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Budget affects court finances, policy

By Deborah Brescoll, Budget and Policy Officer

Governor Jim Doyle signed into law, as 2009 Wisconsin Act 28, the 2009-11 biennial budget bill on June 29. Except where otherwise specifically provided, Act 28 became effective on July 1. The budget act covers state expenditures from July 1, 2009 through June 30, 2011.

The governor made more than 80 partial vetoes in signing the act, including several affecting the courts. The Legislature may override any veto with a two-thirds vote of members present in each house. A budget override has not been adopted since the 1980s.

Act 28 contained significant changes to sentencing laws, which are summarized in a separate article. Additional court-related provisions in Act 28 include the following:

- Delete 1 percent from every court appropriation, including appropriations for payments to counties under the circuit court support and guardian *ad litem* payment programs and court interpreter reimbursements.

- Require the Chief Justice of the Supreme Court, acting as the administrative head of the judicial system, to take actions during the 2009-11 biennium to ensure that \$7.4 million be lapsed to the state's general fund over the biennium from any of the courts' general fund appropriations (these include the three levels of court, the Director of State Courts Office, and the Wisconsin State Law Library) or transferred from any court appropriations funded from non-tax revenue sources, such as surcharge revenues. The lapse and transfer amounts are attributable to forgoing the 2-

Other budget stories:

- Director's Column – **page 2**
- Sentencing changes – **page 2**
- Effect on Justice Reinvestment Initiative – **page 3**

see **Budget** on page 18

CCAP expands electronic case filing initiative

By Jean Bousquet, Chief Information Officer

The Wisconsin Court System is ready to roll out electronic case filing (eFiling) to all Wisconsin circuit courts using Consolidated Court Automation Programs (CCAP) case management.

On May 1, 2008, the Wisconsin Supreme Court approved a rule setting out the procedures for filing circuit court cases electronically, codified as Wis. Stat. section 801.17. Over the next few years, eFiling will become available county by county as clerks of circuit court and judges implement the new procedures.

Background

In 2005, Washington and Kenosha counties began

participating in an eFiling pilot program for small claims money judgment cases. The pilot program was extremely valuable for assessing the viability of eFiling in Wisconsin circuit courts and to make sure the eFiling system worked for the courts and litigants. Enhancements to both the CCAP case



eFiling launched for appellate courts - **page 11**

see **eFiling** on page 18

Video visits to link parents, juveniles



Dane County Juvenile Court Administrator John Bauman is helping establish a program that will allow juveniles incarcerated in the state facilities to participate in "video visits" with parents who are unable to travel.

A \$1,494 grant from the state Office of Justice Assistance will help Dane County Juvenile Court launch a program using videoconferencing technology to make it easier for parents to stay in touch with their incarcerated children.

The grant will help purchase videoconferencing equipment to be located at the Juvenile Reception Center in the City-County Building in downtown Madison. Parents who have children incarcerated in state juvenile facilities elsewhere in the state can come to the center to be "connected" by video with them. Similar equipment already is available

at the state's three state juvenile institutions – Ethan Allen School in Wales, Lincoln Hills in Irma, and Southern Oaks in Union Grove.

"Kids who stay connected with their families while they are incarcerated have a better chance of not repeating a crime," said Dane County Circuit Court Judge John Albert, who serves as the county's presiding juvenile judge.

Video visits are no substitute for personal visits, but some families are unable to travel to Wales, for example, because of limited transportation options or child-care

see **Video** on page 20



Director's column: State budget creates challenging environment

The smoke is starting to clear from a state budget described in varying terms by some as “unprecedented,” “secretly crafted,” “painful,” “responsible,” and “extremely difficult.” No matter your opinion on the contents or how the process was managed, at least we can say the 2009-11 state budget was timely. This is the first time it has been completed prior to July 1 since 1977.



A. John Voelker

With the signing of the budget on June 29, 2009, our efforts move from communication with the other branches of government to implementation. While navigating the political process of the budget is always filled with surprises and challenges, the responsibility of operating the court system effectively within the new budget will be more challenging than ever. The challenges result from both the fiscal and policy items included in the final package. Throughout the process, we had

continual, and I believe productive, communication with the other branches to moderate the effect on the court system.

The fiscal effects include a \$7.4 million reduction in the court system budget. This cut will require all of us to be as sensitive as ever about controlling expenses. It will also require us to deal with the issues associated with furloughs of non-judicial personnel.

There is no doubt that mandatory furloughs on top of rescinded pay raises put significant financial strain on our employees. Furloughs also put significant operational strains on the system. Non-judicial personnel throughout the system, either in Madison or in each of the counties, are critical to the court's fulfilling its responsibilities. We will strive to ensure any approach to furloughs is as fair as

possible to our personnel and as least disruptive to the operations. As an employer it is very difficult to require dedicated staff to in essence take a pay cut.

The non-fiscal law changes in the budget will also require significant effort to ensure the court system is in compliance. The most significant of these changes involves sentencing practices. At one time or another, the budget contained a variety of provisions regarding sentencing. In the end, the governor vetoed or partially vetoed a number of these provisions. (see story, page 2)

Thankfully, some of the sentencing provisions include a delayed effective date of October 1. This delayed date, which we were advocating, will allow us to put together a plan of action to communicate with and educate judges and court personnel on these changes. We are now in the process of sorting out these provisions.

In the coming months we will look at different methods to communicate these changes including bulletins, webcasting, and educational sessions at upcoming programs.

Unfortunately, I think implementation will be challenging. However, the one thing that I have learned throughout my years in the court system, and reinforced since becoming director, is that even during the most challenging of circumstances, judges and non-judicial personnel alike respond with a problem-solving attitude.

It reminds me of a quote from inventor David Sarnoff, who said, “The will to persevere is often the difference between failure and success.” While dealing with the consequences of the economic downturn may be one of the system's biggest challenges in a number of years, I expect we will be successful in addressing the challenges that lie ahead.

In the meantime, I am hopeful that the few positive financial indicators that have been identified in recent weeks are a sign that the next biennial budget will not be as painful. ■

New budget changes sentencing practices

By Nancy Rottier, Legislative Liaison and Deborah Brescoll, Budget and Policy Officer

The new state budget, 2009 Act 28, includes changes in sentencing practices that go well beyond the early release provisions that received most of the media attention during the five months the budget was under consideration. Most of the provisions will become effective on October 1.

Gov. Jim Doyle made several vetoes affecting sentencing proposals of the Special Committee on Justice Reinvestment Initiative Oversight (JRIO). (See story, page 3)

Proposed as an effort to give inmates more incentives for good behavior and to reduce costs for the state Department of Corrections (DOC), the changes give greater authority to the DOC to manage the inmate population and affect inmate release dates.

Under the new budget, the Earned Release Review Commission (ERRC) replaces the Parole Commission and is given enhanced duties and responsibilities. The ERRC will have the authority that now resides with the sentencing court to adjust a sentence of an inmate who has served 75 percent of a term of confinement for Class F to I felonies, or 85 percent of the term for Class C to E felonies.

The budget introduces a new concept called Positive Adjustment Time that allows DOC to give credit for days served without rule violations and in compliance with the inmate's programming. DOC is required to perform an objective risk assessment to determine the inmate's risk of reoffending, and then allocate resources to match the risk each inmate poses with appropriate and effective programming.

Inmates are eligible for sentence adjustment and may earn credit for varying numbers of days, depending on the seriousness of the crime committed. If the ERRC adjusts an inmate's sentence for early release, it adds the days of reduced confinement to the term of extended supervision (ES), so that the total length of the bifurcated sentence remains the same. (See list on page 8 for additional information on Positive Adjustment Time).

In addition, Act 28 will now allow the ERRC, rather than the sentencing court, to consider a petition to reduce a

Vetoes revise Justice Reinvestment proposals

Gov. Jim Doyle used his veto pen to strike from the 2009-11 state budget several provisions recommended for approval by the Legislative Council's Special Committee on Justice Reinvestment Oversight.

The committee was responsible for collecting reports from the Council of State Government's Justice Center, which gathered extensive data on Wisconsin's corrections and criminal justice systems as part of the Justice Reinvestment Initiative.

The committee met seven times during the first half of 2009 and introduced four pieces of legislation. Each item was modified to some extent during the budget process but remained largely intact until the vetoes.

Here's a list of the initial proposals, along with proposal numbers and brief summaries, provided by the Wisconsin Legislative Council. A brief description of the governor's veto action follows each item.

Extended supervision, WLC: 0425/3 - provides that a court may not order a term of extended supervision that exceeds 75 percent of the term of confinement in prison. This limitation does not apply to a person who has been convicted of a Class A, B, or C felony or a sex offense.

Doyle said in his veto message that he vetoed "this provision due to the possible unintended consequences of creating a cap on extended supervision sentences..." The governor maintained language "for shortening extended supervision sentences, through the ability of the Department of Corrections to discharge a person from supervision after two years. This release creates an incentive for an offender to comply with the rules of their supervision and earn discharge through rehabilitation, which better protects public safety."

Reconfinement, WLC: 0426/3 - provides that, when a person's extended supervision or parole is revoked, the person must be confined in prison for six months. The Department of Corrections (DOC) may extend that confinement time by not more than 90 days for rule violations or failure to participate in programming or

treatment.

Doyle said in his veto message that he partially vetoed this provision because he objects to the "one-size-fits-all" approach. "Placing an arbitrary maximum term of re-confinement on offenders who are revoked from their extended supervision and then allowing the department to deviate from the maximum when they determine a person poses a substantial risk is problematic from a due process point of view and could result in multiple petitions filed against the reviewing authority," Doyle wrote.

Doyle maintained language that requires the "reviewing authority and not the sentencing court" to determine the period of re-confinement.

