

# The Third Branch



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## First District Receives \$2 Million Domestic Violence Grant

A woman and her boyfriend were on their way home from an evening at his mother's house. During the visit, the man had called his elderly mother nasty names and the girlfriend had told him to stop. Now, he was enraged and another chapter in their violent relationship was about to be written. When they arrived home, he picked up a baseball bat and beat her until the bat broke. Authorities arrived and she gave them a statement, but shortly thereafter declined to cooperate in the prosecution. Excellent police work at the scene and a fortuity—the victim made an excited utterance to a police officer, who made other helpful observations corroborating the victim's statement—convicted the man.

Judge Maxine A. White presided in that case. While she has logged many hours on the bench in Milwaukee County's Felony Drug Court and Homicide/Sexual Assault Court, no experience in either of those venues could prepare her for Misdemeanor Domestic Violence Court. "Family violence cases are extremely complex," she said. "These cases take a lot of patience."

White holds the distinction of having served in this Milwaukee specialty court for two years running, longer than any other judge has. Her tenure has given her a perspective on existing gaps in treatment for offenders and services to victims of domestic violence. She noted, for example, that the victim—usually a woman—might be unaware of how to find shelter, food, transportation, and child care on an emergency basis. She may decline to cooperate with the prosecution and want the abuser back in the home because he is paying the rent, buying food, or helping care for the children. Or, the victim may want to cooperate but cannot take the time off work to visit the district attorney on one day, the victim services representative the next day, and the court on yet another day.

That is about to change. Milwaukee County Circuit Court has received nearly \$2 million in federal grant funds to improve services to victims and treatment for offenders in domestic violence cases. The grant will allow for the addition of emergency personal

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Wisconsin Supreme Court Justice Diane S. Sykes was sworn in on September 7—one day before the Court began its fall term—by her former boss, Judge Terence Evans, U.S. Court of Appeals, Seventh Circuit. Sykes clerked for Evans after graduating from Marquette University Law School in 1984. With her sons Jay, 10, (holding Bible) and Alex, 7. A formal investiture was planned for November 12 in the chambers of the state Assembly. Sykes will run in the April election for a full, 10-year term. Also running is Judge Louis B. Butler, Jr., Milwaukee Municipal Court.

## Sykes Discusses Qualifications, Judicial Philosophy

On September 13, one week after beginning her work as a justice of the Wisconsin Supreme Court, Justice Diane S. Sykes sat down in the Wisconsin Public Radio studio in Milwaukee for a one-hour live interview with host Ben Marens. She also took calls from listeners. Here are excerpts of the interview.

**Marens:** *How does [your experience as a judge in Milwaukee County Circuit Court since 1992] qualify you to be a state Supreme Court justice?*

**Sykes:** Milwaukee County obviously is the biggest county in the state and has the most significant volume of civil and criminal cases of all counties in the state of Wisconsin. We

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# Key Recommendations of the Criminal Penalties Study Committee

by: **Michael B. Brennan**  
Staff Counsel, Criminal Penalties Study Committee



Michael B. Brennan

In June 1998, Truth-in-Sentencing came to Wisconsin when the Legislature passed and the governor signed 1997 Wisconsin Act 283. For crimes committed on or after December 31, 1999, parole is abolished. For each offender the judge will set a prison term, 100 percent of which the offender must serve; and a term of community supervision, known as extended supervision (ES), to be served following the prison term. Violation of ES will subject the offender to return to prison. Together,

the prison and ES components will comprise the total length of an offender's sentence in the "new world" of Truth-in-Sentencing.

Act 283 also increases penalty ranges 50 percent for all felonies to allow for ES, and mandates that the ES portion of the bifurcated

sentence be at least 25 percent of the term of confinement imposed by the judge. The Act eliminates intensive sanctions as an option for the confinement portion of a bifurcated sentence, and authorizes the judge to impose conditions on the term of ES.

Act 283 did not change many other areas of criminal law in Wisconsin. It did not alter procedures for granting or revoking parole for those sentenced under current law. Importantly, it does not affect probation as an option for criminal offenses after December 31, 1999.

The Criminal Penalties Study Committee, created by Act 283, met from August 1998 through August 1999 to prepare the state statutes and state government for the particulars of this sea change in Wisconsin criminal sentencing law and penalties. The Legislature charged the committee with reclassifying the criminal code, creating temporary advisory sentencing guidelines, structuring a sentencing commission, and changing the administrative rules of the Department of Corrections (DOC) to ensure that a person who violates a condition of ES is returned to prison promptly and for an appropriate period of time.

## Sentencing Guidelines Choices Proved To Be A Challenge

Judges who have followed the meeting minutes and debates of the Criminal Penalties Study Committee know the difficulties the committee had in agreeing upon a format for sentencing guidelines. The committee studied the sentencing guidance systems of several states and the federal system, each of which has implemented Truth-in-Sentencing, as well as the former Wisconsin sentencing guidelines, but none of these systems garnered much support among committee members. The committee debated intensely three formats offered by its members, and the format decided upon incorporates aspects of each of those systems.

Ultimately, the committee formulated a new, unique format for temporary advisory sentencing guidelines. The format's components are: (1) a two-page worksheet for the 11 offenses which implicate approximately three-quarters of the state's prison resources, and (2) sentencing notes, which are to be used with the worksheets. As directed by Act 283, this format maintains the advisory nature of sentencing guidelines for the flexibility of judges and litigants.

First, the worksheet guides the judge in assessing offense severity. The sentencing judge is asked to consider the harm caused by the offense, the offender's role in the offense, and statutory sentencing aggravators and penalty enhancers, and rank the crime's severity as mitigated, intermediate, or aggravated.

Second, the worksheet aids the judge in assessing an offender's risk of future criminal conduct by asking the judge to consider an offender's prior acts (whether or not convictions or adjudications), the offender's age, employment, character, family/community ties, alcohol/drug dependency, drug treatment, and performance on bail. The worksheet poses

normative questions concerning an offender's prior criminal history as a guide toward certain risk levels; it also asks the judge to consider whether the offender's criminal history understates or overstates the offender's future risk to public safety. Offender risk assessment is ranked lesser, medium, and high. For a variety of reasons, a judge may decide to move a defendant out of a generally specified range if the judge concludes that the risk assessment ranking is inaccurate.

Then the sentencing judge consults a nine-cell graph on the worksheet where the offense severity and offender risk assessments intersect. This gives the judge an advisory starting point from which to begin to sentence the offender. The suggestions in the cells of probation and/or yearly prison ranges were arrived at by surveying 18 experienced Wisconsin circuit court judges. After the judge consults the graph, the worksheet asks the judge to consider additional important factors which may warrant adjustment of the sentence, such as uncharged, read-in offenses, acceptance of responsibility, attorneys' recommendations, restitution paid at great sacrifice before sentencing, the effect of multiple counts, and whether the defendant is a habitual criminal.

