — "as far as I know."

Kennedy, who will retire at the end of his current term in July, said it has been a pleasure to work with his fellow Walworth County judges, as well as the staff and the local bar association. He said he would miss the camaraderie of the court staff and other close colleagues. Succeeding Kennedy will be Walworth County District Atty. Phillip A. Koss, who was elected without opposition in April.

He has also appreciated the cutting-edge information technology systems that have been introduced in the courthouse over the years, which he said has saved time and allowed judges to work far more efficiently.

Kennedy said among the many memorable cases he has presided over during the last 24 years, a civil case resulting from an injury at birth, where a \$35 million verdict was won, may be the most memorable due to brilliant legal work on both sides.

But Kennedy may be best remembered for the OWI Treatment Court he helped develop in the county. In August 2011, Kennedy and Walworth County Circuit Court Judge David M. Reddy traveled to Michigan to attend a training program, and later that year Walworth County



Judge Robert J. Kennedy

## Courts across Wisconsin celebrate Law Day



In Bayfield County, Judge John P. Anderson worked with his staff and the local bar association to host a Law Day mock trial, followed by a cookout lunch. Here, Anderson gives participants (members of the local Teen Court) tips on how to conduct themselves in court.

On May 1, courts across Wisconsin celebrated Law Day by inviting schoolchildren and other members of the community into the courthouse for a variety of activities. A number of lawyers and judges also visited local schools.

The 2012 Law Day theme, as set by the American Bar Association, was “No Courts, No Justice, No Freedom.” In Wisconsin, celebrations invoking that theme took very different forms. For example:

In **Bayfield County**, a mock trial included more than 80 students from Drummond, South Shore and Washburn high schools. The jury was selected from the student body.

Members of the Bayfield County Teen Court, with help from the district attorney and public defender, took on the roles of prosecutor, law enforcement, defendant and defense counsel.

In **Dane County**, after a welcome ceremony with Chief Judge William Foust and



Official Court Reporter Ann Albert, who works in Branch 15 of the Dane County Circuit Court, demonstrates real-time court reporting technology for a Law Day tour group.



Jefferson County Circuit Court Judges William F. Hue and Randy R. Koschnick answer questions from fourth grade students at a Law Day event that included a mock trial, a jail tour and demonstrations from the Sheriff's Department.

Chief Justice Shirley S. Abrahamson, the Dane County judges, court staff and Bar Association offered a host of concurrent programs that ran for 90 minutes on five floors of the courthouse. The Legal Resource Center

arranged free consultations with local lawyers (in both English and Spanish) while Court of Appeals Judge Brian A. Blanchard and Dane

County Circuit Court Judge Amy R. Smith gave a presentation on court process and Court Reporter Ann Albert – along with Dane County Sheriff's Deputy

Jim Brigham – spoke on courtroom technology and security. Meanwhile, Court Commissioner Janson Hanson and

Juvenile Court Administrator John Bauman talked about juvenile court programs and Court Commissioner Daniel Floeter gave information on family, small claims and probate.

At the state **Capitol**, Justice Patience Drake Roggensack met with about 60 fifth-grade students from West Bend who traveled to Madison a few days after Law Day to learn about the Supreme Court.

Roggensack conducted an interactive decision-making

exercise with the children, and answered many questions about her job and the operation of the court.

In **Jefferson County**, Judge William F. Hue and Clerk of Circuit Court Carla Robinson worked with the Jefferson County Law Day Committee to organize and host two events for students. This year, the events included a ‘shadow day’ with a mock trial for eighth graders as well as a ‘Three Little Pigs’ mock trial for nearly 400 fourth graders. In addition to participating in the mock trial, the fourth graders toured the jail, took part in hands-on demonstrations with the Jefferson County Sheriff's Department and the Department of Natural Resources, and had time to ask questions of the judges.



Justice Patience Drake Roggensack explains the Supreme Court's decision-making process to a packed Hearing Room in a post-Law-Day presentation.



**Law day** *continued from page 8*

Jefferson County Circuit Court Judge Jennifer L. Weston shares the bench with an eighth grader during a mock trial that was organized as part of a job-shadow day.

In **Lincoln County**, Prairie River Middle School in

Merrill hosted a Law Day event that featured Chief Justice Shirley S. Abrahamson as keynote speaker and included a long list of federal, state and local officials. The event began in the Field House, where students learned about the law and the courts by visiting different booths. The circuit court booth featured Abrahamson and Judge R. Jay



Judge Jay R. Tlusty, District Court Administrator Susan Byrnes and Chief Justice Shirley S. Abrahamson host a special Law Day information booth at a middle school in Merrill. Students stopping at the booth were able to try a few of the video games available on iCivics, a website launched by retired Justice Sandra Day O'Connor in 2009 to promote law-related learning.

Administrator Susan Byrnes to demonstrate court reporting with a mini-mock trial. Staffing the other two court-related



Court Reporter Leslie M. Johnson, Lincoln County Circuit Court, takes a break from conducting demos for hundreds of middle school students during a Law Day fair in Merrill.

booths were Merrill Municipal Court Judge Merle Sheridan and Clerk Rita Poyer, and Clerk of Circuit Court Cindy Kimmons with Deputy Clerk Diana Petruzates.

In **Manitowoc County**, Judge Patrick L. Willis presided over eight mock trials during three days – a Law Day tradition he began in 2000. A total of nearly 1,000 local second graders rotated through the courtroom to take part in State of Wisconsin v. The Big Bad Wolf. This year, the program celebrated an important milestone: 10,000 second graders participating

over the past 12 years. Local media provided full coverage of the event; Willis explained the goal of the program in an interview with WBAY-TV: “We hope to give them a feel for what a real trial is like, the size of the courtroom I think they’re impressed with when they walk in and they certainly have an understanding of what roles lawyers play, what roles juries play and I think it just gives them a good feel for our court system.” He added that the children are generally split on

the guilt of the Big Bad Wolf.

In **Monroe County**, a pre-Law-Day event helped teachers from Southside School in Sparta to bring their students’ reading lessons to life. Approximately 60 second- and third-graders along with three teachers visited with Judge Mark L. Goodman. Their visit tied into their reading selection.

“We read a story in our reading book called ‘Cardigan Jones,’ which led us into studying our local government and the court system,” said teacher Deb MacCallum. She said the story introduced the



The Big Bad Wolf, played by R.J. Skrepenski, sneezes on the witness stand in Manitowoc County Circuit Court while testifying that he did blow the straw house down, but did so unintentionally due to his allergy to straw. Court Reporter Diane Tesheneck unfurled her umbrella for maximum dramatic effect.



The Three Little Pigs (Dawn Steckmesser, Sue Koeppel and Cary Moyer) take offense when they are queried during voir dire on whether they ever eat ham or bacon. They participated, along with an exuberant Big Bad Wolf, in a Law Day mock trial for second graders in front of Judge Patrick L. Willis, Manitowoc County Circuit Court.

## Court safety conference offers insider's view on security issues in Casey Anthony trial

By Shelly Cern, PPAC Policy Analyst

More than 120 people, including judges, law enforcement, clerks of court, tribal court judges and administrators from the courts and various counties,



Major Ron Stucker

participated in this year's court safety and security conference, "Maintaining a Safe Courthouse in Uncertain Times," in March.