Recidivism, WLC: 0427/3 - makes appropriations for community-based mental health services, a transitional employment program, and community services to reduce recidivism for persons on supervision. In addition, the draft sets a goal of reducing recidivism by 25 percent by 2011. The draft requires DOC to create community services to reduce recidivism, to track the effectiveness of these services, and to report annually to the governor, the Legislature, and the director of state courts on the services provided and the progress towards reducing recidivism.

Doyle said in his veto message that he partially vetoed this proposal to remove language that set a numerical goal of reducing recidivism in the time frame recommended because "this is an arbitrary figure that will be hard to measure in the short time prescribed in the language using accepted best practices for measuring recidivism rates." The effect of the partial veto, according to the governor, is to require the DOC to reduce the recidivism rate by fiscal year 2010-11.

Risk Reduction, WLC: 0428/3 - permits a court to order a risk reduction sentence for a person who agrees to participate in an assessment of the person's criminogenic needs and risk of re-offending and any programming or

see **Reinvestment** on page 20

Sentencing *continued from page 2*

sentence for an inmate with an extraordinary health condition, such as advanced age, infirmity, disability or a need for medical treatment or services not available within a correctional institution.

Inmates incarcerated for a misdemeanor or nonviolent Class F to I felony (except for sex offenders) will also be allowed to petition DOC for early release to ES if they are within 12 months of the end of their confinement time. DOC is to promulgate rules for determining whether bifurcated sentences should be modified under this provision.

For misdemeanants placed on probation, Act 28 gives DOC the authority to modify a person's period of probation and discharge the person from probation if the person has completed 50 percent of the probation term.

Reconfinement hearings for revocations of ES are also changed, with administrative decisions replacing circuit court hearings. The administrative agency making the determination on the length of reconfinement will be the Division of Hearing and Appeals in the Department of Administration, upon proper notice and hearing, or the DOC, if a hearing is waived.

Both the Challenge Incarceration Program and the Earned Release Program are being expanded under Act 28. For the Challenge Incarceration Program, DOC is to use an evidence-based assessment tool to determine treatment needs of inmates related to his or her criminal behavior. DOC is allowed an expanded list of treatment options. The Earned Release Program, which was created in 2004 to help address demand for alcohol and drug treatment among non-violent offenders, will now allow DOC to develop new tracks within existing rehabilitation programs to address needs that are directly related to an inmate's criminal behavior, even if those needs are not completely related to substance abuse.

The Legislature accepted two recommendations offered by the court system to streamline sentencing hearings and to clarify the issue of sentencing guidelines. Act 28 deletes the statutory requirement for the sentencing court to orally explain the bifurcated sentence, including the requirement to read the Extended Confinement, or "bad time" provisions. It

see **Sentencing** on page 8

Court programs for veterans move forward

By Amanda Todd, Court Information Officer

More than 100 people at sites in Madison, Milwaukee and Tomah participated in a late June conference designed to help justice system partners develop plans for building specialty court programs for veterans.

Leave No One Behind: Veterans in the Criminal Justice System brought together judges, prosecutors, public defenders, treatment providers and county veterans services officers from across the state. Some jurisdictions are just beginning to explore the issues related to veterans in court; others are poised to launch specialty programs for veterans in the next six months.

Counties that may begin programs in 2009 or early 2010 include the Chippewa Valley (Chippewa, Dunn and Eau Claire counties), the Juneau County region, La Crosse County, Milwaukee County and Rock County.

"We are doing this, number one, because we owe it to the veterans," said Chief Judge Benjamin D. Proctor, Eau Claire County Circuit Court, "and number two, because this is a unique population that requires a different approach."

Proctor and his colleague, Judge Lisa K. Stark, who also participated in the conference, have been leaders in the movement to develop specialty court programs. The Eau Claire judges now oversee programs for drug offenders, people with mental illness and single mothers.

"We know this can work because we have been successful with our other efforts," he said.

Judge James P. Daley, Rock County Circuit Court, also believes strongly in the need for specialty court programs for veterans – so strongly that he is leading the effort to open the first such program in Wisconsin. Daley has already organized a mentor-training program slated for late July, and he hopes to begin handling cases in August.

Also working to develop specialty court programs are judges, state public defenders and district attorneys in Juneau County (home to a large veteran population), La Crosse and Milwaukee.



Participating in a conference on veterans in the criminal justice system in June are, from left, Steve House, case manager at the Veterans Assistance Program at the Wisconsin Veterans home in Waupaca County; Judge Todd W. Bjerke, La Crosse; Chief Judge Benjamin D. Proctor, Eau Claire; Deputy Chief Judge James P. Daley, Rock County; Judge Elliott M. Levine, La Crosse; District Atty. Scott H. Southworth, Juneau County; and District Atty. John T. Chisholm, Milwaukee County.

Leave No One Behind: Veterans in the Criminal Justice System was sponsored by the Wisconsin Public Defender, Department of Corrections, Department of Justice, Veterans' Administration, Department of Veterans' Affairs, and the Wisconsin court system.

VA appoints justice outreach specialist

All Veterans Administration (VA) medical centers recently were authorized to add a new position, veteran justice outreach specialist (VJOS), to their staffs. The Milwaukee VA already has announced its appointee: Jacqueline D. Bethany, Ph.D. Bethany can be reached at (414) 384-2000 x41246. ■



Wisconsin Supreme Court Justice Patience Drake Roggensack, pictured here with Chief Judge William D. Dyke, Iowa County Circuit Court, was among invited dignitaries during the Iowa County Courthouse Sesquicentennial Celebration held June 13 in Dodgeville. The event featured courthouse tours, displays, food, music, giveaways and horse and wagon rides.

AWARDS

Abrahamson honored for mental-health initiative

The Wisconsin branch of the National Alliance on Mental Illness (NAMI) has chosen Supreme Court Chief Justice Shirley S. Abrahamson to receive its 2009 Outstanding



Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson addresses a gathering of the Wisconsin branch of the National Alliance on Mental Illness.

Leadership in Government Award for her efforts to improve the lives of those affected by mental illness.

“Chief Justice Abrahamson has a clear and compassionate understanding of the issues involving persons with mental illnesses in Wisconsin jails and prisons,” said Jennifer Lowenberg, advocacy and training specialist for NAMI Wisconsin.

In presenting the award, Lowenberg cited Abrahamson’s leadership on the Chief Justices’ Criminal Justice Mental

Health Leadership Initiative.

Wisconsin is one of four states selected by the Council of State Governments to participate in this project, which is aimed at improving the criminal justice system’s response to people with mental illness.

As part of the initiative, Abrahamson will convene key stakeholders to develop effective strategies to address the issue.

A steering committee is planning a meeting of a statewide task force consisting of participants with diverse expertise, including: law enforcement, service providers, consumers, district attorneys and public defenders, the State Bar of Wisconsin, state agencies, and the executive, legislative and judicial branches of government.

The task force will develop and promote a plan for addressing mental health issues in the criminal justice system.

The group is expected to examine ways to strengthen the structure that works with the criminal justice system, including availability and accessibility of resources and services, mechanisms for information sharing, training and education, and a pilot project.

Wasielewski named ABOTA Judge of the Year

Milwaukee County Circuit Court Judge Francis T. Wasielewski was named Trial Judge of the Year by the Wisconsin chapter of the American Board of Trial Advocates (ABOTA) at an awards presentation in May 6. Wasielewski has served on the



Judge Francis T. Wasielewski

Milwaukee County Circuit Court bench since his appointment in 1983.

Established in 1957, ABOTA’s primary goal is the preservation of the civil jury trial. Previous recipients of the award include Wisconsin Supreme Court Justice N. Patrick Crooks and Waupaca County Circuit Court Judge Philip M. Kirk. The award recipient serves as the judge in the mock trial at ABOTA’s annual trial seminar.

Simanek receives Lifetime Achievement Award

The *Wisconsin Law Journal* has honored Racine County Circuit Court Judge Stephen A. Simanek with a Lifetime Achievement Award. Simanek, who has been on the Racine County bench since 1980, served as chief judge for the Second Judicial District from 1990-97. Simanek was recognized for his commitment to the Racine County Circuit Court and to the community.

“Twenty-nine years is a long time, during which I’ve been affirmed on appeal, and have sometimes committed reversible error,” he told the *Law Journal*. “It’s kind of like Brett Favre; he’s had a lot of time to break the record for touchdown passes, but also more than a few interceptions along the way.”

Simanek was presented with the award at the *Law Journal*’s annual Leaders in Law luncheon in May.



Judge Stephen A. Simanek

Law Day insert receives praise

The State Bar of Wisconsin has recognized the Winnebago County Bar Association with an Award of Exceptional Achievement for a newspaper insert created for Law Day in 2008. The insert, created along with other Fox Valley bar associations, was designed to be used in conjunction with classroom visits from local attorneys who speak to students on Law Day. The insert included a column by Supreme Court Chief Justice Shirley S. Abrahamson, as well as law-related activities and information on free and low-cost legal resources.

Legal assistant recognized as ‘Member of the Year’

Supreme Court Commissioners Office legal assistant Sonja Schade received the Legal Personnel of South Central Wisconsin’s Member of the Year Award on May 13, at the Edgewater Hotel in Madison. During the evening event, Schade was also installed for a second term as membership director. The Legal Personnel of South Central Wisconsin is the local chapter of the tri-level national organization, NALS, the association for legal professionals. NALS provides support to its nationwide membership of legal professionals through education, professional development, certification, and networking. Schade, who has worked for the Supreme Court Commissioners Office for two years, has been a member of NALS since 2005. ■

Ozaukee County Bar honored for Family Law Center

The Ozaukee County Bar Association has won an Award of Achievement from the State Bar of Wisconsin for a project completed last year that could become a statewide model for helping *pro se* litigants, or people who represent themselves in court.