Along with the worksheet, the committee drafted detailed sentencing notes that elucidate for judges and litigants many of the considerations and concepts underlying the questions posed on the worksheet. The committee also developed a conversion table to numerically convert "old world" indeterminate sentences to "new world" Truth-in-Sentencing determinate sentencing ranges for those crimes for which the committee did not develop sentencing guidelines. ❖

—Michael B. Brennan

Judge Thomas H. Barland, Eau Claire County Circuit Court, chaired the committee, and five other judges served, including: Patrick J. Fiedler, Dane County Circuit Court; and Elsa C. Lamelas, Michael G. Malmstadt, Diane S. Sykes, and Lee E. Wells, all of Milwaukee County Circuit Court. A copy of the committee's final report has been distributed to all state judges. Some highlights of the committee's recommendations include the following:

### Code Reclassification

The committee concluded that the present system of six classes of felonies should be expanded to nine classes (A through I). This reduces the large gaps between classes that exist in the current system and allows for more precise and discriminating classification of the several hundred felonies that occupy the middle and lower ranges of the spectrum.

Crimes were initially placed in the new A-I classification system by determining the mandatory release (MR) date under current law when a court imposes the maximum sentence. The committee concluded that the maximum term of confinement for each crime in the new determinate system ought to roughly parallel the maximum the person could serve in prison under the current indeterminate sentencing law before reaching MR. Once this initial calculation using MR was accomplished, the committee applied a variety of criteria described in the report to determine whether certain crimes should be adjusted up or down among the classes according to the statutory charges of Act 283.

The committee concluded that all felonies in the Wisconsin statutes should be left in their current locations, rather than consolidated into a single criminal code. Also, the committee recommended new, higher maximum fines, and caps on ES terms.

The committee recommended that the current 17 penalty enhancers be reduced to the five that are used most often and penalize the most serious circumstances warranting increased prison time. The former penalty enhancers would be converted to statutory aggravating factors to be considered at sentencing, or repealed.

Statutes mandating minimum and presumptive mandatory sentences (except for those contained in drunk-driving crimes) would be repealed to give prosecutors and judges maximum discretion in sentence recommendations and decisions and to bring greater uniformity to sentences.

Also, the committee recommended enactment of a geriatric clause that would allow certain elderly, low-risk prisoners to seek sentence modification from the circuit court converting the balance of the sentence to ES, if strict criteria are met.

If the same offender commits crimes before and after Truth-in-Sentencing goes into effect, the committee recommended that whether the determinate sentence follows the indeterminate sentence or vice versa, and regardless of whether the sentences are concurrent or consecutive, all confinement time should be served together, either concurrently or consecutively in whichever sequence ordered by the judge, and ES should always precede any parole time.

### Extended Supervision and its Revocation

The committee recommended that a strict supervision model be adopted for the initial stage of ES, and that offenders be permitted to earn their way into lesser degrees of supervision as a result of good behavior. Sanctions for violations of ES conditions

would include: (a) alternatives-to-revocation; (b) a confinement sanction (confinement for a period of time not to exceed 90 days in an ES regional detention facility, or if not available, a county jail); and (c) revocation.

The committee also offered a variety of modifications to the current revocation process to shorten it from an average of 84 days to an average of 71 days.

Under the committee's recommendations, the administrative law judge (ALJ), who currently conducts revocation hearings and makes the revocation decision, would continue in that capacity. If the ALJ decided the offender should be revoked, a circuit judge would determine an appropriate time period for the offender to return to prison. The committee recommended that the same circuit judge who originally sentenced the offender, or that judge's successor, handle the disposition hearing, but recognized that circuit courts may elect to adopt other assignment procedures for these hearings. The committee also recommended that the current writ of *certiorari* process to challenge a revocation decision not be altered, and that judges be authorized to alter ES conditions.

The Assembly has passed the statutory changes that the committee recommended, and the Senate was set to consider those changes later in the fall. The committee considers passage of its recommendations to be essential for the smooth implementation of Truth-in-Sentencing in Wisconsin. Regardless, Act 283, with its 50 percent increase in the length of penalties, will go into effect for crimes committed on or after December 31, 1999. ❖

## Truth-in-Sentencing Seminar

The Truth-in-Sentencing law takes effect December 31, 1999. The law substantially alters the way criminal offenders in Wisconsin are sentenced by eliminating parole. Judges who sentence felons to prison for crimes committed after the effective date will be required to fashion bifurcated sentences consisting of a term of prison confinement followed by a term of extended supervision.

The Office of Judicial Education is hosting a one-and-a-half day conference on the new sentencing procedure on December 16 and 17 in Wisconsin Rapids. This seminar will provide an overview of the basic requirements of Truth-in-Sentencing and recommended reclassification of the criminal code and the proposed sentencing guidelines. It will also cover new judicial responsibilities regarding extended supervision. Small-group sentencing exercises will be conducted so that judges can familiarize themselves with the new bifurcated sentencing system before the law takes effect. All judges are strongly encouraged to attend. Registration is open to members of the Wisconsin judiciary and Director of State Courts Office staff. ❖

For more information, contact the Office of Judicial Education at (608) 266-7807.

# La Crosse Unified Family Court Project Shows Results

by: Steven R. Steadman  
District Court Administrator

An innovative approach to resolving child abuse and neglect cases in La Crosse County is producing good results, according to a preliminary assessment now being completed by evaluators from the Denver-based Center for Public Policy Studies.

The La Crosse County Unified Family Court Project was designed to develop better ways for serving troubled families in court. It makes use of mediation to reach disposition and service provision agreements among family members and the potentially numerous justice and social services agencies that can be involved in child abuse and neglect cases. Cases completed by the Project have involved:

- parties who are required to participate in potentially numerous service and treatment programs;
- agencies which have recognized the need to coordinate more closely on services to individuals, as well as on policies and procedures among staff within and across agencies; and
- families that have challenged agency skills and resources in the past.

The Project targets the criminal cases that sometimes accompany child abuse and neglect allegations, as well as the disposition of CHIPS (child in need of protection and/or services) petitions.

As of September, 22 cases had been resolved using mediation. Agreements were reached through mediation in 19 of the cases, while three required further judicial action. Eight of the cases resolved through mediation involved criminal charges as well as CHIPS petitions. Preliminary analysis of data from the case records, mediation sessions, and surveys, supplemented by personal interviews with Project participants, reveals four general themes.

1. The La Crosse County Unified Family Court Project is handling the tough cases. The Project routinely mediates cases involving:
  - multiple parents, stepparents, significant others, extended family members, and more than one child;
  - families with a lengthy history of family violence and extensive contact with social services and justice agencies;

## CCAP a Winner in State Budget

Governor Tommy G. Thompson signed the long-awaited state budget bill on Wednesday, October 27. The budget bill, now Act 9, had a general effective date of October 29. The governor vetoed more than 250 items, including one that was important to counties, the provision of counsel to parents in CHIPS (child in need of protection and/or services) and JIPS (juvenile in need of protection and/or services) cases. The governor called the provision a "significant unfunded cost created ... for the State Public Defender's Office." He estimated the private bar costs of the State Public

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- criminal charges and less severe allegations;
  - family members with a history of substance abuse;
  - families from a variety of racial, ethnic, and cultural backgrounds; and
  - family members with mental disabilities and special physical needs.
2. Justice and social services agencies as well as families need to be active participants in the mediation process.
  3. Mediators need to be flexible in their approach to mediation. Very experienced and capable La Crosse mediators have had to rely on every possible mediation skill and technique including:
    - organizing and facilitating mediation sessions that might involve dozens of participants;
    - using language and cultural interpreters;
    - educating very diverse parties about the purpose and potential of mediation;
    - verifying the level of understanding of parties who may be mentally disabled;
    - using small- and large-group caucuses and education sessions; and
    - providing a safe and productive environment that allows parties to vent their sometimes considerable frustration with their prior contacts with the social services and justice systems.
  4. Justice and social services agencies must be willing to cooperate extensively for the good of families.