The conference was held in Appleton in partnership with Fox Valley Technical College's Criminal Justice Center for Innovation and the Director of State Courts Office. Chief Justice Shirley S. Abrahamson kicked off the conference with opening remarks highlighting court security in Wisconsin.

Among the highlights were two plenary sessions about handling high profile trials by Major Ron Stucker of Orange County, Florida. Stucker, a 25-year veteran of the Orange County Sheriff's Office, was involved in the Caylee Anthony death investigation and in organizing courthouse security throughout the trial of Casey Anthony, Caylee's mother, who ultimately was acquitted of first-

degree murder. These sessions provided conference attendees with an overview of the strategies used to maintain security of the courthouse, court personnel, witnesses, defendants and jurors in this high-profile case that Time Magazine dubbed "the social media trial of the century."

Stucker discussed specific challenges the trial posed to the Sheriff's Department and shared lessons learned. Attendees learned about the amount of coordination and proactive thinking required to keep the public, court employees, the media and others safe during the trial. Other well-attended sessions focused on the topics of perimeter security, extremist groups in a court setting, victim experience in the courthouse, and precursors to violence.

Planning is already underway for the next conference scheduled for March 5-7, 2013 in Appleton. For information on this year's conference and details about the 2013 conference visit the conference website: [www.fvtc.edu/CSS](http://www.fvtc.edu/CSS). ■

Questions about PPAC and its subcommittees may be addressed to Shelly Cern in the Office of Court Operations, (608) 266-8861 or [michelle.cern@wicourts.gov](mailto:michelle.cern@wicourts.gov).

### Law day *continued from page 9*



Second- and third-grade students from Southside School in Sparta join Judge Mark L. Goodman on the bench during a pre-Law-Day tour of the Monroe County Courthouse. Each student was allowed to rap the judge's gavel, which was a highlight of the visit.

students to the words "trial, jury, stand, guilty, honest, and convinced."

The tour also was used to enhance their social studies unit dealing with communities and using maps. During their tour, student sat in the jury box, at counsel tables and in the gallery. Several students were administered an oath and allowed to take the witness stand. Goodman explained his duties and answered many questions, and Court Reporter Jennifer Haltom demonstrated her shorthand machine.

In **Milwaukee County**, Chief Justice Shirley S. Abrahamson joined District One Deputy Chief Judge Maxine A. White, Milwaukee Municipal Court Judge Derek C. Mosley and attorneys Mark Goldstein and Robert Ricigliano for a presentation to 125 students at Maple Dale School in Fox Point. The fifth-grade students had been studying the U.S. Constitution and the three-branch system. ■



Chief Justice Shirley S. Abrahamson (center) meets with Milwaukee Municipal Court Judge Derek C. Mosley and District One Deputy Chief Judge Maxine A. White prior to a Law Day celebration with fifth- and sixth-grade students in Fox Point.



**RETIREMENTS** *continued from page 7*

enrolled its first five participants in the treatment court. After just a few months, the program was already proving to be a success.

“Not a single one of our people has violated,” Kennedy told the *Janesville Gazette* in January.

Kennedy was first elected to Branch 1 in 1988. He had previously worked in private practice and as legal counsel for the Illinois State Senate and the Illinois Constitutional Convention. He has served as a member of the Juvenile Jury Instruction Committee.

In retirement, Kennedy said he hopes to keep his hand in the legal field, whether by serving as a reserve judge or returning to private practice. He also plans to pursue his longstanding interest in Civil War history by visiting the nation’s Civil War battlefields.

### Judge Richard J. Kreul Racine County Circuit Court

Like all judges, Racine County Circuit Court Judge Richard J. Kreul has had his share of joyous moments and not-so-happy encounters while on the bench.



Judge Richard J. Kreul

One case from early in his judicial career stands out because of the length, intensity and lasting impression it made on one of the parties as well as on the courthouse staff. Kreul was presiding in a divorce that involved a wealthy couple and a very difficult trial, where child abuse accusations were raised. It resulted in one of the longest decisions Kreul said he has ever written, about 60 pages, and one of the parties being left very bitter.

“One party to this day still has a true vendetta against me for that decision,” Kreul said.

But not all of the difficult cases have ended on a negative note. Kreul said he remembers one case where a young man from Milwaukee was accused of the execution-style murder of two bar patrons. Kreul said *The Journal Times* (Racine) ran a follow-up story on the young man years later, and he had turned his life around and accomplished a great deal.

Another young man who came before Kreul was sent to juvenile secure detention. Kreul thought he seemed very lonely, so on his birthday he brought him a cake, something the detention staff said was very unusual. He said all the other kids in detention sang “Happy Birthday” to him. Kreul said he still occasionally receives letters from that young man.

The happiest moments for Kreul have been presiding over the adoptions, where balloons and cake are brought into the courthouse for the families involved.

“We laugh in court a lot,” he said. “It’s the only way to keep the sanity.”

Kreul will step down at the end of his term in July. His retirement ends an 18-year judicial career preceded by a 32-year career in private practice. Succeeding him is Atty. Timothy D. Boyle, who was elected in a very close race that

led to a recount.

Over the years, Kreul said he has noticed a decrease in the respect the public has for the law. The lack of respect in the courtroom “stands out like a sore thumb,” he said, with how people are now dressing in the courtroom and carrying on personal conversations during proceedings.

“When I started practicing law, we didn’t have air conditioning in the courtrooms,” he recalled. “But you didn’t dare take off your suit jacket. It was a sign of high respect. In the space of 50 years, all that is gone.”

He said he also believes there is a growing lack of respect for the truth.

For retirement, Kreul said he has developed a lengthy bucket list that includes restoring a boat and getting back into autocross, which he described as “controlled mayhem driving sports cars.” He said he is also considering getting back into the practice of law, but not necessarily in Wisconsin.

### Judge Elsa C. Lamelas Milwaukee County Circuit Court

Milwaukee County Circuit Court Judge Elsa C. Lamelas’ impact on the courts will be felt long after her retirement in July. Among her legacies is the Wisconsin Court Interpreter



Judge Elsa C. Lamelas

Program, which safeguards access to the justice system for people who do not speak English.

The program was developed through the efforts of Lamelas and the Committee to Improve Interpreting and Translation in the Wisconsin Courts, which she chaired from 1999-2006.

“Language is the tool of the courts, [and] English is the language of the courts,” Lamelas told the Supreme Court during a rules hearing to establish a code of ethics for court interpreters in 2002. “Participants in court proceedings – whether they be the litigants, the parties, or the witnesses – do not necessarily possess a sufficient degree of proficiency in ... English to communicate with the court or to understand the court’s questions or directions.”

A native of Cuba, Lamelas was appointed to the Branch 23 bench in 1993. She had previously served as a deputy U.S. attorney, assistant U.S. attorney, assistant district attorney for Milwaukee County, and as an attorney for the Equal Employment Opportunity Commission. She received her bachelor’s degree from Dominican College and her law degree from the University of Michigan Law School.

Lamelas also has served on the Judicial Education Committee and the National Conference of State Trial Judges. She was also a member of the Sentencing Commission.