The award honoring the Family Law Center was presented during the Local Bar Grant Competition Awards at the 2009 Wisconsin Bar Leaders' Conference on April 24 at the State Bar Center in Madison.

The State Bar noted that Ozaukee County Bar members have volunteered their services at free legal clinics for self-represented individuals. Last year, the group installed a computer at the Ozaukee County Courthouse to help *pro se* litigants, who typically had to complete forms by hand – a situation that sometimes created challenges for both litigants and court staff.

The self-help center is expected to reduce the number of incomplete and difficult-to-read, handwritten documents,

thereby improving the overall efficiency of court operations, said Atty. Donald Roy Fraker.

Fraker praised county officials, including Ozaukee County Circuit Court Commissioner Darcy McManus, who wrote the grant application and oversees the volunteer attorneys. An estimated 150 or more individuals are expected benefit from the initiative this year. Clerk of Circuit Courts Jeffrey Schmidt and Technology Resources Director John Buhler were also instrumental in making the project a reality, the State Bar noted in announcing the award.

"This award recognizes the ability and willingness of attorneys in the Ozaukee County Bar Association to address needs of their neighbors in Ozaukee County while promoting a positive image of lawyers who care about their state and community," said Atty. Ben Brantmeier, chair of the Local Bar Grant Competition Subcommittee.

Each year, local and specialty bar associations develop public service projects with the help of the State Bar's local bar grants. Whether the project is a community program, video, publication, or special conference, bar associations can use funds from the State Bar Local Bar Grant Competition Committee to address important community issues and needs. ■



Darcy McManus

Schanker selected as 2009 Henry Toll Fellow

Wisconsin Supreme Court Clerk David Schanker is one of 40 emerging state leaders from across the nation selected for the prestigious Toll Fellowship Program to be held in Lexington, Ky. Sept. 12-17.



David R. Schanker

The annual week-long seminar, sponsored by the Council of State Governments (CSG), is named in honor of Henry Toll, a Colorado senator who founded the Council in 1933. The program seeks to develop the next generation of leaders from each branch of state government.

"This is great news for Wisconsin. David has demonstrated his leadership abilities in working with the Supreme Court, and it's great to see his efforts recognized at the national level," said Supreme Court Chief Justice Shirley S. Abrahamson.

As clerk, Schanker has taken on the added responsibility of assisting the Court in evaluating petitions for changes to Supreme Court Rules by

conducting legal research, communicating with interested parties, and making recommendations to the Court, Abrahamson wrote in her nomination letter. The nomination was endorsed by Justice David T. Prosser and Director of State Courts A. John Voelker.

Applicants for this year's program included leaders from each branch of government in 40 states and two U.S. territories. Past Toll Fellowship graduates include governors, U.S. senators and members of Congress, as well as leaders in state government. Among past winners from Wisconsin: Director of State Courts A. John Voelker, Rep. Marlin Schneider, D-Wisconsin Rapids; Sen. Dale Schultz, R-Richland Center; Rep. Pat Strachota, R-West Bend; former Rep. Sue Jeskewitz; former Sen. Brian Rude; and former State Treasurer Cate Zeuske.

The focus of this year's program is on trends analysis, policy development, media and constituent relations, and leadership and institutional changes. The program gives leaders perspectives they would not ordinarily obtain during the course of their regular governmental service.

CSG is a multi-branch organization, forecasting policy trends for the community of states, commonwealths and territories on a national and regional basis. ■

Web site enhances restorative justice program

The Marathon County Bar Association (MCBA) has been honored by the State Bar of Wisconsin with an Award of Exceptional Achievement for creating a Web site to provide information on the Marathon County Restorative Justice Program.



Marathon County Restorative Justice Program

A vision for restoring victims, offenders, families and communities

Carrie Vergin, Exec. Director

The Web site was created last year through the Local Bar Grant competition project offered through the State Bar.

“The Marathon County Restorative Justice Program (MCRJP) was launched five years ago based on a theory that emphasizes repairing the harm caused by criminal behavior through a cooperative process that includes all the stakeholders,” Atty. Anza D’Antoni, one of the project coordinators, told the State Bar, which announced the award.

Currently, the Marathon initiative only handles juvenile offenders, who are referred to the program by the juvenile court. The program, which offers family conferencing, a youth education program about shoplifting, a restitution

project, and a program for youth facing alcohol or other drug-related charges, was created by the Marathon County Department of Social Services and Children’s Service Society of Wisconsin. The program is funded through the Marathon County Department of Social Services and the state Office of Justice Assistance, as well as through donations made by area businesses, civic groups and foundations through the Victim-Assistance Trust Fund.

In accepting the award, Atty. Alan Hougum said the Web site has been beneficial in reaching those who could benefit from the program. ■

The Web site can be found at: www.mcrjp.org.

Law Foundation grant to support rare-language training

The Wisconsin Law Foundation has awarded a \$2,000 grant to the Director of State Courts Office for training of court interpreters who specialize in rare languages.

The funding will be used for a two-and-a-half day training session to be held during September, said Court Interpreter Program Manager Carmel A. Capati. The workshop is just one of the latest efforts that will help the court system accommodate an increasing demand for interpreters of rare languages, Capati said.

“In 2007 and 2008, the court used interpreters of at least 40 different languages. Locating trained and qualified interpreters for less common languages has been problematic for courts. On occasion, the courts have brought in interpreters from other states at considerable expense or have set matters over because of an inability to locate a qualified interpreter,” Capati said.

The workshop, which is limited to 16 participants, is a follow-up to the two-day orientation regularly offered by the Court Interpreter Program. The focus of the training will be for participants who want to improve their interpreting skills and obtain practice in mock hearings.

During June, the Director of State Courts partnered with the state Department of Workforce Development’s Bureau of

Migrant, Refugee and Labor Services (DWD-BMRLS), which provided scholarships for individuals fluent in languages such as Arabic, Russian, Somali, and Burmese to attend training sessions for court interpreters. DWD-BMRLS has offered financial assistance again for this training, along with the Children’s Court Improvement Program (CCIP) and the Wisconsin Asian Bar Association, totaling \$6,000 for this training.

According to the Migration Policy Institute, between 2000 and 2007, the foreign-born population in Wisconsin increased 30.1 percent, from 193,751 to 252,150. As a result, there are more families and individuals from other countries appearing in circuit court proceedings with language and other cultural barriers. To ensure equal access, most courts around the state rely on interpreters regularly, Capati said.

“While Spanish represents about 80 percent of the courts’ language needs for interpretation, the court system as a whole is experiencing an increase in rarer languages requests,” said Capati. ■

For more information, contact Carmel Capati at carmel.capati@wicourts.gov or (608) 266-8635.

District 10 holds cracker barrel conversation

By Shelly Cyrulik, Policy Analyst, Office of Court Operations

In partnership with the State-Tribal Justice Forum, the Wisconsin Tribal Judges Association, and Fox Valley Technical College held another cracker barrel conversation, designed to promote communication, collaboration, and cooperation. The event was held in Trego on May 29. More than 20 representatives from both state and tribal courts participated in this half-day session. Participants engaged in discussion which addressed not only local partnerships and

collaborations, but also efforts that could be employed statewide to assist in relationship-building and that could improve communication between state and tribal courts.

The 9th District cracker barrel conversation is scheduled for Wednesday Sept. 30 in Crandon. ■

For more information please contact Shelly Cyrulik, Policy Analyst at michelle.cyrulik@wicourts.gov or (608) 266-8861.

OBITUARIES

**Judge Edwin C. Stephan
Door County and Circuit Court**

Former Door County and Circuit Court Judge Edwin C. Stephan passed away on June 10, at the age of 87.

Stephan was elected to the bench in 1968 and served for 20 years. After his retirement, he continued to serve as a reserve judge for 10 years.

Born in Sturgeon Bay, Stephan received his law degree from UW Law School in 1948. From 1944-46, he served in the U.S. Navy as postmaster aboard the ship *Presaido*. He

served as district attorney for Door County from 1959-64.

Stephan was a member of the Knights of Columbus, Kiwanis, the Door-Kewaunee Bar Association, where he had served as president, and the State Bar of Wisconsin. According to an obituary, he enjoyed golfing, bowling and playing bridge.

Stephan is survived by his wife, Joanna; three children, Susan, Greg, and Mary; seven grandchildren; eight great-grandchildren; and one brother.

see **Obituaries** on page 17

Newspaper gets scoop on judge's sister

President Barack Obama enjoyed a Wisconsin delicacy on June 20, thanks to Wisconsin native Liz Davis, sister of Waukesha County Circuit Court Judge J. Mac Davis. Obama brought his daughters, Malia and Sasha, to Davis' custard shop, the Dairy Godmother, in Alexandria, Va., the *Milwaukee Journal Sentinel* reported.

Davis told the *Journal Sentinel* that she was informed by the Secret Service of the visit five minutes before the president's arrival. "The shop was full of customers. They clapped a little bit, everybody just looked really pleased," she said.

Davis' shop offers other Wisconsin favorites, including Milwaukee-brewed Sprecher root beer and Klement's brats. Obama stuck with the custard, ordering vanilla with hot fudge and almonds. Davis also gave the president some frozen dogs treats for the first dog, Bo.

Obama is not the first president Davis has met. As the daughter of late Wisconsin congressman Glenn Davis, she had the opportunity to meet Lyndon Johnson, Richard Nixon, and Gerald Ford.

How did the president's visit affect business? "We got a lot of people we've never seen before, who wanted to sit in the same chair (that Obama used) and eat the same sundae," Davis told reporter Craig Gilbert of the *Journal Sentinel*.