The large number of agencies involved in the La Crosse Unified Family Court Project have recognized that all agency representatives, and in particular prosecutors and defense attorneys, must be willing to be flexible in fashioning solutions that best meet the needs of children and families. Staff must be willing to move well beyond traditional notions of adversarial justice to take actions that best serve families and children. In addition, monitoring family performance and responding to problems quickly is a critical component of successful case resolution.

Mid-course adjustments contemplated for the Project as a result of early evaluation include:

- developing a debriefing process in difficult cases that may have justice- and service-agency policy implications;
- designing more effective ways to use interpreters in cases involving non-English-speaking parties;
- establishing clearer policies for when to include older children in portions of mediation sessions; and
- implementing one, three, and five-year Project-evaluation procedures.

We anticipate that the final evaluation of the Project will be completed in spring 2000 and that results will be incorporated into a *Guide to Approaches to Serving Families in Court*, to be produced by the Center For Public Policy Studies. ❖

For more information about the La Crosse County Unified Family Court Project, contact Steven Steadman at: La Crosse County Courthouse, 333 Vine Street, Room 3504, La Crosse, WI 54601. Phone: (608) 785-9546; e-mail: [steve.steadman@courts.state.wi.us](mailto:steve.steadman@courts.state.wi.us).



# Improving the Fit: Wisconsin Courts and *Pro Se* Litigants

The American Judicature Society (AJS) has called upon all chief justices in the nation to appoint teams for a national conference on *pro se* issues. Chief Justice Shirley S. Abrahamson has responded to the request by designating an eight-person team and convening a *pro se* working group to assist the team in preparation for the national conference, to be held November 18-22 in Scottsdale, Ariz.

It is hoped that a recommended action plan and a resource manual that might address the challenges that *pro se* litigation presents to Wisconsin's courts will be developed by spring 2000.

"*Pro se* litigation is a growing phenomenon in courts nationwide.... For example, in one week in 1998 the Milwaukee Legal Resource Center sold 110 packets of family forms to *pro se* litigants," Abrahamson said in her 1998 State of the Judiciary address. "But direct participation by a litigant often causes problems."

Court staff members, who are generally not lawyers, must be cautious not to give legal advice to *pro se* litigants. Judges risk losing their neutral status if they provide guidance to unrepresented parties. And cases involving *pro se* litigants often take much longer to resolve.

In welcoming the working group to its first meeting on September 24, Abrahamson emphasized that this AJS initiative is not intended to promote *pro se* litigation, but rather to help the courts respond to the individuals who choose to exercise their constitutional right to represent themselves.

The group has reviewed results from a statewide survey of clerks of circuit court and identified an initial list of issues concerning *pro se* litigation.

Members of the 21-person *pro se* working group are as follows: Abrahamson; Patrick Brummond, Office of Court Operations; Susan Byrnes, coordinator, Milwaukee County Intake Court; Carolyn Evenson, clerk of circuit court, Waukesha County; Kathryn W. Foster, judge, Waukesha County Circuit Court; John E. Hendrick, attorney, Family Law Education, Inc.; Mary E. Keppel, family court commissioner, Dane County Circuit Court; Marcia J. Koslov, state law librarian, Wisconsin State Law Library; Katherine R. Kruse, professor, University of Wisconsin Law School; Edward W. Leineweber, judge, Richland County Circuit Court; Liz Marquart, Task Force on Family Violence; Tess E. Meuer, attorney, Wisconsin Coalition

Against Domestic Violence; Henk Newenhouse, Richland County Courthouse Resource Center; Kathy L. Nusslock, attorney, Davis & Kuelthau, SC; Beth Bishop Perrigo, deputy court administrator, District I; Ernesto Romero, attorney, Romero Law Office, LLC; Beth H. Roney Drennan, attorney, Teresa House Legal Assistance Center, Inc.; Donna J. Seidel, clerk of circuit court, Marathon County; Michael J. Skwierawski, chief judge, District I; Louise G. Trubek, professor, University of Wisconsin Law School; and John Voelker, assistant to the chief justice, Wisconsin Supreme Court. ❖

Questions about the *Pro Se Working Group* may be directed to John Voelker at (608) 261-8297.

## Milwaukee *Pro Se* and Interpreter Services Get Boost

The First Judicial Administrative District recently was awarded a grant from the Wisconsin Office of Justice Assistance to fund the position of *pro se* coordinator. The coordinator will be responsible for identifying existing *pro se* initiatives in Milwaukee County and developing additional mechanisms to assist the increasing number of individuals who represent themselves.

The grant also provides for the expansion of interpreter services in District I. The addition of the position of interpreter coordinator will help Milwaukee County address the shortage of qualified language interpreters and pursue multilingual signs, notices, and forms.

"Our thanks go particularly to Jerry Baumbach, executive director of the Office of Justice Assistance, and to the Governor's Office for recognizing the needs of the First District," District Court Administrator Bruce M. Harvey said. "These grants will allow us to better achieve the goal of equal justice for litigants who are representing themselves and for those who do not speak English." ❖

# Building Trust and Confidence in the State Courts

The May 1999 *National Conference on Public Trust and Confidence in the Justice System*, to which Chief Justice Shirley S. Abrahamson sent a seven-person delegation, emphasized the key connection between public confidence in the courts and judicial independence, a basic tenet of the democratic system and rule of law.

Groups sponsoring the May 1999 national conference in Washington, D.C. were: the American Bar Association, the Conference of Chief Justices, the Conference

of State Court Administrators, and the national League of Women Voters.

The conference provided an opportunity for lawyers, judges, and members of the public to address issues of public trust and confidence in the justice system in an effort to strengthen judicial independence. Conference participants were urged to return to their home states to establish a committee to consider these issues locally.

In response to the national conference, Abrahamson, State Bar of Wisconsin

President Leonard L. Loeb, Director of State Courts J. Denis Moran, and Wisconsin League of Women Voters President Kathy Johnson have created a committee to identify issues related to public trust and confidence in the Wisconsin justice system and to develop potential strategies for addressing these issues. The 10-person committee and a larger focus group are expected to create a plan that might assist the bench and bar in maintaining and

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# Committee Tackles Interpreter Issues

Director of State Courts J. Denis Moran has appointed a committee to address the challenges presented by an increasing need for courtroom interpreters in Wisconsin. Moran requested that the committee file a preliminary report on actions that can be taken immediately to improve court interpreting, along with information on their potential fiscal impact, by October 2000.

The Committee to Improve Interpreting and Translation in the Wisconsin Courts will identify, document, and prioritize issues, concerns, and opportunities involving interpretation of both sign language and foreign languages in Wisconsin's state and municipal courts. The Committee will review programs that are in place in other jurisdictions for ideas that might be replicated in Wisconsin, and will examine current and emerging technologies to determine what could serve the needs of the courts in a cost effective manner, and what might be integrated into existing systems.

After its research is complete, the Committee will draft a list of policies and practices necessary for an interpreting program that will have measurable, tangible benefits for the courts and court users. In its ongoing advisory role, the Committee also will develop education recommendations for judges, clerks, lawyers,

and other court personnel, and will suggest possible faculty and educational materials.