Replacing Lamelas will be Milwaukee Deputy Register in Probate Lindsey C. Grady, who won the April election.



**RETIREMENTS** *continued from page 11***Judge Mark A. Warpinski  
Brown County Circuit Court**

What will Brown County Circuit Court Judge Mark A. Warpinski do upon retiring from the bench when his term ends in July? That, Warpinski said, is



Judge Mark A. Warpinski

“the \$64,000 question.” But he admits being able to practice law with his son, Atty. Ted J. Warpinski, who practices law in Green Bay, would be “something special.”

Warpinski was first elected to the bench in 2000. He said he is proud and humbled by the fact that the community has trusted him as both a circuit court judge and a municipal court judge in Green Bay.

“They must have thought I was doing a good job,” he said, “because I always won re-election.”

Warpinski said one of the most difficult aspects of the job has been presiding over first-degree homicide cases and seeing firsthand the impact on all the parties involved. He recalls some especially brutal murders that have been tried before him.

“After viewing all of the forensic evidence in the case, it’s hard to imagine how people can do that to other people,” he said.

A former associate dean of the Wisconsin Judicial College, Warpinski has served on the Committee to Improve Interpretation and Translation in the Wisconsin Courts and as faculty at various judicial education seminars. He said having the opportunity to participate in judicial education has meant a lot to him – and sometimes has posed the difficult challenge of presenting material to an audience that may know more about the subject than the presenter.

Warpinski was recently elected vice president of the board of directors for the Jackie Nitschke Center for Drug and Alcohol Rehabilitation in Green Bay, where he served as a board member for the past 10 years. In 2003, the center launched a treatment program that was designed with the help of Warpinski and fellow Brown County Circuit Court Judge Sue E. Bischel. The program offered free alcohol treatment for offenders in the Huber facility, and was able to serve 460 Huber residents until January 2011, when the center lost public funding. Warpinski has been working with the center and the Brown County Sheriff’s Department to find funding to again be able to offer the program for free.

Replacing Warpinski is Atty. Thomas J. Walsh, who was elected without opposition in April.

**Judge James E. Welker  
Rock County Circuit Court**

By: Ian McCue, Court Information Intern

While many retiring judges spend newfound time on the golf course or squeezing in extra time outdoors, Judge James E. Welker has less conventional plans for retirement. As a “serious, non-professional art bookbinder,” the veteran judge will dedicate much of his new free time to binding limited edition prints, a way he expresses a lifelong artistic talent.

With friends across the globe who share his passion for

this little-known art, Welker belongs to several bookbinding organizations and travels abroad regularly for conventions.

“They’re usually bound in colored leather with onlays of leather that create designs, and it’s an art form just like painting or drawing or etching,” Welker explained.

A Rock County Circuit Court judge for 24 years, Welker is perhaps best known for handling *Hobson v. State*, a case that garnered much attention in the late 1990s. In the case, a woman named Shonna Hobson was arrested for obstructing after she refused to allow police to question her five-year-old son about a stolen bicycle. She argued that Wisconsin residents had a right to refuse an unlawful arrest, and Welker agreed, dismissing the case.

The Court of Appeals certified the case to the Wisconsin Supreme Court, where the justices unanimously affirmed Welker’s decision. It’s a decision he believes had the greatest impact of any in his career.

“No Wisconsin court had ever talked about the question of whether a person has the right to resist a clearly unlawful arrest,” Welker said. “That’s a case that will be important in the development of Wisconsin law.”

Welker, who was first elected in 1988, noted that one of the most significant changes he has seen in his time on the bench is the tremendous increase in the number of *pro se* litigants, that is, those who represent themselves in court. Such cases were rare when he first started as judge, and it’s a change that continues to challenge Welker and his colleagues across the state.

He sees this change as a product of the increasing popularity of televised trials that focus on entertainment rather than real-life court proceedings.

“One of the problems was that there was this proliferation of television programs — Judge Judy, Judge Wapner — and what they do is nothing like what actually goes on in a courtroom,” Welker said. “So then they go to court and if you advise them that they have the right to a lawyer and in fact maybe they should get a lawyer, they say, ‘No, why do I need to do that?’”

As Welker prepares to leave the bench, he suggested that his replacement (Court Commissioner Barbara W. McCrory, who won election to the seat in April) identify a sitting judge to serve as a role model and a mentor, as he did when he was new (the Wisconsin court system regularly pairs new judges with experienced judges to learn the ropes).

Though he will miss the presence of those he interacted with every day — a list that includes his office staff and colleagues on the bench — Welker is already making

retirement plans that extend far beyond bookbinding.

After enjoying the years he spent as a high school teacher before heading to the UW Law School, the seasoned judge is eyeing a return to education. Welker is currently talking to a nearby high school and exploring the idea of teaching a class on the legal system that would last several weeks.

“I don’t plan to vegetate,” he said. “I plan to have an active life.” ■



Judge James E. Welker

**LEADERSHIP** *continued from page 6*

and asks each to give him information and ideas about what might be causing the truancy issues and what can be done to help improve attendance. Often, he said, it becomes clear that there are substance abuse issues, mental health issues, family issues, physical issues and problems with certain classes or class schedules.

“Having all the necessary parties present at the proceeding gives me the information that I need to be able to fashion court orders that will help to alleviate some of the problems contributing to the truancy issue,” Koval said.

Prosecutors generally choose not to participate unless the student pleads not guilty to the charge, and then a pretrial conference is scheduled with the student, his parents/guardians and the prosecutor. But that’s unusual.

“Most of the kids who are cited for habitual truancy have much more than the statutory mandated five unexcused absences so it is very rare when a student decides to contest the charges,” Koval said. “So the school-based court sessions really focus on restorative justice practices.”

Koval arrives at each school with court files and his robe, and advises each student and the parents/guardians that the sessions are actual court proceedings even though they are



Judge Daniel P. Koval

held in the high school. Each teen gets a substantial amount of the judge’s time.

“The initial appearance with the student can last between a half hour and an hour,” Koval said, “and then I do follow-up sessions with the students throughout the school year to monitor their progress.”

Koval often issues new orders or modifies existing orders to deal with new issues or circumstances that may arise over the course of the school year. New issues can run the gamut from a need for mental health counseling to an altered class schedule. All of this requires support from the school district.

The teens served by the program are a mixed group: all races, equally split between the genders and both special- and regular-education students. Court is held in conference rooms at each school during school hours. Toward the end of the school year, additional sessions are added – but careful management means no extra funds are needed to run the program.

“The staff from the schools and I do this as part of our jobs,” Koval said. “We hold the court during school hours so there is no overtime pay involved.” ■

**EJS** *continued from page 2*

recommendations from the NCSC report on Effective Justice Strategies in Wisconsin. As noted in the report, 20 other states have collaborating committees organized legislatively or in some other fashion. These groups have helped to achieve efficiencies and coordinated policy responses to a variety of criminal justice issues, including funding, alternatives to incarceration, reducing offender recidivism and more.

The courts are represented on the Council by Chief Judge C. William Foust, Dane County Circuit Court, and Director of State Courts A. John Voelker.

“I am looking forward to working with other council members in an effort to improve the criminal justice system,” Voelker said. “The local CJCC’s have demonstrated the value of collaboration, and I expect similar positive results at the state level.”