President Obama and his daughters place their order at the Dairy Godmother custard shop. Owner Liz Davis is the sister of Judge J. Mac Davis, Waukesha County Circuit Court.

Sentencing

continued from page 3
also deletes statutory language requiring the court to consider sentencing guidelines adopted by the Sentencing Commission or to consider any applicable temporary sentencing guidelines adopted by the 1997 Criminal Penalties Study Committee.

The Director of State Courts' Office will be working with the Office of Judicial Education and with judges who have been actively involved in legislation and JRIO to develop more extensive educational materials about these sentencing changes. ■

Positive Adjustment Time rules

- For inmates sentenced for a misdemeanor or nonviolent Class F to I felony who do not pose a high risk of reoffending (except for certain sex offenders and persons who committed a prior violent offense), one day of positive adjustment time for every two days of compliance with prison rules and assigned duties. DOC must release these inmates when they have served the confinement portion of their bifurcated sentence less positive adjustment time;
- For inmates sentenced for a misdemeanor or nonviolent Class F to I felony who pose a high risk of reoffending (except for certain sex offenders and persons who committed a prior violent offense), one day of positive adjustment time for every three days of compliance. The inmate may petition the ERRC for release to ES

when the inmate has served his or her term of confinement minus positive adjustment time he or she has earned.

- For inmates sentenced for a Class F to I felony that is a violent offense, one day of positive adjustment time for every three days of compliance. The inmate may petition the ERRC for release to ES when the inmate has served his or her term of confinement minus positive adjustment time he or she has earned.
- For inmates sentenced for a Class C to E felony (excluding certain sex offenders), one day of positive adjustment time for every 5.7 days of compliance. The inmate may petition the ERRC for release to ES when the inmate has served his or her term of confinement minus positive adjustment time he or she has earned. ■

PEOPLE

The *Wisconsin Law Journal* reported on June 29 that visitors to the Milwaukee County Courthouse were greeted by long lines, due to a 35-hour work week imposed on most county employees.

The lines formed as a result of County Executive **Scott Walker**'s mandate, which meant courthouse doors opened 30 minutes later than usual.

An arbitrator threw out Walker's mandate later in the morning, but the change provided some early morning headaches for court staff, the *Law Journal* reported.

Jury Services Coordinator **Lori Watson-Schumann** said she received numerous calls from jurors standing in line outside the courthouse, reporting that they were not going to wait to get inside.

"It took people well over an hour to get in," Schumann told the *Law Journal*.

U.S. Sens. **Herb Kohl** and **Russ Feingold** submitted the names of former Wisconsin Supreme Court Justice **Louis B. Butler, Jr.** and Madison Atty. **William M. Conley** to President Obama for consideration to fill the vacancy on the U.S. District Court for the Western District of Wisconsin created by the retirement of Judge **John Shabaz**.

Fourteen individuals submitted applications to the Federal Nominating Commission, which interviewed a number of the candidates. Other finalists recommended by the commission included Judge **Ramona A. Gonzalez**, La Crosse County Circuit Court and Madison Atty. **Stephen J. Meyer**.

The four finalists for Shabaz's seat also appear on the commission's list of six recommendations for the Western District opening created by the decision of Judge **Barbara Crabb** to take senior status. Rounding out that list are **Anuj C. Desai** and **David E. Jones**. Kohl and Feingold had not submitted final names for Crabb's seat as of publication deadline for *The Third Branch*.

A hearing earlier this year in St. Francis Municipal Court, located in Milwaukee County, featured two unusual defendants (*see accompanying photo*). The case involved an off-leash

dog that chased down dogs, which were leashed. The off-leash dog was bitten in the encounter. The case generated media attention in Milwaukee and several surrounding counties. Judge **Peter C. Hemmer** presided.

Law is in the Cimpl family blood. Just ask recent Marquette Law School graduate **Allison E. Cimpl-Weimer**, who has followed in her father and grandfather's footsteps, the *Wisconsin Law Journal* reports. Cimpl-Weimer's father is Milwaukee County Circuit Court Judge **Dennis R. Cimpl**. Her grandfather, **Richard F. Cimpl**, has been practicing law

for almost 60 years. Weimer-Cimpl said she knew what her career path would be from an early age. "Instead of playing house, we would play court with Sesame Street characters on trial, so this has always been my goal," she told the *Law Journal*. Whether she will follow in her father's path to the bench is still up for debate in the family.

Two Wisconsin attorneys have been named Leader in the Law by the *Wisconsin Law*

Journal. Attorney and former Milwaukee County Circuit Court Judge **Joseph R. Wall** was nominated for his work in the Milwaukee Children's Court Center and in the U.S.

Attorney's Office, where he currently works to prosecute public corruption and human trafficking cases. Assistant State Public Defender **Ellen Henak** has used her background as a special education teacher to assist her in defending her clients over the past 18 years. "It's amazing how many people can go through the system and not really understand what happened," she told the *Law Journal*.

Green County Circuit Court Judge **James R. Beer** traded in

his gavel for a spatula when he volunteered as a cook for the annual Green County Breakfast on the Farm on May 30. Beer worked alongside other volunteers, including Rep. **Brett Davis**, R-Oregon, to scramble eggs for the 5,000 diners who attended the event. What's Beer's secret for the perfect scrambled egg? Keeping the eggs moving so they won't burn, he told *The Monroe Times*.

Employees at the Eau Claire County Courthouse were evacuated on May 12 due to a fire in the building, the *Leader-Telegram* reported. The courthouse remained closed the following day, causing all scheduled court appearances to be cancelled. The courthouse reopened on May 14, and all



Law is a family tradition for the Cimpls.



Joseph R. Wall



Two dogs appeared during proceedings in St. Francis Municipal Court earlier this year.



Green County Circuit Court Judge James Beers tries his hand at making scrambled eggs Saturday at the Green County Breakfast on the Farm. About 21,000 eggs are used at the breakfast every year.

Five district chief judges reappointed



Chief Judge Jeffrey A. Kremers

Chief Judge Darryl W. Deets

Chief Judge C. William Foust

Chief Judge William D. Dyke

Chief Judge Benjamin D. Proctor

The Wisconsin Supreme Court has re-appointed five circuit court judges to continue serving as chief judges of their respective judicial administrative districts:

District 1 (Milwaukee County): Jeffrey A. Kremers, Milwaukee County

District 4 (Calumet, Fond du Lac, Manitowoc, Sheboygan, and Winnebago counties): Darryl W. Deets, Manitowoc County

District 5 (Dane, Green, Lafayette, and Rock counties): C. William Foust, Dane County

District 7 (Buffalo, Crawford, Grant, Iowa, Jackson, La Crosse, Monroe, Pepin, Pierce, Richland, Trempealeau, and Vernon counties): William D. Dyke, Iowa County

District 10 (Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Polk, Rusk, St.

Croix, Sawyer, and Washburn counties): Benjamin D. Proctor, Eau Claire County

The chief judges begin their new terms on Aug. 1. They are eligible to serve a maximum of six years in this leadership role.

Wisconsin is divided into 10 districts for purposes of administering the state court system. Each district has a management team consisting of a chief judge, a deputy chief judge, and a district court administrator. Chief judges manage the flow of cases, supervise personnel, develop budgets, and meet monthly as a committee to work on issues of statewide importance. With the exception of Milwaukee, where the chief judge is a full-time administrator, chief judges and their deputies maintain court calendars in addition to handling administrative matters. ■

Judicial assistant wins big on 'Jeopardy!'

Ingrid Nelson, judicial assistant to Supreme Court Chief Justice Shirley S. Abrahamson, did the court system proud with her showing on "Jeopardy!" in June. In her first game, she defeated a two-time champion and came away with \$17,601. Defending her title, she won again and added \$10,201 to her winnings. Things didn't go as well in the third game, though; despite a valiant effort to come from behind late in the game, she ended up finishing second by just \$999.

"It's still a little surreal for me to realize I've actually been on 'Jeopardy!'" Nelson said. "I had such a great time at the taping and met a lot of really fun people."

Check out Ingrid's post on the "Jeopardy!" Winners' Blog at: <http://www.jeopardy.com/winnersblog.php?view=archive&week=2009-06-22> for all the details on qualifying for the show, backstage jitters, and reflections on the "Jeopardy!" experience. ■



Photo courtesy of Jeopardy! Productions, Inc

RETIREMENTS

Ricki Briggs Sawyer County Clerk of Court

After serving nine years as clerk of court for Sawyer County, Ricki Briggs retired in April. Prior to her appointment to the Clerk's Office in 2000 by Sawyer County Circuit Court Judge Normal L. Yackel, Briggs served as a judicial assistant since 1982.

Briggs said serving as the clerk of court during the Chai Vang trial was a learning experience. Vang was charged in 2005 with six counts of homicide and three counts of

attempted homicide after shooting six deer hunters. Briggs said it was an interesting experience having to select jurors from Madison, since there was concern regarding the amount of pretrial coverage in Sawyer County, where the trial took place.

Briggs said she will miss her co-workers and the people she had contact with while serving in the clerk's office. Her plans include gardening and chauffeuring her grandsons. She said she may eventually look for part-time work, but so far she has not been bored and has enjoyed the opportunity to spend time outdoors. ■

Appellate eFiling comes to Wisconsin

The Wisconsin Supreme Court and Court of Appeals is receiving briefs, no-merit reports, petitions for review, and appendices in electronic form, thanks to a collaborative effort between CCAP, the appellate courts, and the office of the Clerk of the Supreme Court and Court of Appeals.

The project, which has been nearly two years in development, took several steps to implement: the drafting and adoption of new procedural rules to govern appellate eFiling; the adaptation of CCAP's circuit court eFiling system to the appellate courts; the modification of the SCCA case management system to accommodate electronic documents; and the implementation of new clerk's office procedures. It has been a sustained effort, culminating in the activation of the new system on July 1, the effective date of the new rules.