Committee members are as follows: Francisco Araiza, attorney, State Public Defender's Office, Milwaukee; Brenda Bartholomew, interpreter, Mequon; Richard S. Brown, judge, Court of Appeals, District II; Pedro A. Colon, attorney and state representative, Wisconsin Assembly; James A. Drummond, attorney, Racine; Frederic W. Fleishauer, judge, Portage County Circuit Court; Diane Fremgen, clerk of circuit court, Winnebago County; Debra Gorra, interpreter, Professional Interpreters Enterprise, Inc., Greenfield; Ruth Janssen, clerk of circuit court, Outagamie County; Elsa C. Lamelas, judge, Milwaukee County Circuit Court (chair); Mai Lee, Wausau Area Hmong Mutual Association; Bette Mentz-Powell, regional manager, Wisconsin Office of Deaf and Hard of Hearing, Madison; Carolyn Olson, clerk of circuit court, Iowa County; Gail Richardson, district court administrator, District V; James Seidel, district court administrator, District IX; Marcia Vandercook, Office of Court Operations (staff); Mai Zong Vue, Refugee Center, Department of Workforce Development; Mark Warpinski, municipal judge, City of Green Bay Municipal Court; and Michael Weissenberger, sheriff, La Crosse County. ❖

# Effort to Develop, Enhance Juvenile Holdover Programs is Underway

According to the Council of State Governments, recent changes in laws regulating juveniles' behavior, especially underage drinking, have decreased incidents of juvenile delinquency. However, these changes have created new problems for law enforcement officers. When an officer detains a juvenile, he is faced with

the dilemma of what to do with the youth if a legal guardian cannot be found and there is no juvenile detention facility nearby. In some instances, the juvenile remains in the squad car for the rest of the officer's shift, or is held in an adult jail. On some occasions, law enforcement may decide not to arrest a juvenile because no convenient intake process has been established.

Identifying holding alternatives for juveniles can be especially difficult in rural areas where detention facilities are far away and law enforcement staff and accommodations are limited. That is why a cross-agency and community effort is needed to develop effective juvenile holdover programs. Holdover programs give law enforcement an appropriate and safe place to hold offenders so that police can return to their duties and juveniles are kept out of adult jails.

"Crime is a community problem," said Karen L. Dunlap, project coordinator of the American Probation and Parole Association (APPA). "Juvenile holdover programs allow the community to be involved, and they can say, 'we don't want everyone to just be locked up, but we have an alternative, less restrictive setting.'"

Designed to meet local needs and to use available community resources, these low-cost programs can utilize courthouse space, local hotels, hospitals, and law enforcement administrative offices to provide a room with access to bathroom facilities, a telephone, and meals. County agency staff or community volunteers provide supervision until the juvenile's legal guardian arrives, usually within a couple of hours, but no longer than 24 hours.

Circuit Court Judges Edward R. Brunner (Barron County), William D. Dyke (Iowa County), James Evenson (Sauk County), and

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## Juvenile Law Seminar

The Office of Judicial Education is hosting a two and one-half day seminar designed to help judges make decisions on a variety of juvenile law issues. Seminar speakers will review changes to the Serious Juvenile Offender Law and the policies and programs for juveniles who fall into this category.

The session will cover judicial leadership, child development, termination of parental rights, trial management, Intensive County Juvenile Probation, selected juvenile correctional facilities, and state aftercare and corrective sanctions.

The seminar will be held on December 1-3, in Lake Geneva. Registration is open to all members of the Wisconsin judiciary. Circuit court commissioners' registrations will be accepted on a space-available basis. ❖

*For more information, contact the Office of Judicial Education at (608) 266-7807.*

# Videoconferencing Taking Hold in State

Two routine matters, 200 miles apart, brought the courts a little closer to the new millennium over the summer.

The hearings—in La Crosse and Milwaukee—marked each county's first use of videoconferencing technology in the circuit courts. Videoconferencing is an interactive technology that transmits video, voice, and data signals so that two or more individuals or groups at separate locations can communicate using video monitors and microphones. A special camera is used for close-up shots of documents and objects. As long as each site has the proper equipment, one can call the other in much the same manner telephones are used. It may save prisoner transportation costs, improve courthouse security, enhance health care to prisoners through telemedicine, and generally reduce logistical barriers to communication.



Judge Elsa C. Lamelas

In Milwaukee County, Judge Elsa C. Lamelas used videoconferencing to take testimony in a hearing on a petition for release from a mental health facility. She permitted three witnesses to testify from Winnebago Mental Health Institute.

Milwaukee's system, including all hardware, set-up and personnel expenses, is estimated to cost \$300,570. Most of that cost—\$270,513—is being picked up by a federal grant that requires a 10 percent county match. A further grant from the Sheriff's Department Drug Forfeiture Fund cut the total tax dollar expenditure to \$14,634.



Judge John J. Perlich

In La Crosse County, Judge John J. Perlich used videoconferencing technology to conduct a post-conviction motion hearing in a first-degree intentional homicide case. When an appearance by videoconference was first suggested, the defense objected. Perlich held a hearing to determine the advisability of using the technology in this instance. At the hearing,

three concerns were identified: the defendant's rights, his escape risk (the district attorney argued that he was a high-risk prisoner), and the potential costs of bringing the prisoner to the courthouse versus having him appear using videoconferencing. After hearing from District Attorney Scott L. Horne and Attorney Timothy J. Gaskell, Perlich determined that the defendant would not be denied any right by appearing by videoconference rather than in person, and he ruled that videoconferencing would be appropriate.

"The fact is," Perlich said, "the defendant (who appears via videoconferencing) has an opportunity to participate exactly as if he is there. I think it's an excellent use of technology. It has absolutely no effect on anyone's rights, it saves money (on prisoner transport and expert witness travel), and reduces the security risk, if you're talking about that kind of case."

The district attorney agreed. "From our standpoint, it satisfied the legal requirements that have been established in terms of the defendant's presence," Horne said. "It allowed for his full

participation in the hearing. Certainly from the standpoint of benefits to the county, if this is used on a widespread basis, it would result in a significant savings on the cost of transporting prisoners."

During the hearing, Gaskell wore a headset so he could communicate privately with his client, Nathan Lindell, at the Dodge County Correctional Institution in Waupun. Lindell said an equipment operator and a guard were with him in the room, but left when he wanted to speak privately with his attorney. "Obviously, that was a huge concern of mine," Gaskell recalled, referring to his ability to communicate in private with Lindell. "Once we got up and running, I felt that we were able to basically accomplish everything with Nathan not being in the room, because he could see and hear the judge and the witness."

Lindell agreed that the videoconference worked well in this case, although he said he would have liked to see both attorneys. The camera was focused on Perlich and the witness stand. "Whenever there's a judge presiding, and not a jury, I think it's more efficient to have videoconferencing," Lindell said. "But if it's before a jury, I think the person should be brought in person. When they take any judicial proceeding and put it on a computer, it seems to strip away the human side."

He and his attorney were also concerned that four months elapsed between the filing of the motion and when it was heard. This occurred because of problems with the videoconferencing line at the prison's end, and it forced Gaskell to apply to the Court of Appeals for an extension. All parties agreed that subsequent uses of the system should be much easier.

The La Crosse courts' videoconferencing system cost \$27,928, which was paid in grant money from the Court Improvement Program. La Crosse County purchased an identical system for the same cost.