The 18-member Council is chaired by Atty. General J.B. Van Hollen and Department of Corrections Secretary Gary Hamblin. Other members, besides Foust and Voelker, include: Bayfield County Administrator Mark Ableles-Allison; Eloise Anderson, secretary, state Department of Children and Families; Green Bay Police Chief Jim Arts; Portage County District Atty. Thomas Eagon; James Hiller, coordinator, Milwaukee County Community Justice Council; Jane Graham Jennings, executive director, Women’s Community, Inc., of Wausau; Kewaunee County Sheriff Matthew Joski; John Murray, executive director, Office of Justice Assistance; Reggie Newson, secretary, state Department of Workforce Development; Rick Rettler, owner, Rettler Corporation, Stevens Point; Patti Jo Severson, nutrition and health education at Gunderson Lutheran Medical Center, La Crosse; Dennis Smith, secretary, state Department of Health Services; Wisconsin State Public Defender Kelli Thompson; and Oneida Nation Chief of Police Rich Van Bostel.

**DOC’s PSI Report work group reconvenes**

In April, the Wisconsin Department of Corrections (DOC) reconvened its Pre-Sentence Investigation (PSI) Report Work Group to develop a new PSI report format that judges can use to more effectively evaluate risk and needs information for offenders prior to sentencing. Several workgroup members are judges who also serve on the PPAC EJS Subcommittee. The new PSI reports will include data from the DOC’s COMPAS (risk and needs assessment) reports for criminal offenders.

In early May, the work group disseminated an electronic survey to the circuit court judges seeking input on what types of COMPAS information are most helpful in evaluating PSI reports.

**“AIM: Lessons Learned” meeting**

In late March, the EJS Subcommittee sponsored an “AIM: Lessons Learned” wrap-up meeting in Madison.

Representatives from each of the eight original pilot sites (Bayfield, Dane, Eau Claire, Iowa, La Crosse, Marathon, Milwaukee and Portage counties) were in attendance, along with CCAP Chief Information Officer Jean Bousquet, Mary Feldman of CCAP, and DOC representatives Mary Kay Sergio and Jared Hoy.

The group discussed the benefits that the counties gained from the project, including improved judicial access to information on offender risks and needs. Also discussed were future uses for the AIM database and possibilities for integrating the AIM data with the DOC COMPAS initiative. ■

*Questions and requests for additional information may be directed to Shelly Fox at (608) 261-0684 or at [shelly.fox@wicourts.gov](mailto:shelly.fox@wicourts.gov).*

## Dunn County creates a road map for serving offenders with co-occurring disorders

By Shelly L. Fox, Special Projects Manager, Office of Court Operations

Offenders with co-occurring mental health and substance abuse disorders are a familiar presence in Wisconsin courts. In many instances, they become a chronic source of concern for law enforcement, the courts and local communities. Dunn County decided to evaluate its practices in dealing with this population – and has just released a



Judge William C. Stewart Jr.

report that may hold valuable lessons for all local courts that work with people who struggle with addiction and mental health issues.

Dunn County Circuit Court Judge William C. Stewart Jr. called the report “a road map” to help the criminal justice system more effectively serve offenders with co-occurring disorders.

Funded by a \$50,000 grant from the State of Wisconsin Office of Justice Assistance, the evaluation and report were prepared by two consultants who worked closely with the Dunn County Criminal Justice Collaboration Council (DCCJCC). The project examined two primary areas of interest: 1) Evidence-based practices and co-occurring disorders protocols for the four main behavioral health providers in Dunn County; and 2) employment issues for individuals with co-occurring disorders.

“We sought this grant based on our CJCC’s acknowledgement that our criminal justice system has a substantial number of offenders with co-occurring disorders, and that our current efforts are inadequate to properly serve these individuals,” Stewart said. “This leads to higher than necessary costs, higher recidivism rates and decreased community safety.”

The report begins by listing 22 evidence-based and best practices that would, ideally, be instituted by any county-based service provider that works with individuals with co-occurring disorders. The report then evaluates the services currently offered by each of the four Dunn County behavioral health service providers, ultimately concluding that 14 of the recommended 22 practices are currently provided by the behavioral health service system in Dunn County. The report recommends that the eight other protocols be considered for implementation.

The report also provides several recommendations for enhancing and improving employment opportunities for Dunn County offenders with co-occurring disorders. Evaluators had four suggestions for the DCCJCC on this topic:

- 1) Continue and strengthen current efforts to educate and inform the local community regarding the benefits of providing employment opportunities for offenders, particularly those with co-occurring disorders;
- 2) Continue and enhance current efforts to develop a database, to be hosted on the DCCJCC website, to match offenders with local employers.

3) Invite local employers to attend the monthly CJCC meetings, in order to create mutually beneficial networking opportunities;

4) Encourage community service sites to increase the number and complexity of current placement opportunities, and also encourage additional community service agencies to offer placements for criminal justice system participants;

5) Develop a formal protocol for implementing the previous suggestions, as well as Supported Employment, an evidence-based best practice that is focused on helping individuals with mental illness (and co-occurring disorders) to find and keep meaningful employment.

Stewart acknowledged that the evaluation and report are just the first steps – but they represent important progress toward systemic improvements.

The DCCJCC will now tackle implementation of the report’s recommendations by developing a mission statement for the project, sharing the report with all key stakeholder groups and creating a step-by-step process for moving forward.

“Significant challenges remain,” Stewart said, “but we now have hope and a viable plan for moving forward in our efforts to serve these offenders and to promote greater community safety for the residents of Dunn County.” ■

### What the consultants did

To evaluate how Dunn County deals with offenders who have mental health issues and substance abuse problems, the consultants had to identify all the stakeholders who interact with these individuals and size up their operations. This process included:

- Conducting extensive on-site and telephone interviews with treatment providers, community agencies and various stakeholders;
- Visiting behavioral health service providers and community service agencies;
- Observing Dunn County’s treatment-court dockets and team meetings;
- Administering three surveys for treatment providers to gauge staff attitudes and perceptions of evidence-based practices and treatment of clients with co-occurring mental health and substance abuse disorders;
- Reviewing existing treatment providers’ policies and procedures for treatment of individuals with co-occurring disorders; and
- Designing and conducting a workshop in February to help match employers with former offenders who have valuable job skills. ■

A copy of the report is available at the Dunn County CJCC’s website: [www.cjcc.mydunncounty.org/files/2012/01/May-7-Final-Report-1.pdf](http://www.cjcc.mydunncounty.org/files/2012/01/May-7-Final-Report-1.pdf)



## Second District closer to establishing veterans treatment court

By Andrew Graubard, District Court Administrator

The Second Judicial District sent a team to a training session in Buffalo, NY, in May, marking an important next step in the effort to develop a veterans treatment court expected to serve Kenosha, Racine and Walworth counties.

The intensive, five-day session was held on the site of the nation's first veterans treatment court and had two focuses. First was education on the major concepts and theories underlying the veterans treatment court; second was helping us to develop a plan for our own court.