Under the new rules, the filing of an electronic copy of all briefs, no-merit reports, and petitions for review (and responses) is mandatory for attorneys and optional for the self-represented. Electronic versions of appendices to these documents may be submitted to the court, but will not be required.

Once submitted and accepted for filing, eFiled documents will be available on-line to judges, court staff, the parties and/or their attorneys, and, in the case of briefs, to the general public. Appendices will not be available online.



Members of the public can view eFiled briefs by linking to the documents through the Supreme Court and Court of Appeals Case Access Web site.

Wisconsin's eFiling system is available to attorneys and self-represented litigants who want to file documents electronically through the court Web site,

www.wicourts.gov.

Wisconsin's eFiling system is available to attorneys and self-represented litigants who want to file documents

electronically through the court Web site, www.wicourts.gov.

Users need to select the "Appellate court eFiling" button on the right side of the screen, follow the link to "Go to the appellate court eFiling Web site," then "Create an account," and follow the directions. An attorney needs to register only once to use the eFiling system in the circuit court and appellate courts or to use the continuing legal education (CLE) reporting system.

During the first half of 2009, Supreme Court Clerk David Schanker gave presentations on the eFiling system and the new appellate rules to bar associations, the Department of Justice, the State Public Defender, and the Wisconsin Legal Assistants Association (in Milwaukee and Madison). He also presented a "Webinar" on appellate eFiling through the State Bar of Wisconsin on July 9. Instructional materials is also available on the courts' Web site. ■

Online payment of court fees grows

Online payment is off to an excellent start, as participating circuit courts have collected \$815,912 since Consolidated Court Automation Programs (CCAP) added the ability to pay fines, forfeitures, and other debts via the popular Wisconsin Circuit Court Access (WCCA) Web site.

CCAP began piloting the electronic payment program for outstanding receivables with Kenosha and Washington counties in 2007 as part of the eFiling pilot. Since then an additional 25 counties are participating in the ePayment program. From January to June this year, participating circuit courts collected over \$454,490 from the ePayment system.

Interest is growing as budgets continue to shrink. Another six counties have completed the paperwork US Bank requires to participate in the ePayment program and two counties have started the process or plan to start soon.

CCAP created the integrated online payment system through a partnership with US Bank, the state of Wisconsin's credit card vendor, and the Department of Administration. Counties that choose to accept payment via WCCA collect unpaid fees, fines, and forfeitures from debtors owing money

on circuit court cases. Those debtors use the WCCA Web site to make payment online using a credit card or electronic debit from a checking account.

The electronic payment automatically updates the CCAP case management system and the WCCA Web site. This improves court efficiency, as circuit court clerk staff does not need to perform any additional data entry to the case record. Circuit court staff reconcile electronic payments received with their bank statements.

Looking to the future, CCAP is working with the Department of Administration and US Bank to enable the use of VISA credit cards. Currently the system is limited to MasterCard for credit card transactions. Collections should continue to grow when users are given a choice of credit cards to complete their financial transactions. The ePayment program provides a mechanism for the public to settle any outstanding debt with the circuit courts without requiring a trip to the court house or sending a check in the mail. Payment can be made 24 hours a day, seven days a week. For courts, credit card payments reduce additional data entry and the number of checks that are returned for insufficient funds. ■

MILESTONE

Judge celebrates 50 years on the bench

Former Buffalo/Pepin County Circuit Court Judge Gary B. Schlosstein celebrated a milestone last year – serving 50 years as a judge and reserve judge.

Schlosstein was appointed to the Buffalo County bench in 1958, after the retirement of Judge G. L. Pattison. He won election to his first full term the following year. In 1974, Buffalo and Pepin counties were combined to create one judicial district, and Schlosstein served as judge for both counties until his retirement in 1990.

During his time on the circuit court bench, Schlosstein was a member of several judicial committees, including the Judicial Council, the Board of Juvenile Judges, and the Judicial Education Committee. He has also served as an editor of the Wisconsin Benchbook and as an instructor for the Judicial College.

Since his retirement, he has continued to serve on the bench as a reserve judge as well as court commissioner for Buffalo County, where he handles traffic, small claims, and

probate. He has also continued to do mediation work.

Schlosstein has stayed busy off the bench, too. He was an organizer of the Buffalo County Historical Society and currently holds the position of county historian. He has created and funded a grant foundation that funds projects within Buffalo County. His interest in collecting ancient arms and armor has led to the formation of Castlerock Museum, which is located across the street from the Buffalo County Courthouse. The museum houses Schlosstein's extensive collection of European arms and armor dating from Roman times to the American Revolution. ■



Judge Gary B.
Schlosstein

District trainings offered on evidence-based practices and substance use

By Erin Slattengren, Office of Court Operations

This fall, each judicial district will offer a one-day training workshop titled *Stop the Revolving Door: Evidence-Based Responses to Drug and Alcohol Use*. The training is made possible by JEHT Foundation and Children's Court Improvement Program funding. Faculty members will include Dr. Richard Brown of the University of Wisconsin Department of Family Medicine, an innovative teacher and expert on substance use and effective interventions; Judge Michael J. Rosborough, Vernon County; Judge Lisa K. Stark, Eau Claire County; Judge Mary Triggiano, Milwaukee County and Donna Muller, Wisconsin Department of Corrections field supervisor.

Participants of this workshop will discuss and learn the following:

- The continuum of substance use, and the causes of substance use disorders.
- How to assess a substance-using individual's risk to children, families, or communities in terms of abuse, neglect, violence and other crime.
- How to identify research-based treatment strategies and options, their possible advantages and disadvantages for various individuals, and their availability in your community.
- How to apply research in targeting available criminal justice and treatment resources to optimize outcomes.
- How to collaborate with justice system and community partners to provide evidence-based programs and services.
- How to advocate for the expansion of evidence-based resources in your community.

Collaboration among justice system and child welfare professionals, as well as other community partners, is necessary to optimize outcomes and understand local resources. The workshop will be focused on fostering

necessary discussions to generate ideas and problem-solve on the local level. In addition to judges, local "teams" of justice system and child welfare professionals will be invited to participate.

The trainings will take place on the following dates and at the following locations:

- District 9, Tuesday, Aug. 25, Northcentral Technical College, Wausau
- District 10, Thursday, Aug. 27, Heartwood Conference Center, Trego
- District 7, Thursday, Sept. 10, House on the Rock Resort, Spring Green
- District 5, Friday, Sept. 11, Holiday Inn Hotel & Suites, Madison
- District 8, Monday, Sept. 14, Stone Harbor Resort, Sturgeon Bay
- District 4, Tuesday, Sept. 15, Holiday Inn, Manitowoc
- District 3, Wednesday, Sept. 16, Marriott Milwaukee West, Waukesha
- District 6, Thursday, Sept. 17, Wilderness Territory, Wisconsin Dells
- District 2, Thursday, Oct. 8, Kenosha Civil War Museum, Kenosha
- District 1, Friday, Oct. 9, Wisconsin Club, Inc., Milwaukee ■

For more information, contact Erin Slattengren, special projects manager, at erin.slattengren@wicourts.gov or Michelle Jensen Goodwin, Children's Court Improvement Program director, at michelle.jensen-goodwin@wicourts.gov.

STOP Grant provides opportunities to improve court practices

By Erin Slattengren, Office of Court Operations

Since 2004, the Director of State Courts Office has received federal Department of Justice grant funding from the Office of Violence Against Women, administered by the Wisconsin Office of Justice Assistance.

“Services, Training, Officers, Prosecutors,” or STOP funding, helps provide training opportunities within the court system to improve court practices when issues of domestic violence and/or sexual assault are prevalent.

The STOP Grant Advisory Committee, a multi-disciplinary group of court professionals, including judges, a court commissioner, a clerk of court, a public defender, a district attorney, a district court administrator and others, advises the director of state courts on possible training topics and the best use of STOP funds.

STOP funds have allowed the Director’s Office to provide funding for judges, court commissioners, clerks of court and other court personnel to participate in in-state and national training on best practices in a setting that is geared specifically to address the court’s unique challenges in addressing domestic violence.

Over the last four years, more than 35 Wisconsin judges and court commissioners have attended the National Judicial Institute’s *Enhancing Judicial Skills in Domestic Violence Cases*, *Continuing Judicial Skills in Domestic Violence Cases*, and *Enhancing Judicial Skills in Elder Abuse Cases* training programs thanks to STOP funds.

Additionally, in 2006, the Director’s Office held an in-state training program focusing on the role of the courts in

domestic violence cases that served more than 130 judges and court personnel in all judicial districts in Wisconsin. Another training series in 2008 focused on sexual assault cases and courtroom processes. Approximately 150 judges and court commissioners took part in this training, which was taught by both judicial- and victim-specialist faculty members.

STOP funding also helped allow the Director’s Office to partner with Fox Valley Technical College last March to conduct a state-level conference on court safety and security. Court staff and court users identified courthouse safety as a priority. Ensuring a safe and secure courthouse environment for the public, employees, and officials is critical.

The conference was designed for those interested in learning how to maximize resources to enhance and maintain a safe environment for court users, community members, and courthouse personnel.

We have also been able to focus some efforts on more technical projects including translation of some of our standard restraining order forms into Spanish and Hmong to better serve these populations. We have also used STOP funds to assist with a project in assessing local restraining order practices in the courts. ■

For information about the STOP Grant, contact Erin Slattengren at (608) 261-0684 or erin.slattengren@wicourts.gov.