The La Crosse County Human Services Department, one courtroom, and the jury assembly room are hard-wired for videoconferencing. The local hospital is also wired. The connection to human services will facilitate hearings in CHIPS (children in need of protection and/or services) matters. The videoconferencing option will reduce continuances that result from witnesses who are unable to get to a court hearing, permitting children to move into permanent homes faster. The set-up in the jury assembly room will be used primarily for conferences and training sessions that require participation of people from distant areas.

La Crosse, Milwaukee, and a number of other counties around the state have made use of a manual entitled *Bridging the Distance: Implementing Videoconferencing in Wisconsin*. The manual, designed to help counties understand the technology and its applications, and to ensure that the rights of potential videoconferencing users are protected, is the product of work by the Statewide Videoconferencing Committee, convened by the Supreme Court's Planning and Policy Advisory Committee and the Wisconsin Counties Association. The manual has been recognized by the National Center for State Courts as a valuable tool when considering videoconferencing. ♦

*Bridging the Distance is available on the Wisconsin court system Web site at [www.courts.state.wi.us](http://www.courts.state.wi.us) or by calling John Voelker, assistant to the chief justice, at (608) 261-8297.*



# Trial and Appellate Judges Switching Roles

Judge Neal P. Nettesheim is 16-year veteran of the Court of Appeals who also spent eight years on the trial bench. So he admits it might have raised eyebrows when he asked his clerk for direction during a recent intake day in Washington County Circuit Court. Back on the trial bench as part of the Judicial Exchange Program, Nettesheim found “getting my groove back” took a while. The toughest matters, he found, were not complex civil cases such as a week-long malpractice case, but rather the routine proceedings such as guilty pleas. “I took pains to ask counsel whether I had overlooked anything,” he recalled. “I also alerted the clerk to remind me of anything that I had overlooked—particularly in matters involving statutory time limits regarding future scheduling. I guess it might strike an observer odd that the judge was asking the clerk for direction on such matters, but I wanted to be safe rather than sorry.”

Judges from the District II Court of Appeals swapped seats with trial judges from Fond du Lac, Kenosha, Racine, Sheboygan, Washington, and Waukesha counties as part of the Judicial Exchange Program over the spring and summer.

The program, begun in 1996 by Chief Justice Shirley S. Abrahamson, exchanges judges between the circuit courts and Court of Appeals to enhance trial judges’ understanding of making a record, and appellate judges’ understanding of the practices, procedures, and problems of the trial courts. Exchanges in Court of Appeals Districts III and IV have demonstrated the program’s educational value.

Nettesheim came away from the experience with a new appreciation for trial court technology. “To have jury instructions produced and modified in a flash was a true joy,” he said. He was also very impressed with the quality of the lawyering, and with the assistance he received from Court Reporter Kristi Schranz and Clerk Lisa Polenske.

Overall, Nettesheim said, the exchange made him realize, due in part to the growing number of *pro se* litigants, “life in the trial courts has become more complicated and demanding for both lawyers and judges. These stresses can produce alienation between the bench and bar,” Nettesheim said. “The risk is that we become foes rather than allies. We have to combat that risk. We can do that best by recognizing our different roles, understanding our different problems, and remembering our common goal—to find the truth.”

The District II exchange began with an orientation at which the six participating trial judges observed, but did not participate in, an appellate decision conference. Afterward, the trial judges were able to ask questions, tour the office, meet the staff, and acquaint themselves with the computer system and legal research tools.

“The orientation helped enormously,” said Judge Emily Mueller, Racine County Circuit Court, who participated in nine Court of Appeals cases and was responsible for one opinion.

Like many other trial judges who have gone through the exchange program, Mueller was enthusiastic about the

opportunity to participate in collegial decision making. “I really enjoyed the conference itself in large part because so much of the research and legal work we do on the trial bench is very solitary,” she said. “The ability to talk with other judges about the law, and about the issues a case presents, was not only valuable but very enjoyable to me.”

Mueller also enjoyed the give-and-take with Court of Appeals Law Clerk Patricia J. Sommer, who assisted her with opinion writing style, editing, and citations.

For Judge Annette K. Ziegler, Washington County Circuit Court, the exchange was an “invaluable experience.” Ziegler reported that she gained new insights into how trial issues might look on appeal. She also had high praise for Court of Appeals office staff, in particular Administrative Assistant Nancy S. Birk and Law Clerk Sarah A. Davies, whom she called exceptional and credited in large part for her positive experience.



Judge Annette K. Ziegler

Along with Mueller and Ziegler, the following trial court judges participated in the exchange: Dale L. English, Fond du Lac County; Gary J. Langhoff, Sheboygan County; and S. Michael Wilk, Kenosha County.

Along with Nettesheim, the following District II Court of Appeals judges participated: Daniel P. Anderson, Richard S. Brown, and Harry G. Snyder. Anderson handled intake court in Fond du Lac and Sheboygan counties; Brown presided in a felony drug trial in Racine and had plans to handle a criminal calendar in Kenosha; Nettesheim sat in Washington County Circuit Court and presided in a civil jury trial in Waukesha County; and Snyder sat with the trial judges in conferences.

Mueller said Brown’s appearance in her court gave her staff a boost. “My staff really appreciated having a Court of Appeals judge come down here to see some of the practical problems that are faced.” For example, on the morning of the trial, a key witness did not show and deputies had to be dispatched with a material witness warrant. “That reciprocal part of the program, having someone care enough to come down here, was really very good for all involved,” Mueller said.

Brown said he came away from the experience on the trial bench with “great respect for the trial court judge’s position of having to make the right call on a never-anticipated issue and keep the trial running at the same time.” He also said Mueller’s great staff (Court Reporter Jean M. Thomas and Clerk Bonnie Nagy) were vital to the smooth operation of the court. He was gratified to note that his deafness was not an impediment to service on the trial bench and, in fact, may have enhanced his performance because the use of real-time (computer-assisted transcription) enabled him to read the exact wording of the question before making his ruling on an objection. Brown said he found himself mentally exhausted at the end of a day in the circuit court, “but it was a good feeling,” he said. “I think we ought to make this program a permanent fixture in our courts.” ❖



Judge Emily Mueller



# Judges Use Real Cases to Teach Record-Making



Judge Neal P. Nettesheim

This is a test. What is wrong with the following written decision issued in a contested divorce case?

*I now have carefully reviewed my notes and recollections, the parties' briefs and memorandums.*

*I believe that the only just solution to the matter that is supported by the overwhelming evidence is accurately reflected in the proposed findings of fact and conclusions of law of the respondent as contained in the respondent's memorandum.*

*I would, therefore, ask the respondent to submit findings of fact, conclusions of law and a judgment consistent with this decision and the memorandum referred to.*

Judges Neal P. Nettesheim, Court of Appeals District II, and Patrick L. Snyder, Waukesha County Circuit Court, use this real case in their Judicial College seminar entitled *Making a Record*. The example poses the problem of a trial judge failing to detail on the record the reasons for ruling

in favor of the prevailing party in a divorce action.

Over the summer, Nettesheim and Snyder presented this problem as part of a seminar at the State Bar's Family Law Section



Judge Patrick L. Snyder

meeting. They led the lawyers in a discussion of how a lawyer might avoid or solve this record problem (they call it "nudge the judge"). "This poses a delicate problem for a lawyer (particularly the lawyer who represents the party who has received the favorable ruling)," Nettesheim wrote.