The District Two team was able to participate thanks to a training scholarship from the Bureau of Justice Assistance (BJA) and the National Drug Court Institute (NDCI). The team included, in addition to myself, Department of Corrections Region 2 Assistant Chief Barb Hanson; Assistant State Public Defender Margaret Johnson; Veterans Mentor Coordinator Jason Lowman; Program Evaluator Jennifer Madore, Kenosha County Department of Human Services; Racine County Assistant District Atty. Maureen Martinez; Investigator James Muller, Racine County Sheriff's Department; Racine County Veterans' Services Officer Aloysius Nelson; Judge Gerald P. Ptacek, Racine County Circuit Court; and Licensed Clinical Social Worker Mary Jane Whitmore, Racine Psychological Services, Inc.

Our team was among ten development teams participating, each with 10 members. The teams came from the East Coast and Midwest. Each team was made up of a

multi-disciplinary group which consisted of a judge, court coordinator, prosecutor, public defender, treatment provider, community supervisor, law enforcement officer, evaluator, veterans' service officer, and veterans' mentor coordinator.

The program was structured to provide each discipline with a session dedicated to discussing its unique role. Other sessions focused on team building, addiction and psychopharmacology, combat-operational stress reactions and court development considerations such as defining court phases and identifying the target population. Break-out sessions gave each team an opportunity to work on planning its court with the assistance of an experienced veterans court facilitator. Participants also had a chance to sit in on the Buffalo Veterans Treatment Court staffing meeting and court session.

Since returning to Wisconsin, the development team is organizing all that was learned to present to the criminal justice partners throughout the Second Judicial District for further collaboration and implementation. The implementation date for the Second Judicial District's Veterans Treatment Court has not yet been set. ■

*For more information on the Second Judicial District veterans treatment court project, contact District Court Administrator Andrew M. Graubard at (262) 636-3133 or [Andrew.Graubard@wicourts.gov](mailto:Andrew.Graubard@wicourts.gov).*

### Treatment court *continued from page 3*

individuals as they deal with alcohol and drug abuse and the crimes their abuse has led them to commit. Participants in both courts undergo a series of counseling and treatment sessions, weekly meetings with treatment court staff to evaluate compliance and random checks for drug and alcohol use. The HTWC hopes to encourage participation in cultural activities through the Native American church or events like sobriety pow-wows. The Nation's program is a more holistic approach that strives to provide a better understanding of traditions and culture.

#### A special focus on job skills

Participants in the dual court are also required to perform community service or seek employment. A Welding Skills Training Institute has been created in Black River Falls through collaboration with local manufacturers, the Black River Falls High School, the Western Technical College and the Community Corrections Employment Program. Seven of the eight students in the first class are participants in the Joint Treatment Court. Upon successful completion of the program, they will be hired by local businesses that are desperately in need of welders. This is a win-win situation benefitting a broad range of people by helping to fill worker needs while placing people into well-paying career track jobs.

#### Building the tribal component

The HTWC currently operates through a grant. Its team of

approximately 20 members, including social workers, law enforcement staff and court officials attended a week-long training in Arizona to get the program started. The goal of the HTWC is to soon have participants go through the Nation's entire judicial system. When the Nation's police department is fully operational, the court should be able to take offenders through the Nation's traditional court and sanctions.

The Ho-Chunk Nation's Legislature amended its Judiciary Act in March 2012 to authorize the HTWC. The authorization sets out the treatment team membership, which includes a tribal court judge, a prosecutor, a public defender/advocate, a treatment team coordinator, a researcher, a law enforcement official, and representatives of the following: the Legislature, probation, substance abuse treatment providers traditional court, social services, compliance and other members to be determined by the judiciary and/or the treatment team.

The tribal judiciary provided for the establishment, operation and funding of the HTWC to assist the judiciary in providing alternatives to prosecution and incarceration for criminal offenders who are tribal members and who abuse alcohol or other drugs. This program is based upon principles of restorative justice that take into account the traditions, culture and customs of the Nation. ■

## WISCONSIN CONNECTS

## International judges elect Bradley to serve as North American delegate

The International Association of Women Judges (IAWJ), a non-profit organization with 4,000 members from 103 nations around the world, has elected Justice Ann Walsh Bradley to its board of directors.

Bradley will represent the North American region, which is comprised of the U.S., Canada and Mexico.

The election took place in London during the IAWJ Biennial International Conference. Joining Bradley on the board of directors are judges representing Africa, Asia, the Caribbean, Europe, the Middle East, Latin America and the South Pacific.

"The IAWJ does extraordinary work across the globe on a broad range of issues related to human rights and access to justice," Bradley said. "I have been privileged to work with this group, and I am honored and delighted to have been selected for this leadership role."

The IAWJ trains judges around the world on issues related to domestic violence, human trafficking, property rights and HIV/AIDS and other topics that affect women and families.

The organization also helps to encourage women to seek judgeships. IAWJ meets biennially, bringing together women judges on every continent. The next meeting will be held in Tanzania.



Justice Ann Walsh Bradley (center) meets with the board of directors of the International Association of Women Judges in London. Front and center in the photo are Judge Eusebia Nicholas Munuo of the Court of Appeals in Tanzania (that nation's highest court) and Lady Brenda Hale, a justice of the Supreme Court of the United Kingdom.

Bradley was elected to the Wisconsin Supreme Court in 1995 and re-elected in 2005. Prior to joining the Supreme Court, she served for 10 years in Marathon County Circuit Court. Bradley has been active in a number of national and international organizations related to the justice system. She is a member of the Board of Directors of the International Judicial Academy and has served as a lecturer for both the Academy and the American Bar Association's Asia

Law Initiative. She is also an elected member of the American Law Institute and serves on the Federal-State Judicial Council. She formerly served as a commissioner of the National Conference on Uniform Laws and as chair of the Wisconsin Rhodes Scholarship Committee. ■

## Juvenile court clerks elect new leadership

The Wisconsin Juvenile Court Clerks Association is elected a new slate of officers for the 2012-2014 term. They are:

- President Joy Pecha, Langlade County
- Vice-President Kirsten Bellisle, Marinette County
- Treasurer Jody Bartels, Grant County
- Secretary Kathy Koback, Marquette County

The new officers replace outgoing President Vicki Gilbertson, Dane County (who is retiring after 18 years with the court system); Vice-President Joy Pecha, Langlade County; Treasurer Kelly Haag, Waukesha County; and Secretary Jane Kraemer, Washington County. ■



Vicki Gilbertson is honored at her final Records Management Committee meeting. She is retiring after more than 15 years on the committee and 18 years with the court system.

# Database creates quick access to law-related materials produced in all counties

By Carol Hassler, Webmaster/Cataloguer, Wisconsin State Law Library



Image source: [http://www.factsanddetails.com/maps/wisconsin\\_map.html](http://www.factsanddetails.com/maps/wisconsin_map.html)

**Information by County**

Choose a County

**Forms and Guides by Topic**

Choose a Topic

Our county resources database includes information on:

- Law-related Wisconsin county agencies
- Legal assistance organizations

The Wisconsin State Law Library added a new feature to its County Resources database in May. For the first time, searchers can browse forms and guides by topic in addition to browsing by county.