WISCONSIN CONNECTS

Beijing lawyer visits Wisconsin courts

Jane Gao Yudong, a Chinese lawyer who drafts legislation for the country’s Legislative Affairs Office in Beijing, visited Madison and Milwaukee in May as part of an exchange program through the American Academy of Trial Lawyers.

During her two-week stay in Wisconsin, Gao Yudong visited Milwaukee Children’s Court, Milwaukee County Circuit Court and Dane County Circuit Court, where she had an opportunity to sit in on interviews with judgeship candidates.

Gao Yudong also visited the Capitol, where Justice Annette Kingsland Ziegler gave her a tour of the Assembly and Senate, permitted her to sit in her chair behind the bench in the Wisconsin Supreme Court, and introduced her to the other justices and staff.

Gao Yudong was part of a delegation of nine Chinese lawyers; the group began its U.S. visit in Hawaii and dispersed to different states following a one-week stay in Honolulu. Gao Yudong was the only delegation member assigned to Wisconsin. ■



Jane Gao Yudong, a Beijing lawyer, visited with Justice Annette Kingsland Ziegler during an exchange program that included two weeks in Wisconsin.

Six new circuit court judges appointed

Gov. Jim Doyle has appointed six new judges to fill vacancies in circuit courts, including three in Dane County and three who were elected to the circuit court in April (*see The Third Branch, spring 2009*).

The early appointment of the newly elected judges will allow them to take the bench earlier than the otherwise scheduled start date, Aug. 1.

On July 8, 2009, Doyle appointed three new judges to fill vacancies on the Dane County bench.



Peter C. Anderson

- Peter C. Anderson will serve in Branch 17. Since 2001, he has served as an administrative law judge with the Division of Hearings and Appeals. Anderson received his law degree from Harvard Law School. He will be filling the vacancy created by the retirement of Judge James L. Martin (*see The Third Branch, spring 2009*).

- Nicholas J. McNamara will fill



Nicholas J. McNamara

the vacancy on the Branch 5 bench created by Judge Diane M. Nicks' retirement (*see The Third Branch, spring 2009*). McNamara received his law degree from the UW Law School and has worked as a private practice attorney.

"It will be an honor to be a part of a court that demonstrates respect for the law and sincere compassion for all who appear," McNamara said in a press release.

- The Branch 4 vacancy created by the retirement of

Judge Steven D. Ebert (*see The Third Branch, winter 2009*) will be filled by Amy R. Smith.

Smith, who received her law degree from UW Law School, has served as the deputy secretary for the Wisconsin Department of Corrections for the past two years. She



Amy R. Smith

see New judges on page 17

Roundtable talks with media help keep judges in the loop

Did you know that many print reporters are now videotaping court proceedings for use on the Web? That bloggers, in some jurisdictions, are being admitted to court hearings as journalists? That subscription-based Web sites aimed at lawyers are offering on-demand video of court proceedings in "high-stakes" civil cases?

Profound changes are taking place in the media, and the Director of State Courts Office is responding with a project to bring together judges and journalists in each of Wisconsin's 10 judicial districts to open lines of communication. The project aims to help judges make sense of changes that might have an impact on the courts,

including shrinking staffing levels, growing Web presence and the advent of blogging and Twitter.

Judge-journalist meetings have already been held in Wausau, Kenosha, and Madison. Another is planned for Eau Claire in July. Court Information Officer Amanda K. Todd is working with chief judges and district court administrators to plan these events.

While meetings have been held in the past as needed, this marks the first organized, statewide effort to bring judges together with the media for discussions about coverage of the courts. ■

New juvenile court clerks orientation offered

New juvenile court clerks with three years or less of experience went through an orientation program as part of a new addition to the annual Wisconsin Juvenile Court Clerks' Association (WJCCA) conference April 22-24.

WJCCA partnered with the Children's Court Improvement Program to host the annual conference. The planning committee developed a two-hour program to introduce and pair new clerks with more experienced clerk-mentors.

The program provided an opportunity for clerks to share their knowledge and expertise on frequently asked questions and for clerks and mentors to get to know each other. A binder of materials and resources to assist the new clerks was shared with all orientation attendees.

Jamie Kleutsch, Taylor County, who began in her role June 2007, said she was looking forward to having an experienced clerk as a resource she could turn to when in an unfamiliar situation.

Kathy Powell, juvenile court clerk from Jackson County who served on the committee and also as a mentor, said, "This was a great idea. I am pleased to be a mentor; it was others mentoring me that put me on the fast track to learning my duties."

Evaluations indicated all of the participants either agreed or strongly agreed that they knew where to find the resources available to help them do their job after participating in the orientation. Additionally, 95 percent of attendees agreed or strongly agreed that they received information that was new to them from the program.

Next year's WJCCA conference will be held at the Crowne Plaza Milwaukee in Wauwatosa on April 21-23, 2010. The conference will include an orientation session and will also provide an opportunity for participants to observe in Children's Court. ■

Governor signs Judicial Council bills into law

Three bills requested for introduction by the Wisconsin Judicial Council were signed into law by Gov. Jim Doyle during a ceremony in the Assembly Parlor at the Capitol on June 19. The ceremony was attended by judges and Supreme Court justices, including several who serve on the Council. The bills, introduced by Rep. Gary Hebl, D-Sun Prairie and Sen. Lena Taylor, D-Milwaukee, make important appellate procedural changes.

Summaries of the bills, based on information provided by the Governor's Office and the Legislative Reference Bureau, are provided below:

Act 25 – (Assembly Bill 122) amends and clarifies the appellate procedures related to the filing of a motion for reconsideration in the Court of Appeals and a petition for review in the Wisconsin Supreme Court to promote efficiency for courts and litigants.

This bill prohibits the filing of a petition or supplemental petition in the Supreme Court until after the Court of Appeals issues a response to a timely motion for reconsideration of its decision or order. If a person filed a petition or supplemental petition in the Supreme Court before the Court of Appeals issued a response to a timely motion for reconsideration, the bill requires the person to file a notice affirming, withdrawing, or amending the pending petition or supplemental petition,

within 14 days after the Court of Appeals decision.

Act 26 – (Assembly Bill 123) clarifies and establishes integrated appellate procedures for criminal cases and cases involving children (Children's Code), juveniles alleged to be delinquent, protective services, persons subject to commitment as sexually violent persons or due to mental

health or drug abuse, and persons found not guilty by reason of mental disease or defect.

Act 27 – (Assembly Bill 124) clarifies when defendants entering a guilty or no contest plea can challenge certain evidentiary rulings on appeal.

This bill permits review of an order denying a motion to suppress evidence or a motion challenging admissibility of a statement of a defendant as part of

an appeal from a final judgment or order, notwithstanding the fact that the final judgment or order was entered on an admission of guilt or a no contest plea. This bill also permits the review of orders denying a motion to suppress evidence or a motion challenging admissibility of the statement of a juvenile upon review from a final judgment or order, notwithstanding the fact that the final judgment or order



On June 19, Gov. Jim Doyle signed three bills addressing appellate procedure. Behind the governor, from left to right, are Judicial Council members Marla Stephens, designated by the state public defender; Judge Patricia S. Curley, District I Court of Appeals; Judge Maxine A. White, Milwaukee County Circuit Court; and Greg Weber (designated by attorney general).

see **Judicial Council** on page 21



Supreme Court Justice David T. Prosser swears in one of five groups of Marquette Law School graduates during ceremonies in the Supreme Court Hearing Room on May 18. UW Law School swearing-in ceremonies were held in the Hearing Room on June 9.

PPAC meets with Supreme Court, sets priorities

By Shelly Cyrulik, PPAC Policy Analyst

The Planning and Policy Advisory Committee (PPAC) held a joint meeting with its planning subcommittee and the Supreme Court during April. Attendees heard updates from PPAC subcommittees and court staff on the budget and pending legislation.

PPAC broke into workgroups for a facilitated session by the PPAC planning subcommittee. Workgroups were charged with identifying objectives and key action steps for each of the four critical issues facing the Wisconsin Court System in the 2008-2010 biennium:

- Improvement of court system funding structure

- Sentencing alternatives and strategies to reduce recidivism
- Assistance to self-represented litigants

Judicial Appointment and Selection

This process is a result of the recently approved enhanced strategic planning process that was adopted by PPAC last year. PPAC planning is in the process of drafting a document which will summarize and catalogue this work. This document will be presented to PPAC in August and

see **PPAC** on page 21

PEOPLE *continued from page 9*

cancelled appearances were rescheduled. The fire was caused by a transformer in the electrical vault. Xcel Energy cut off power to the building and the Eau Claire Fire Department was able to extinguish the fire. District Ten Court Administrator **Scott Johnson** said Xcel Energy was highly praised for their immediate response, as were fire and emergency crews. Johnson said there was no permanent damage to any area.

Madison's weekly newspapers, *Isthmus* and *77Square*, report that playwright **David Schanker** (we know him as Wisconsin Supreme Court Clerk David Schanker) was selected as one of three finalists for *Wisconsin Wrights*, a program that fosters the development of new works by Wisconsin playwrights.

As part of the honor, *Wisconsin Wrights* staged a public reading of Schanker's play. "Kiritisis" was performed in Madison on June 4. The reading was intended to help further develop the play, Schanker said.

As described by *Wisconsin Wrights*, "Kiritisis" tells the true story of a small-time real estate developer who, in 1977, abducted the mortgage broker who foreclosed on the property where he had hoped to build a strip mall. Anthony Kiritisis held his hostage for three days, venting his frustration on live radio and ultimately on television.

The play explores the relationship between the two men – one volatile and anti-religious, the other conservative and devout – in the pressure cooker of the hostage situation.

Schanker, who attended Indiana Law School and worked as deputy chief clerk for the Indiana Supreme Court, said he always wondered what happened during those three days.