In the real case, the Court of Appeals detailed the failings of this record in its opinion:

*We have reviewed Patricia's memorandum and conclude that it is devoid of any explanation or reasoning as to why the court accepted Patricia's views regarding the disputed facts and law over Michael's views....*

*We can only speculate as to why the court accepted Patricia's view of the parties' respective earning powers, or what other factors under sec. 767.26 persuaded the court in its decision to award maintenance. While Patricia's memorandum discusses both sides of many of the issues, it fails to provide any analysis or reasoning as to why her positions are more persuasive....*

*[W]e do not hold that a trial court may never accept the rationale and conclusions contained in one party's brief to the court. If the court chooses to do so, however, it must indicate the factors which it relied on in making its decision and state those on the record.*

This was the first time Nettesheim and Snyder had taught this topic to lawyers, and their three-hour, interactive workshop in Door County received outstanding reviews. Attorney Sharon A. Drew, workshop chair for the Family Law Section, arranged the program. ❖

## New Faces in Wisconsin's Courts

### Judge Jon M. Counsell Clark County Circuit Court



Judge Jon M. Counsell

Judge Jon M. Counsell, who began his career in law as a law clerk to Court of Appeals Judge Richard S. Brown, was appointed to the bench in Clark County Circuit Court on September 16. Counsell replaced Judge Michael W. Brennan, who retired in August (*see separate story*).

Counsell clerked for Brown for a year following his 1987 graduation (*cum laude*, Order of the Coif) from the University of Wisconsin Law School. From 1988 until June 1999, Counsell was first an associate

and then a shareholder in Liebmann, Conway, Olejniczak & Jerry S.C. in Green Bay. He concentrated his law practice on corporate and commercial matters, including all types of transactions, commercial litigation, insurance coverage disputes, and environmental law.

Counsell, who grew up in Clark County, now lives with his wife, Julie, on a 40-acre farm in Neillsville that has been in his family for generations.

### Judge David T. Flanagan Dane County Circuit Court



Judge David T. Flanagan

Judge David T. Flanagan—the brother of Milwaukee County Circuit Court Judge Mel Flanagan—was selected from a field of 19 applicants for appointment to the bench in Dane County Circuit Court. He replaced Judge Mark A. Frankel, who resigned in August to take a job as general counsel at Madison Gas & Electric Company (*see The Third Branch, summer 1999*).

Flanagan, who earned a degree in civil engineering before attending law school, has at various times earned his living as a radio announcer, land surveyor, deep-sea diver, and septic tank welder. He showcased his acting talent in 1998 in the Supreme Court sesquicentennial play *Rope of Sand*.

Flanagan has been actively engaged in trial work as an assistant attorney general since 1976. Since 1984, he has concentrated on defending law enforcement officers in civil rights cases, University of Wisconsin physicians in malpractice actions, and state engineers

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## Wisconsin Invited to Teach Judicial Ethics in Nebraska

Wisconsin Judicial Commission Director James C. Alexander and Court of Appeals Chief Judge Thomas Cane taught judicial ethics in Nebraska on October 6 and 7. The program was offered on two consecutive days at the request of the Nebraska Supreme Court, which ordered all state judges to attend.

Nebraska judges who had attended Alexander's judicial ethics programs at national conferences invited him to their state. Alexander and Cane have frequently teamed up to teach judicial ethics at seminars put on by the Office of Judicial Education.

The Nebraska seminar, *Ethics and Judicial Propriety*, focused on judges' social activities, and sanctions. For the sanctions section, Alexander and Cane presented several cases (*see sidebar*) and asked the judges to vote on sanctions and explain their votes. Then, they revealed the actual results of the cases and the reasoning behind them.

"The goal of the exercise is to get the judges thinking about the purpose of discipline and to have them apply it to different fact

situations," Alexander said. The team also updated the Nebraska judges on current national activity on judicial misconduct. ❖

## Chief Justice Elected to Board of Conference of Chief Justices

In August, Chief Justice Shirley S. Abrahamson was elected to the Board of Directors of the Conference of Chief Justices. The election was held at the annual meeting in Williamsburg, Va.

"The purpose of the Conference," according to its bylaws, "is to provide an opportunity for consultation among the highest judicial officers of the several states, commonwealths, and territories, concerning matters of importance in improving the administration of justice, rules and methods of procedure, and the organization and operation of state courts and judicial systems, and to make recommendations and bring about improvements on such matters."

Abrahamson will join the 11-member board for a two-year term. ❖

## Cases Present Judicial Ethics Issues

James C. Alexander and Court of Appeals Judge Thomas Cane used the following summaries of real cases in their judicial ethics seminar. The judges were asked to vote for removal, suspension, or reprimand/censure using colored cards. At the end of each case discussion, Alexander and Cane revealed what the actual outcome was, and the reasoning behind it. None of these cases is from Wisconsin.

### Behavior Toward Judicial Colleagues

A judge placed an anonymous threatening note in another judge's mail slot and set off fireworks in the bathroom area of that judge's chambers "as pranks." He also used obscenity toward another judge in the courthouse elevator, called her profane and vulgar names, and made intemperate and threatening remarks about her.

The judge sometimes signed official court documents with names including "Snow White," "Mickey Mouse," and "Adolf Hitler," and sometimes set bond in amounts which were nonsensical or problematic, such as a zillion dollars or 13 cents.

The judge had contact with individuals he had placed on probation, and once assisted in collecting a urine sample from a probationer.

During the commission investigation, the judge falsely told a commission investigator that he had switched courtrooms with another judge voluntarily, and not because he had been directed to move after a secretary had said she could not work with him. During the investigation, the judge also said or suggested to other court employees that if he got into any trouble, he would "take" other judges with him, or ruin careers, or in some fashion retaliate against other judges. Actual sanction: removal from office.

### Improper Conduct in the Courthouse

While jurors were deliberating in a driving under the influence case, the judge left the courthouse and bought a 12-pack of

beer. The judge, defense attorney, and prosecutor drank beer on the premises while the jury deliberated; this violated a statute and personnel policy. After the jury returned with a guilty verdict, the judge invited the jurors to join him in the jury room to drink beer and discuss the case. He made this invitation from the bench, in his robe, in the presence of the defendant. Two jurors accepted the invitation. Later, the judge made remarks to the court administrator and prosecutor including, "I don't play by the rules," and carried the beer cans from the building. Actual sanction: censure (stipulated—no longer a judge).

### Dereliction of Duty

A judge instituted a procedure under which the prosecutor and defense attorneys would handle, in his absence, misdemeanor pretrial conferences in most cases in which the defendants were not in custody. The prosecution and defense would agree on a disposition, after which the clerk would accept the defendant's plea/waiver of rights form, stamp it with the judge's signature, enter the plea and sentence into the computer, and generate a minute order. The judge would sometimes exercise by running up and down the stairs near his chambers while the pretrial conference calendar was being conducted. He sometimes left the courthouse mid-afternoon while the calendar was underway; he usually arranged for another judicial officer to "cover" for him, or asked his bailiff to arrange "cover." He once left knowing that there was no coverage by another judicial officer. Actual sanction: public admonishment.

### Off-Bench Violations of the Law

A judge knowingly drove with an expired registration for several months. Newspaper articles criticized this conduct. Actual sanction: censure.

A judge failed to make court-ordered installment payments of \$250 in satisfaction of a \$129,500 judgment against him. Actual sanction: censure. ❖

# People in the News

Judge **James E. Welker** spends his days on the Rock County Circuit Court bench, but at night he sits in a director's chair. Welker recently directed a Janesville Little Theater production of "Greater Tuna." The play, by **Jaston Williams**, **Joe Sears**, and **Ed Howard**, took a satirical look at Texas culture. This "two-man show puts dressers, actors to test," wrote *The Janesville Gazette*. Each actor played 10 characters, requiring at least two dozen costume changes for each performance.