The Wisconsin State Law Library's (WSLL) County Resources database, found at:

<http://wilawlibrary.gov/topics/county.php>, continues to grow and evolve, and has become a one-stop-shop for anyone looking for county-specific forms, contacts and resources. Last month, WSLL rolled out a new feature that allows browsing by topic for those who wish to view forms and guides on a given topic from counties across the state.

More than 750 forms and guides published online by Wisconsin counties are arranged topically under each county. Library staff selected individual guides for inclusion on relevant legal topics pages as well. For example, the Marriage topic page links to a sample clergy sponsorship letter from Marinette County and a guide full of useful marriage FAQs from Burnett County, while the Divorce legal topic page includes links to Dane County annulment forms, among other guides and forms.

The database currently includes more than 1,600 records and covers all 72 Wisconsin counties. The database contains law-related agency contact information, legal assistance organizations, law-related forms and guides published by county agencies, and links to court rules, ordinances, and court fees for each county. It was brought online in 2009 as a new resource for the website's popular Legal Topics section.

The County Resources database was created to serve two purposes. First, library staff frequently field calls and emails from across the state and wanted to be able to refer library users to a single page of contacts and resources. Second, forms and guides created by counties have proved to be extremely useful when answering questions – even for residents outside of the county that created the document. Storing these links in a central place meant easier access for

library staff as well as visitors to our website.

Library staff scoured government and third party websites, as well as print directories, to pull together agency and legal assistance organization information in one place. Each county includes a list of law-related agencies, their websites, and contact phone numbers (agencies include child support, clerks of court, court commissioners, district attorneys, registers in probate, registers of deeds, and sheriffs' departments). Legal assistance organizations for each county are also listed, frequently with information on what they provide.

Some frequently-used guides and forms include:

- Quit claim deeds from various counties
- Fond du Lac County's *Family Court Handbook*
- Burnett County's *General Information About Marrying In Wisconsin and Instructions for the Bride, Groom and Officiant*
- Dane County's *Notice of Intent to Remove Children* form and annulment information
- Filing an Amortization of Debt (Chapter 128) Case and Pro Hac Vice guides from Milwaukee County

The database is updated semi-annually by library staff. Links are checked weekly using automated link-checking software; however, the link checker may not always catch problems with links. In addition, library staff may not be made aware of a new guide or form for as much as half a year. For these reasons, we encourage agency and organization staff to contact the Webmaster with updates, corrections, or additions to the database.

The library's goal for the County Resources database is to provide quick access to county information for legal professionals and *pro se* litigants, and to facilitate the sharing of information among county agencies. ■



## New checklist to assist lawyers filing appellate briefs

A new checklist for writing and filing appellate briefs will help lawyers and litigants who are filing cases in the Wisconsin Supreme Court and Court of Appeals.

The Appellate Brief Filing Checklist and a more detailed companion document, the Appellate Practice Checklist Outline, are the result of two years of work by an *ad hoc* committee of the State Bar of Wisconsin Appellate Practice Section.

“I think this is going to be an excellent resource, not only for attorneys who specialize in appellate practice, but for all attorneys and non-attorney litigants who work on appeals,” said Diane Fremgen, clerk of the Wisconsin Supreme Court and Court of Appeals. “Thanks to the committee’s work, the checklist concisely answers many questions my office now receives about the structure and format of appellate briefs.”

The Appellate Brief Filing Checklist walks the litigant through formatting the brief and the appendix, filing and service, and additional considerations for reply briefs and non-party briefs.

The lengthier Appellate Practice Checklist Outline describes in detail the requirements of Wis. Stat. § 809.19. The outline includes information on:

- Covers, captions, table of contents and binding
- Statement of issues for review, oral argument and publication
- Case, argument and conclusion
- Signature
- Form and length requirements and certification
- Appendix and certification
- Mailing certification or affidavit
- Number of paper copies required for filing and service

- Electronic brief requirements and appendix
- Citation of unpublished opinions

Both the checklist and the outline are also available on the Clerk of Supreme Court and Court of Appeals portion of the Wisconsin court system website at [www.wicourts.gov/courts/offices/clerk.htm](http://www.wicourts.gov/courts/offices/clerk.htm).

Wisconsin Court of Appeals Chief Staff Atty. Jennifer Andrews, Assistant Deputy Clerk Jackie Widing, Clerk of Supreme Court and Court of Appeals Diane M. Fremgen, Executive Assistant to the Chief Justice Theresa Owens, and Chief Justice Shirley S. Abrahamson assisted in reviewing the checklist, which is intended for guidance and should not be considered a definitive statement of the rules.

Appellate Practice Section members who worked on the checklist project include Attys. Timothy Barber, Axley Brynelson; Dorothy Dey, Beck, Chaet, Bamberger & Polsky; William Gansner, Wisconsin Department of Justice; G. Michael Halfenger, Foley & Lardner; Ellen Henak, Wisconsin State Public Defender’s Office; Roberta Heckes, Roberta Heckes Attorney at Law; Anne Berleman Kearney, Appellate Consulting Group; Kathryn Keppel, Gimbel, Reilly, Guerin & Brown; Lisa Lawless, Whyte Hirschboeck Dudek; Corey Lundin, Legal Action of Wisconsin; Todd Smith and Katherine Stadler, Godfrey & Kahn; Urszula Tempska, Law Office of Urszula Tempska; and Nicholas Zales, Zales Law Office.

Background on the *ad hoc* committee and this project is available here: [www.wicourts.gov/courts/offices/docs/clerkappellatecomm.pdf](http://www.wicourts.gov/courts/offices/docs/clerkappellatecomm.pdf). ■

## PPAC working to identify ways to respond to critical issues

By Shelly Cern, PPAC Policy Analyst

The PPAC Planning Subcommittee is developing the biennial critical issues report and has identified four planning priorities for the 2012-14 biennium: court system funding, public confidence, evidence based practices, and access to justice.

To help develop actions that will respond to these four critical issues, the PPAC Planning Subcommittee has queried the judiciary to learn what specific activities judges would like to see PPAC, the Director of State Courts Office and the Supreme Court undertake.

This spring, some judicial districts formulated proposals for addressing these issues during facilitated discussions during their spring district meetings. In those districts that did not meet, members of the Supreme Court Planning and Policy Advisory Committee (PPAC) are working with the district court administrator to determine the best method to distribute and collect feedback from judges.

The PPAC Planning Subcommittee will present the final draft of the 2012-14 Critical Issues report at the Aug. 30

meeting for consideration and adoption. Also at the August meeting, PPAC and the Planning Subcommittee will review the court system’s proposed budget requests and make recommendations about which proposals should be forwarded to the Supreme Court for consideration.