Two diverging rules petitions pending before the Wisconsin Supreme Court received prominent media attention after the release of a 5-4 decision by the U.S. Supreme Court on June 8.

The New York Times and *Milwaukee Journal Sentinel* were among media outlets to mention petitions filed in Wisconsin by the League of Women Voters and the Wisconsin Realtors Association after the U.S. Supreme Court ruled for the first time in *Caperton v. A. T. Massey Coal Co.* that the Constitution can require an elected judge to step aside in a particular case based on campaign spending in state judicial races.

"The decision... ordered the chief justice of the West Virginia Supreme Court to recuse himself from a \$50 million case against a coal company whose chief executive had spent \$3 million to elect him," *The Times* reported.

"Justice **Anthony M. Kennedy**, writing for the majority

in a 5-4 decision, said the Constitution required disqualification when an interested party's spending had a 'disproportionate influence' in a case that was 'pending or imminent,'" *The Times* reported.

Four dissenting justices, led by Chief Justice **John G. Roberts, Jr.**, predicted that the decision would generate a flood of groundless recusal motions and undermine confidence in the judiciary, *The Times* reported.

In its petition, the League of Women Voters asks the Wisconsin Supreme Court, in part, "to adopt rules for recusal when a party in an action or the lawyers in an action has previously made a campaign contribution or spent money on a media campaign relating to a judicial election for a judge who is presiding in the case."

The Wisconsin Realtors Association, Inc. asks the Wisconsin Supreme Court to "amend the Code of Judicial Conduct to provide that the receipt of a lawful campaign contribution by a judicial campaign or an endorsement of a candidate does not, by itself, warrant judicial recusal."

The Wisconsin Supreme Court will hold public hearings on the rules petitions this fall. ■



Nancy Rottier, legislative liaison for the Director of State Courts, poses with her son Evan Goyke, a Marquette Law School graduate, after an admission ceremony held in the Supreme Court Hearing Room May 18. Evan's father and Nancy's husband, Gary Goyke, also attended the ceremony, which was one of five held that day involving 151 Marquette Law School graduates. Evan's aunt and godmother, Annette Smith, works in the Clerk of Courts Office for the Supreme Court and Court of Appeals.

OBITUARIES *continued from page 8***Judge Eugene F. McEssey
Fond du Lac County Circuit Court**

Former Fond du Lac County Circuit Court Judge Eugene F. McEssey passed away on July 12. He was 88.

McEssey received his bachelor's degree from UW-Oshkosh in 1939. After graduating, he served in the U.S. Army Signal Corp. In 1949, he received his law degree from the UW Law School.

McEssey worked in private practice until he was appointed Fond du Lac district attorney in 1950. In 1962, he

became a judge for Fond du Lac County, and served until 1986. Following his retirement, he continued to serve as a reserve judge.

According to an obituary, he was a member of the Knights of Columbus, American Legion, Eagles Aerie, and Ducks Unlimited.

He is survived by his wife, Marion; five children, Eugene Jr., David, Dennis, Paul, and Kathleen; and three grandchildren. ■

Court system handouts available on online

In an effort to make information about the Wisconsin court system more easily accessible, a variety of handouts previously available only in print form have been posted online.

The court system's Web site, www.wicourts.gov, offers several informational handouts detailing the functions and recent activities of the departments, offices, initiatives and programs of the courts. Handouts are available for download on the following topics:

- Administrative structure of the courts
- Board of Bar Examiners
- Circuit courts
- Clerk of Circuit Courts
- Clerk of Supreme Court and Court of Appeals
- Consolidated Courts Automation Services (CCAP)
- Court of Appeals
- Court system expenditures
- How a case gets the Supreme Court
- Interbranch communication: the Wisconsin plan

- Judicial Conference
- Judicial education
- Judicial system overview
- Jury service
- Municipal courts
- Office of Lawyer Regulation
- Planning and Policy Advisory Committee (PPAC)
- Public outreach and education
- Seal of the Supreme Court
- State/federal judicial systems
- State Bar Board of Governors
- Supreme Court
- Supreme Court history
- Teaching tools
- Wisconsin State Law Library

The handouts can be found under resources for media at: www.wicourts.gov/news/mediaresource.htm.

New judges *continued from page 14*

Judge Sandy Williams

previously worked in the Dane County District Attorney's Office, the Wisconsin Department of Justice, and the Wisconsin Department of Natural Resources

- Sandy Williams will fill the Ozaukee County Circuit Court Branch 3 vacancy created by the retirement of Judge Joseph D. McCormack, who

retired in February (*see The Third Branch, fall 2008*). Williams had previously served for 22 years as district attorney for Ozaukee County. Her term began June 1.

- The Marathon County Circuit Court, Branch 1 seat will be filled by Jill N.



Judge Jill N. Falstad

Falstad. The vacancy was created by resignation of former Chief Judge Dorothy L. Bain in August 2008 (*see The Third Branch, summer 2008*). Falstad, whose term

began July 6, served as district attorney for Marathon County since 1994.

- In Chippewa County, James M. Isaacson will begin serving on July 1 to fill the vacancy

created by the retirement of Judge Thomas J. Sazama (*see The Third Branch, fall 2008*).

Isaacson practiced law in Cadott for 30 years and served as a court commissioner for Chippewa County for 12 years. ■



Judge James M. Isaacson

Budget *continued from front page*

percent general wage adjustment, furloughs of non-judicial employees, and additional across-the-board reductions.

- Provide additional county interpreter reimbursement funds to reflect increased demand for court interpreter services, and increase the state reimbursement to counties for court interpreter mileage from 20 cents per mile to the state mileage reimbursement rate (set at 48.5 cents per mile for 2009-11).
- Provide non-statutory authority for a two-year court interpreter pilot in which the District Seven Court Administrator's Office would coordinate, schedule and pay for court interpreter services within the district to begin September 1.
- Provide a two-year extension to a project auditor position provided in 2007 Act 20, the 2007-09 biennial budget act, to institute a standardized program for recording, reporting, and auditing the revenues and expenditures of Wisconsin's circuit courts.
- Convert a project assistant litigation counsel position in the Office of Lawyer Regulation (OLR) into a permanent position.
- Increase a number of surcharges imposed on fines or forfeitures to provide revenues for executive branch programs, indigent civil legal services, and grants to counties for the treatment alternatives and diversion

(TAD) programs that provide alternatives to prosecution and incarceration for criminal offenders, excluding violent offenders, who abuse alcohol or other drugs.

- Expand the eligibility for court record expungement to include first-time non-violent Class H to I felonies, with certain exceptions, and to increase the age limit to apply to individuals up to 25 years of age.
- Provide certain protections to tenants in foreclosure-related evictions and provide that tenants without a lien or ownership interest in the property may not be named as parties in foreclosure actions.
- Require domestic partners to be treated in the same manner as spouses with respect to all pension benefits provided to public employees who are covered under the Wisconsin Retirement System and all other benefits provided to state employees.

Court employees have received a more detailed summary of the Act as an administrative bulletin. ■

eFiling *continued from front page*

management and eFiling systems were made based upon feedback from Washington and Kenosha counties and the electronic filers. The pilot program demonstrated that eFiling can generate savings in court resources and can be simple and intuitive for attorneys and other filers to use.

Current status

Since the rule took effect, the system has been enhanced to allow eFiling for family, small claims and most civil case types in participating counties. Taylor and Clark counties are accepting electronic case filings for all three case types, and Washington County has expanded its use to include civil and small claims cases. Barron and Ozaukee counties plan to enable eFiling for small claims filings in the near future. Interest continues to grow; additional counties have expressed interest in eFiling and preliminary discussions are planned with CCAP staff.

Benefits to the courts

The eFiling system works in the same fashion as electronic citations. Once an electronic filer initiates a case in a participating county, the filing is held for clerk review. After the clerk reviews and accepts the filing, a case is automatically created based on the information provided by the filer. Notices are generated and sent to the parties by e-mail and filing fees are paid by credit card and automatically applied to the case. While personal service is accomplished as usual, subsequent documents are exchanged through the eFiling system.

Participating counties have seen a reduction in the amount of data entry and other paper-based tasks for eFiled cases. Court staff no longer needs to enter the filing information into the case management system, handle fees, or mail

notices and documents.

Kristine Deiss, Washington County Clerk of Circuit Court, has been participating in the eFiling project since 2005.

"The system is very user-friendly from our perspective. The ability of the system to automatically populate data from the eFiled documents into our case management system is wonderful," Deiss said.

While staff must scan any paper documents, creating an all-electronic file generates savings of time and money as paper files no longer need to be opened, checked out, and maintained.

"The civil clerk, the accounting supervisor, the judicial assistant, and the judge can all access an electronic file for information at the same time. Staff can easily bring the case up and review all documents on their computer monitor, or quickly print a copy when requested," Deiss said.

Clerks also have the option of maintaining a paper file for eFiled cases, but are not required to do so. All electronic documents are available to view or print from the CCAP case management system. Judges will see benefits in a future CCAP software release as all PDF documents, including scanned documents, will be text searchable.

Clark County began offering eFiling in March 2009, and although only ten cases have been electronically filed, the benefits are apparent," said Clerk of Court Gail Walker,



Jean Bousquet

eFiling *continued from page 18*

Clark County.

“Very little data entry is required on our part and the time spent preparing a paper file is eliminated,” Walker said. “When access to the case is required, we no longer need to search for the file. The entire case can be conveniently viewed through CCAP by the court and the filing parties, or the public through our public access terminals,” Walker added.

Walker hopes eFiling catches on among attorneys, saying she wishes more attorneys would give eFiling a try so they too would see the convenience and significant benefits of eFiling.

“More eFiled cases mean more savings for all of us,” Walker said.