A shortage of language interpreters (*see separate story on new interpreter committee*) is becoming a problem in the Fox Valley, where increasing numbers of residents speak only Spanish or Hmong, according to an article in *The Post-Crescent* (Appleton). Outagamie County Clerk of Circuit Court **Ruth Janssen** said 79 percent of the cases that require an interpreter involve Spanish-speaking defendants, while 11 percent need a Hmong interpreter.

Judge **Michael W. Hoover** has been appointed presiding judge for the Court of Appeals, District III, while Judge **Richard S. Brown** was appointed presiding judge in District II. District II is the only Wisconsin appellate court that rotates the position of presiding judge.

After more than 50 years of public service, Senior Judge **Thomas E. Fairchild**, U.S. Court of Appeals, Seventh Circuit, and former Wisconsin Supreme Court justice, took a break to share tales of politics with a *Wisconsin State Journal* reporter. In 1948, he ran for Wisconsin attorney general. He was certain, he said, that he had no chance of victory, but a turn of events, including the election of **Harry Truman** as president, changed the expected outcome. "We were sitting in our living room, listening to the returns come in" Fairchild recalled. "Someone said, 'What's the salary of attorney general?' I said, 'Hell, I don't know.' I looked at the books the next day and found that I took a 30 percent cut in pay by being elected. But it was a great job and I loved it." The article also contained words of high praise for Fairchild from former law clerks and U.S. Supreme Court Justice **John Paul Stevens**.

Trempealeau County Circuit Court Judge **John A. Damon** told the *Whitehall Times* that the local Teen Court is a success. After 18 months in operation, the Teen Court reported that 81 percent of the juvenile offenders complied with the sentences. Sentences included a total of 323 hours of community service, five letters of apology, four essays, and six counseling sessions with school guidance counselors. Twenty-seven juvenile offenders participated in the program.



Judge Darryl W. Deets

Manitowoc County Circuit Court Judge **Darryl W. Deets** urged members of the Lakeshore Peacemakers, a group dedicated to non-violent conflict resolution, to get involved in children's lives. "We have to train our youth to be responsible not only individually, but toward their schools and communities as well," he said. The *Herald Times Reporter* (Manitowoc) said Deets cited programs such as peer mediation, victim-offender mediation, boot camp, intensive supervision, and electronic monitoring as effective weapons against youth delinquency.

In an article in the *Wisconsin State Journal*, Judge **William Eich**, Court of Appeals, District IV, likened recently retired Dane County Circuit Court Judge **P. Charles Jones** to **Joe DiMaggio**, **Louis Armstrong**, and **William Faulkner**. Like the others, Eich said, "[Jones] was born to the job." He praised Jones for his fairness and compassion. Jones and his wife, **Ronni G. Jones** of the Office of Judicial Education, had been building a retirement home in Spring Green. The home tragically burned to the ground prior to completion, but the couple hope to re-build.

The *Milwaukee Journal Sentinel* reported a new name on Milwaukee County's circuit court bench. Judge **Ronald S. Goldberger** has changed his name to **Ronald S. Brooks**.

Racine County Circuit Court judges received some help from former professional golfer **Sarah DeKraay** and Jamaican-born **Andrew Smith** as part of the Volunteer Summer Law Student Internship Program, administered by the Office of Court Operations. For 10 weeks, DeKraay and Smith, both second-year law students, observed trials, visited law firms, and did a lot of research for Judges **Dennis J. Barry** and **Richard Kreul**. "I've seen the law live and in color," Smith told *The Journal Times* (Racine). "The research has been invaluable." Chief Justice **Shirley S. Abrahamson** started the program in 1997. This year, 36 students volunteered their time with 43 judges in 21 Wisconsin courthouses.

Recent improvements in technology, especially in voice recognition software and tape recorders, have dissuaded potential court reporters from pursuing the profession, according to *The Oshkosh Northwestern*. When Court Reporter **Richard Karr**, a 31-year veteran, decided to retire, Winnebago County Circuit Court Judge **Robert A. Hawley** faced a real challenge in finding a replacement. Only two applications were submitted and neither offered the necessary skills. The Supreme Court Planning and Policy Advisory Committee is looking into this statewide problem.

This fall, Chippewa County Circuit Court Judge **Roderick A. Cameron** spoke at the Youth Leadership and Training Center graduation at Camp Douglas. Eleven young people completed the program, which uses positive motivation in a military-style environment to teach juvenile delinquents how to follow directions and work as a team.



Judge  
Roderick A. Cameron

Last summer, Columbia County Circuit Court Judge **Lewis W. Charles** retired his gavel. In an interview with the *Daily Register* (Portage), he talked about the changes he witnessed in 25 years on the bench. He said the caseload has increased and penalties are harsher. "When I started, the penalty for first-time drunk driving was six points off your license and a forfeiture of \$182," he said. "Now, the offense involves a driver's license suspension and a large forfeiture."

Municipal court judges handle everything from barking dogs to underage drinking. "Of the 219 municipal judges in Wisconsin, 108 are attorneys," **Ronni G. Jones** of the Office of Judicial Education told the *Kenosha News*. "I find the non-lawyer judges to be very conscientious," she said. A 10-year veteran of the bench,

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# VOLUNTEERS IN THE COURTS: \_\_\_\_\_

## A Partnership for Justice

by: Karen Leone de Nie  
Program Assistant to the Supreme Court

### CASAs: A Judge's Eyes and Ears, a Child's Voice

Sam is a middle child with four siblings. He was living with his mother who left an abusive husband, but in trying to change her life was unable to meet the needs of her children. Sam was identified as a "problem child" who was unable to control his anger. Eventually, he was placed in a foster home.

A Dane County CASA (Court Appointed Special Advocate) monitored his case. The CASA volunteer spent 26 months making weekly home visits, first with the boy's biological family, and later with his foster family. She recommended that the court terminate the mother's parental rights based on her observation that the foster family's stable, consistent, and positive environment was helping Sam to control his anger, make friends at school, and improve his grades.

A CASA is appointed by a judge to handle only one or two cases at a time. The CASA serves as the eyes and ears of the judge. Meeting with social workers, attorneys, teachers, and families, they spend months observing and assessing a child's environment as non-biased observers. Later, they appear in court to report their findings and address the child's best interest. Finally, the CASA monitors each case to its conclusion, helping to ensure that it comes to a speedy and appropriate end.

Organized in 1984, the National CASA Association (NCASAA) supports more than 800 CASA programs across the country. There are currently eight CASA programs in varying stages of development in the following Wisconsin counties: Brown, Columbia-Sauk, Dane, Fond du Lac, Kenosha, La Crosse, and Milwaukee.

The Coulee Region YWCA CASA Program in La Crosse held a kick-off press conference in October to recruit volunteers. One goal of that program is to speed services to children so that problems can be resolved in "kid time," said La Crosse County Circuit Judge Ramona A. Gonzalez. "Three months for a kid can be a lifetime."

Following the media attention, the YWCA received more than 30 calls from people who want to volunteer.