PPAC and the Planning Subcommittee are optimistic that efforts such as this to educate and engage the judiciary will help make this critical issues process more successful. The process began last fall with an electronic survey of court system stakeholders and a presentation at the 2011 Meeting of the Wisconsin Judicial Conference. ■

*Those who have not had an opportunity to submit feedback on the critical issues may contact a PPAC representative or Shelly Cern [(608) 266-8861 or [michelle.cern@wicourts.gov](mailto:michelle.cern@wicourts.gov)]. A list of current PPAC members can be found on the court system’s website: [www.wicourts.gov/courts/committees/ppacmembers.htm](http://www.wicourts.gov/courts/committees/ppacmembers.htm)*

## PEOPLE

“Meeting mental health challenge” was a Sunday opinion column by Chief Justice **Shirley S. Abrahamson** in the *Milwaukee Journal Sentinel* in May. Abrahamson discussed the broad range of programs at work in the Wisconsin courts to improve how the system responds to people with mental illness. Among the programs she mentioned are seminars designed to educate judges on mental health issues; collaborations that bring together mental health providers with law enforcement, judges, prosecutors, public defenders and others who may have contact with mentally ill people in the criminal justice system; and mental health court programs in Eau Claire and Outagamie counties that are designed to divert certain cases from the criminal docket.



Chief Justice Shirley S. Abrahamson

Treatment alternatives and diversion (TAD) programs save money and improve public safety. That was the conclusion in an April cover story in *Wisconsin Counties*, the magazine of the Wisconsin Counties Association. The article by **John Murray**, executive director of the Wisconsin Office of Justice Assistance, quotes a recent cost-benefit analysis by the UW Population Health Institute that found that every \$1 invested in TAD yields benefits of \$1.93 in averted incarceration and reduced crime.

Separate articles in the magazine highlight the Rock County Drug Court program, which has graduated 157 people since its inception in 2007, the Rock County Veterans Court program and the Wood County Drug Court program, which is in its fifth year of operation. The Wood County article, by First Assistant State Public Defender **David R. Dickmann**, lays out a few important steps to be taken in starting a treatment court program. One of the biggest hurdles is finding money to hire a coordinator. “Unfortunately, we did not have any money to pay anyone full- or part-time,” Dickmann wrote. “The Wood County Sheriff’s Department came through for us by offering a jail staff person (release planner) to work with the court ten hours a week. With the rest of the team completely comprised of volunteers, our court was started.”

“Clarke blows off request to discuss changes in inmate policy” headlined a column by *Milwaukee Journal Sentinel* investigative reporter **Daniel Bice** on Law Day. Bice



Chief Judge Jeffrey A. Kremers

reported on an exchange between Chief Judge **Jeffrey A. Kremers** and Milwaukee County Sheriff **David Clarke** after Kremers sent Clarke a letter expressing concerns about delays in releasing jail inmates who are scheduled to participate in court-ordered programs, and delays in transferring inmates who need to make court appearances.

“Taken together, these changes in procedure have resulted in an artificial increase in the jail

population,” Kremers wrote to Clarke.

Clarke responded to Bice’s questions about Kremers’ letter with an e-mail that Bice reprinted: “What’s he whining about now?” Kremers should mind his own damned business. He doesn’t know what my job is. I lock criminals up, while Kremers likes to let them go.”

“Bayfield County Risk Reduction Court gives offenders another chance” headlined a story in the *Ashland Daily Press* in May. The story explained that the treatment court program, which opened last year, focuses on offenders who have multiple run-ins with the law: repeat drunk drivers, offenders with mental health problems, domestic violence perpetrators and other criminal offenders whose offenses are fueled by drugs and/or alcohol. The program is run in cooperation with the Red Cliff Tribal Court. Bayfield County Circuit Court Judge **John P. Anderson** told the newspaper that the court is handling a steady volume of cases, and that the initiative is actively reducing jail days while improving public safety.



Judge John P. Anderson

“Putting people in jail, unless they are there for the rest of their lives, doesn’t really solve the problems,” Anderson was quoted as saying. “Rarely does it rehabilitate them, oftentimes, and the evidence shows it, it just makes things worse. With the process we are using – risk reduction – we are using methods that actually work. It doesn’t mean we are being soft; most of the people who are going through this program are still spending time in jail, but before we let them loose back to society, we give them the tools to help them succeed.”

“Juror photo leads to Tabor mistrial” headlined a story in *The Topeka (KS) Capital-Journal* that became national news and serves as a cautionary tale. The case against **Austin Tabor**, charged with shooting and killing a student on the grounds of a local high school, had just begun when the judge halted proceedings and granted a motion for a mistrial. The problem: A news reporter who was ‘Tweeting’ the trial from the courtroom (using Twitter to post brief, regular updates to the newspaper’s website), took a photo on her iPhone that showed members of the jury and disseminated it. In Kansas, as in Wisconsin, media may not show pictures that identify jurors during a case.

Justice **Patience Drake Roggensack** won applause from a packed auditorium at West Allis Central High School, where she gave a speech entitled “Poker Chips and a Green Hat: An Insider’s View of the Supreme Court.” Roggensack visited the school in March, serving as guest speaker at an event organized by the business law class. The justice also spoke to a group of fifth graders from Decorah Elementary School in West



Justice Patience Drake Roggensack

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Judge John P. Hoffmann

Bend who visited the Capitol in May. Roggensack used a decision-making exercise to help the children understand what justices do, and showed them where each justice sits when the court is in session.

Judge **John P. Hoffmann**, Waupaca County Circuit Court, celebrated his daughter **Erin Hoffmann Harding**'s appointment as vice president for strategic planning at Notre Dame

University this spring. Harding is a *summa cum laude* graduate of Notre Dame's business school, and a *magna cum laude* graduate of Harvard Law School. Her proud father also earned a degree from Notre Dame.

Chief Judge **J. Mac Davis**, Waukesha County Circuit Court, celebrated the college graduation of his youngest child, **Ann E. Davis**, in May. She graduated *cum laude* from Tulane University in New Orleans, majoring in political



Chief Judge J. Mac Davis

economics with a minor in Spanish. Davis spent a semester in Madrid and summers in Chile and Venezuela during college, and will be teaching school in New Orleans through the Teach for America program.

Kenosha County Circuit Court Chief Judge **Mary K. Wagner** and Racine County Circuit Court Judges **Emily S. Mueller** and **Faye M. Flancher** were featured in the May edition of *She Magazine*, a publication of the *Kenosha News* that features stories on women in southern Wisconsin. As part of the article, entitled "Women in Black: Circuit judges enjoy careers in courtroom," each woman was

interviewed about her experiences in the legal profession and how these experiences shaped her career. All three judges discussed the importance of seizing opportunities despite the adversity that women sometimes experience in the practice of law. Through these experiences the three women created a strong message: be inspired, take opportunities despite adversity, and by accepting such opportunities in the face of doubt, it is possible to do a job not only as it *could* be done, but as it



Erin Hoffmann Harding



Judge Faye M. Flancher



Judge Emily S. Mueller

should be done.

The First Judicial District welcomed **Julie Schroeder** as the district administrative assistant (DAA), replacing **Cindy Hapka** who retired after many years in that role.

Schroeder previously worked in the Sheboygan County Clerk of Circuit Courts Office. "Julie has seamlessly moved into the DAA role and her experience in District 4 will be valuable to her in her new role," said District Court Administrator **Bruce Harvey**. "She is comfortable offering suggestions for process improvements and is looking forward to using her skills as we move into our annual rotation of judges." Schroeder's many interests include golf and cheering for her daughter's hockey team.