In court, judges and court commissioners can view documents on their CCAP computers as they hear each case. Specific documents can be printed as needed.

Not only can court officials view documents on their computers, they can electronically sign them as well. Currently, this includes all CCAP-generated documents for civil, small claims and family cases. Additional documents will be enabled for electronic signatures in software releases throughout the year.

Benefits for filers

Feedback so far has been positive, as users find the eFiling system intuitive and easy to use. Once filers register for an eCourts account, they are ready to begin filing and receiving documents. Registered users associated with cases have increased access to case files and documents. Litigants have access to their electronic court files and documents 24 hours a day, seven days a week. The system delivers a quick cost-efficient filing process, as printing, postage and courier services can be dramatically reduced. The system provides timely e-mail messages whenever a new document or order is filed by other parties or the court, indicating the document is available online. Pleadings are signed using electronic signatures and filing fees are paid with a credit card.

The eFiling Web site provides new users with instructions, answers to frequently asked questions, technical requirements for filing and an online demonstration. Additionally, when a county implements the eFiling system, CCAP staff is available for presentations and training sessions with local attorneys and staff.

Access to electronic documents is limited to the attorneys and self-represented litigants in each case. Documents are not available from the Wisconsin Circuit Court Access (WCCA) Web site. This reflects a WCCA Oversight Committee policy decision to consider how much case information should be displayed on the court Web site. The public can still see non-confidential documents on CCAP public access computers in the courthouse.

When will eFiling become available?

Circuit courts voluntarily participate in eFiling as do filers. Each county will determine when it is ready to begin eFiling, and there is much to consider. eFiling requires

scanning of paper documents to create a fully electronic file, so counties must provide staffing to ensure paper pleadings are scanned as they are received. Clerks will need to balance the front-end cost of staffing, scanning and office reorganization against the longer-term efficiencies of electronic files.

While eFiling is currently available for civil, small claims and family cases, CCAP plans to expand eFiling to additional case types. Expansion to criminal and juvenile cases will take longer as it will require data sharing with district attorneys, the public defender and other large institutional case management systems.

Interest in eFiling is likely to grow as more attorneys gain experience with the system in participating counties. Exposure will increase statewide as new appellate court rules require mandatory eFiling for appellate briefs, no-merit reports, petitions for review and responses for the appellate courts. These rules became effective on July 1. (*See story, page 11*)

Milwaukee Atty. Thomas Awen said the system is cost-effective and easy to use, compared to having documents physically delivered.

“I cannot wait for the day when the other counties eventually come on-line. For those members of the bar who have not yet registered for eFiling, they do not know what they are missing,” Awen said.

Where can I learn more?

Court system Web site:

<http://wicourts.gov/services/attorney/electronicfile.htm>

eFiling rule, Wis. Stats. §801.17:

www.wicourts.gov/sc/rulhear/DisplayDocument.pdf?content=pdf&seqNo=32597

eSignature rule, SCR 70.42:

www.wicourts.gov/sc/rulhear/DisplayDocument.pdf?content=pdf&seqNo=32596

Introductory video for judges and court staff can be found on Courtnet.

Introductory video for filers:

www.wicourts.gov/services/attorney/electronicfile.htm

Committee report:

www.wicourts.gov/services/public/docs/efileproposed.pdf ■

For legal questions about the new rules, please call Marcia Vandercook in the Office of Court Operations, marcia.vandercook@wicourts.gov, (608) 267-7335. For CCAP questions about implementation of eFiling, call Andrea Olson, CCAP customer services manager, andrea.olson@wicourts.gov, (608) 264-6908.

Reinvestment *continued from page 3*

treatment required by DOC to address the person's risk and needs. If the person successfully completes the risk reduction sentence, DOC must release the person after he or she has served 75 percent of the term of confinement in prison ordered under the sentence.

Doyle said in his veto message that he partially vetoed provisions to eliminate the specification of details related to modifying program plans "because it unnecessarily limits the department's ability to modify an inmate's plan." Doyle said his veto "preserves the intent of the provision to direct the department (corrections) to develop a program plan for the

inmate that is designed to reduce the risk of reoffending and allows for flexibility to modify the plan as needed."

Wisconsin is one of eight states selected to participate in the Justice Reinvestment Initiative, which aims to reduce spending on corrections and to increase public safety through effective, data-driven strategies.

Members of the oversight committee included legislators, judges, prosecutors, the director of state courts, the state public defender, corrections officials, representatives from law enforcement agencies and a treatment provider. ■

Video *continued from front page*

demands, Albert said.

If successful, the Dane County program could serve as a model for other counties, where videoconferencing equipment often is already available.

The Dane County project, which is expected to be launched later this year when equipment has been delivered, is a joint effort by the Dane County Juvenile Court, the state Department of Corrections, and the state court system.

The idea for the video visits program stemmed from a discussion at the Dane County Juvenile Court's award ceremony earlier this year, said John Bauman, Dane County juvenile court administrator.

In remarks made during the ceremony, Rhonda Voigt, Dane County Human Services liaison to the state Department of Corrections, discussed the importance of family contact for incarcerated juveniles, and how much difficulty some parents face in arranging visits.

After hearing Voigt's remarks, Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson – the keynote speaker – suggested the idea of using videoconferencing equipment already in place at many courthouses and other facilities throughout the state.

"The video visits program is an attractive proposition, not only because it should help reduce recidivism, but also because it should be affordable to implement," Abrahamson said. "The Wisconsin court system is looking

forward to seeing the results from the Dane County pilot project, and taking full advantage of this technology," Abrahamson added.

Juvenile Court and state Corrections officials are still working on procedures to implement the program, which should be up and running later in the year, Bauman said. The Dane County Juvenile Court anticipates making space available for parents to conduct video visits, roughly between 8 a.m. and 10 p.m., Monday through Friday. Video visit hours may vary, depending on schedules and the availability of staff at each correctional program and video visit site.

Juvenile Reception Center staff will help coordinate the program. Bauman predicted the service may initially be used a few times a week. Dane County typically has between 40-50 youth in Corrections facilities at any given time, Bauman said.

Studies show that juveniles make better progress and have fewer behavior issues while in institutions if they have regular contact with their parents or guardians, Bauman said.

"By utilizing this technology, the hope is that more minority and other parents will have the ability to visit with their children and institution staff, more frequently, and will help the juveniles do better and shorten their length of time in the correctional placement," Bauman wrote in the grant application. ■



On March 15, justices of the Wisconsin Supreme Court judged the 2009 Mock Trial Finals sponsored by the State Bar of Wisconsin. Xavier High School students represented the plaintiff and Shorewood High School presented the defense in *Lee Jones, et al. v. Badger Aeromechanical Corp.* Xavier placed first in the statewide competition and went on to place 21st in national competition held in Atlanta in May.

Chief Justice

Shirley S. Abrahamson

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Judicial Council *continued from page 15*

was entered upon a plea of no contest or an admission to the allegations of a petition filed in cases involving juveniles alleged to be delinquent.

Judicial members of the Council include: Justice Ann Walsh Bradley, Wisconsin Supreme Court; Judge Patricia S. Curley, District I Court of Appeals; Chief Judge Mary K. Wagner, Kenosha County Circuit Court; Judge Edward E. Leineweber, Richland

County Circuit Court; and Judge Maxine A. White, Milwaukee County Circuit Court.

Gov. Doyle thanked Reps. Gary Hebl, D-Sun Prairie, and Anthony Staskunas, D-West Allis; Sens. Lena Taylor, D-Milwaukee, and Fred Risser, D-Madison; along with the Judicial Council for their work on the bills. ■

PPAC *continued from page 16*

then submitted to the director of state courts for further consideration. As PPAC serves in an advisory capacity, it is the director's responsibility to adopt and implement the recommendations put forward by PPAC.

PPAC advises the Supreme Court and the director of state courts on planning initiatives, the administrative structure of the court system and the expeditious handling of judicial matters. Below is an update of recent PPAC and PPAC subcommittee activities.

PPAC Planning Subcommittee

The planning subcommittee welcomed two new members earlier this year. Judge Michael J. Rosborough, Vernon County replaced Judge James Evenson, Sauk County and Judge Lisa S. Neubauer, Court of Appeals District II replaced Judge Margaret J. Vergeront, Court of Appeals District IV.

Created in 2001, the planning subcommittee carries out the strategic planning function of PPAC. The subcommittee recently began its work on the development of the critical issues report for the 2010-2012 biennium by reviewing research by the National Center for State Courts and other sources. This summer and fall, the planning subcommittee will be soliciting input from the court system's internal stakeholders including the judiciary, court commissioners, clerks of court, district court administrators and others to establish the court system's priorities for the next budget

cycle. Part of this process will include a session at the Judicial Conference in November.

PPAC Court Security Subcommittee

The Court Security Subcommittee co-chaired by Judge Michael O. Bohren, Waukesha County Circuit Court, and Judge Sarah B. O'Brien, Dane County Circuit Court, continues to examine court facility and security standards as set forth in SCR 70.39. Subcommittee members Bohren, Judge Dennis J. Mleziva, and Beth Bishop Perrigo, deputy district court administrator for the First Judicial District, led a breakout session at the Court Safety and Security Conference held in Green Bay on March 4-6. The breakout session focused upon the results of the "State of Security" survey and was very well attended.

Recently the subcommittee hosted a panel of architects to discuss how the standards set forth in SCR 70.39 influence the design process when working with counties to either to build a new courthouse or to remodel an existing one. Moving forward, the subcommittee is working to revise and modify the security, facility, and data collection process sections within the current rule to bring them up to date. ■

Questions about PPAC and its subcommittees may be directed to Shelly Cyrulik in the Office of Court Operations at (608) 266-8861 or michelle.cyrulik@wicourts.gov.