Bruce Harvey

"Reddy proposes county drug court plan" was a banner headline in the *Lake Geneva Regional News* in late April. The article reported on a presentation by Walworth County Circuit Court Judge **David M. Reddy**, who developed a plan for the county to maintain its OWI court and begin a drug court by 2013. Reddy made the presentation to the Walworth County Criminal Justice Coordinating Committee (CJCC). He outlined the judges' plan for developing specialty court programs in the absence of Judge **Robert J. Kennedy**, who recently retired after helping lead the effort to create the OWI court. Kennedy had offered to stay on as a volunteer to run the OWI court but could not because the statutes do not permit reserve judges to work for free. The article indicated he might still play a role in helping to write grant applications to set up the new drug court.



Judge David M. Reddy



Chief Judge Mary K. Wagner

The *Eagle Herald* in Marinette reported that Chief Judge **Donald R. Zuidmulder**, Brown County Circuit Court, and Menominee



Judge Robert J. Kennedy

see People on page 21



## Courts Connecting with Communities celebrates six months

Courts Connecting with Communities (CCC), an initiative of the Office of the Chief Justice, is celebrating its six-month anniversary with three turns on the national stage. CCC will be showcased at the annual meetings of the Conference of Chief Justices and the Conference of the State Court Administrators as well as at the National Center for State Courts' 2012 Civics Education Fair slated for July in St. Louis.

Closer to home, the program is also picking up steam. Chief Justice Shirley S. Abrahamson highlighted the initiative at the 2012 Local Bar Leaders Conference on April 27 at the State Bar Center in Madison, and Atty. Theresa Owens, executive assistant to the Chief Justice, is traveling to counties across the state



Chief Justice Shirley S. Abrahamson explains her Courts Connecting with Communities initiative to representatives of 30 county bar associations at the Local Bar Leaders Conference in late April. The initiative was launched six months ago to make it easier for circuit courts and local bar associations to try public outreach projects.

presenting the idea to local courts and bar associations.

Abrahamson rolled out CCC last fall. The program is designed to gather and share information about successful local outreach programs that can be replicated across Wisconsin. The centerpiece of the initiative is a toolkit for structuring programs that are proven winners, including drug court tours, brown bag lunches with judges, juror appreciation events and town hall meetings. ■

Additional materials continue to be added to the outreach toolkit. Contact Theresa Owens, executive assistant to the Chief Justice, at [Theresa.Owens@wicourts.gov](mailto:Theresa.Owens@wicourts.gov) or (608) 261-8297 with information about outreach programs in your community.

### PEOPLE *continued from page 20*



Chief Judge Donald Zuidmulder

County Sheriff **Kenny Marks** served as keynote speakers at a "Regional Symposium on Reducing Repeat Criminal Offenses." They spoke about the need to identify ways other than incarceration to address recidivism and improve public safety.

"The United States, among all the nations of the world, has the highest incarceration rate – we have 76 inmates for

every 100,000 people," Zuidmulder was quoted as saying. "If punishment were the Olympics, we would be gold."

Zuidmulder, who started the Brown County Drug Court program and helped to create the Northeast Wisconsin Veterans Treatment Court program, told the group that 80 percent of the inmates in Wisconsin's prisons have drug or alcohol addictions or mental health issues (or both). He told the crowd that Wisconsin must do a better job of addressing these challenges that underlie criminal behaviors.

Chippewa County Clerk of Circuit Court **Karen J. Hepfler** was inducted in May at a ceremony in Washington, D.C. as a Fellow of the Institute for Court Management after completing a rigorous program that included 12 courses and a master's-level independent project. Hepfler is past president of the Wisconsin Clerks of Circuit Court Association.

Hepfler's project involved building a



Chippewa County Clerk of Circuit Court Karen J. Hepfler (front row, third from right) became a Fellow of the Institute for Court Management along with a group of court managers from across the country this spring.

partnership among CCAP and the Seventh and Tenth Judicial Districts to pilot web-based regional training. She directed a group that created live webinars for clerks and their staff members as well as for judicial assistants in the 25-county region covered by Districts Seven and Ten. The webinars covered topics in criminal/traffic, civil, jury, financial and probate.

"Based on preliminary results of the project," Hepfler said, "it was recommended that the Wisconsin courts expand the use of webinars to other regions where education needs exist within the state."

On April 24, District 10 Court Administrator **Scott Johnson** was promoted to colonel in the Wisconsin Air National Guard. He had previously held the rank of lieutenant colonel. Johnson is currently commander of the 128 Mission Support Group at General Mitchell International Airport in Milwaukee. ■



Scott Johnson

**Chief Justice**  
Shirley S. Abrahamson

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## Grant will commission play

A \$2,000 grant from the Wisconsin Humanities Council will fund the development of an original script for a play based upon the life of Lavinia Goodell, Wisconsin's first woman lawyer. A \$2,000 grant from the Wisconsin Humanities Council will fund the development of an original script for a play based upon the life of Lavinia Goodell, Wisconsin's first woman lawyer. Madison playwright Betty Diamond, two-time semi-finalist for the O'Neill Playwrights Conference Award, will write the play.

The project is an initiative of the Director of State Courts Office in consultation with the Office of Chief Justice Shirley S. Abrahamson.

Although Goodell's portrait has been on display for years in the chambers of the Wisconsin Supreme Court, her story has remained largely out of reach until now. That's because her diaries and other papers were donated to Berea College in Kentucky, and were available only to in-person visitors. Recent digitization makes the papers easily accessible, and they will form the basis of research for the play.

The finalized script will be made available to school groups and other interested non-profits, and additional grant money will be sought to stage the play in venues across the state.

Goodell's story is the story of the development of law, women's rights and journalism (Goodell was also a journalist) in Wisconsin. She was a Janesville lawyer who, in November 1874, was retained to represent a widow in a probate matter. The case presented a novel question and Goodell eventually appealed to the Wisconsin Supreme Court. At the time, practice before the Supreme Court required admission to a separate bar. Customarily, this admission was automatic.

In February 1876, the Court denied Ms. Goodell's petition. Writing for the Court, Chief Justice Edward G. Ryan said that women were not suited to practice law, discussing "the peculiar qualities of womanhood, its gentle graces, its quick sensibility, its tender susceptibility, its purity, its delicacy, its emotional impulses, its subordination of hard reason to sympathetic feeling."

When Goodell learned that she was not admitted to practice before the Supreme Court, she turned to legislation as the next step. With the help of a small group of key supporters, she worked to have a bill introduced that would prohibit gender-based denial of bar admissions. The Legislature passed it on a voice vote and Governor Harrison Ludington signed it on March 22, 1877.

Goodell's second application for admission to the bar of the Wisconsin Supreme Court was heard on April 22, 1879. On June 18 the Court issued an opinion granting her petition. Ryan dissented. ■



Lavinia Goodell



Chief Justice Edward R. Ryan

## New judges *continued from page 4*



Judge-elect Timothy D. Boyle

narrowed that margin. A sole practitioner and supplemental court commissioner, Boyle touted his experience handling a wide variety of cases.

### Rock County Circuit Court, Branch 7

Court Commissioner Barbara W. McCrory beat Atty. Jack Hoag to replace Judge James E. Welker, who is retiring at the end of June. Both Welker and the *Janesville Gazette* endorsed Hoag in the race, but McCrory won a decisive victory. ■



Judge-elect Barbara W. McCrory