There are also 17 tribal court CASA programs in the United States. The Red Cliff CASA Project of the Red Cliff Band of Lake Superior Chippewa Indians in Bayfield, Wis., is the first in the state. With help from Judicare, CASA Coordinator Stephanie Defoe and Jean Buffalo-Reyes, former tribal court chief judge and now Red Cliff tribal chair, successfully applied for a \$40,000 NCASAA planning grant for the Red Cliff project. They have convened a board, established program policies and procedures, and are beginning to

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### Barron County Welcomes Restorative Justice Programs, Inc.

Five high school seniors broke into a school in Barron County and slaughtered several turkeys in the hallways. The community was appalled. There were calls to deny the boys scholarships that they had been promised, but it seemed no punishment could lessen the people's outrage.

Restorative Justice Programs, Inc., a non-profit, community-based agency that incorporated in June in Rice Lake, brought in Carolyn McLeod, a senior training associate of the Center for Restorative Justice & Mediation in Minnesota. She first met separately with the boys and their parents, and then with 26 members of the community chosen by the school, including police officers, school janitors and teachers, reporters, and others. Finally, she brought everyone together for a three-hour meeting.

The community expressed their anger and shock, and the students apologized for their actions. The session gave both groups a way to start talking. "It allowed everyone to reconcile with a very negative situation," Restorative Justice Programs Interim Director Deb Neuheisel said.

After the meeting, three people asked if they could be trained as mediators. Along with approximately 20 other volunteers, they met with McLeod in November to learn how to mediate

victim/offender conferences. They will work with Restorative Justice Programs, Inc., to mediate juvenile and adult cases referred to them by courts, human services, law enforcement, and schools. They will also arrange special community/offender conferences like the one above.

Barron County Circuit Court Judge Edward R. Brunner received start-up funds for the project in the form of a Juvenile Accountability Incentive Block Grant administered by the Wisconsin Office of Justice Assistance. He turned over formation and operation of the project to a nine-member volunteer board to encourage community support and ownership. "It is essential that this be a grassroots program fostered and furthered by the community," Brunner said.

Evaluations from the Programs' first two cases indicate that victims feel good about the process, according to Connie Doyle, president of the Board of Directors. "The process is always victim-initiated," said Doyle. "It's paramount that the focus be on the welfare of the victim—empowering them—healing them." ❖

*For information, contact Deb Neuheisel at (715) 436-3304 (please leave a message).*



# Just Six Months Old, Brown County Mediation Center a Success

A couple had contracted with a company to install a sidewalk by their home. While the crew was working, the couple's son, an engineer, watched. He believed the job was not being done correctly, and began to give the workers instructions, which they ignored. When the couple received the bill for the sidewalk, they decided to withhold \$1,000 from the payment because they believed the work was sub-standard, based upon their son's recommendation. The company sued.

The parties were given an option: appear before a court commissioner to adjudicate the dispute, or try to resolve it with help from the Brown County Mediation Center.

The Center opened its doors in late March, and, by September, it had resolved more than 85 percent of the approximately 120 cases it mediated, according to Executive Director Diane Legomsky. The Center recently started taking referrals from the Green Bay Police Department for family and neighbor disputes that would not result in an arrest, but might escalate and require future police and court intervention.

Legomsky will train 10 more volunteers this year and the Center has plans to continue expansion by adding more referral agencies and possibly taking on large claims and lawyer-represented cases as well.

The Center receives half of its budget from the Brown County Board, and the rest comes from private foundations and individuals. With the addition of the Brown County Mediation Center, there are now eight small claims mediation programs that use volunteers in Wisconsin.

The Center mediates landlord-tenant, merchant-customer, and employer-employee disputes. Parties in all monetary *pro se* small claims appearing for a return date (a court proceeding to set future hearings) are scheduled for mandatory mediation orientation, which is held about one week later. At the orientation, Legomsky

gives a 15-minute presentation on how mediation works. Those choosing mediation (the majority of the litigants, according to Legomsky) begin a session with a trained volunteer mediator immediately. The rest are scheduled for a hearing before a court commissioner within three weeks.

The Center's 20 volunteers serve as neutrals to help disputing parties reach an agreement. During the sessions, mediators ask questions that lead the parties to a constructive conversation about what really is driving the grievance, with the hope of coming up with creative resolutions.

In the sidewalk case, the parties initially agreed that the contested issue was the \$1,000. But the mediator saw it differently. Instead of negotiating a monetary settlement, the mediator talked with the parties to determine what was of real importance. The company did not want a reputation for poor workmanship, and the couple did not want to bear the expense of possibly having to install a new sidewalk in a couple of years. But also at issue was that the couple believed the company's workers had treated their son disrespectfully.

During the discussion, the parents learned that the company's workers had not known that the son was an engineer with experience in this type of work. And together with the mediator, the parties agreed to revise the company's warranty. The company stipulated that if the sidewalk showed signs of undue wear in a certain time period, the company would return to correct any problems. In return, the couple would pay the bill in full. The son and staff from the company left the mediation session talking and laughing.

"In small claims court the only language is money," Legomsky said, but based on her experience, mediation can address the emotional and psychological, as well as the financial, issues the parties are facing. ❖

## Teen Court Conference

More than 100 people gathered in Madison to attend the first-ever *Wisconsin Teen Court Conference* on October 7. The conference was designed to develop a network of existing teen courts and provide them with new resources, and to educate others about how to start programs.

The result of the conference is the creation of the Wisconsin Teen Court Association, whose first meeting will be held in Stevens Point on December 3. The new Association's goals include developing a communication network for teen courts throughout the state to facilitate problem solving, organizing regular gatherings of teen court coordinators, and creating ways to educate judges, county board members, legislators, and law enforcement officers about what teen courts are and why they work.

Teen courts are designed to hold juveniles accountable for their actions. During the proceeding, the juvenile is asked by his/her peers to explain why he or she committed the offense, and the

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Justice Diane S. Sykes gave the keynote address at a conference that brought together diverse groups interested in learning more about teen courts.

# Retirements

## Judge Brennan Steps Down After 29 Years



Judge  
Michael W. Brennan

Judge Michael W. Brennan, on the bench in Clark County Circuit Court for nearly 29 years, retired in August.

Brennan, 62, reminisced with a reporter from the *Marshfield News-Herald* about some of his more memorable cases. "I once had a case in which a child stole a boa constrictor and hid it in a Pringles can," he recalled. "Then there was the time a man was brought in for failure to provide child support. His only asset was a yak. I ordered him to pay the child support or sell his yak.

He was very concerned about selling his yak, although I don't see much of a market for yaks in central Wisconsin."

Brennan said that, in retirement, he plans to do more cooking. Brennan trained at the Culinary Institute of America in Napa Valley, Cal., and at La Varenne Cooking School in Paris, and has also taught cooking classes at the local technical college. He hopes to help a friend who owns a restaurant in Wisconsin Rapids.

Brennan plans to spend more time operating his ham radio and helping his son, Sean, who restores antique British cars. He also has two daughters, Lisa and Anne.

## Judge Wolfe Steps Down to Work in Haiti

Judge Virginia A. Wolfe, on the bench in Sauk County Circuit Court since 1986, has announced her decision not to seek reelection when her current term ends on July 31, 2000. She is stepping down to spend more time in Haiti, where she has been

involved in community development projects such as building schools and clinics and helping to diversify agriculture and prevent soil erosion. The Episcopal Diocese of Milwaukee organizes the projects.

Wolfe, who was court commissioner in Baraboo for two years before her election to a newly created branch of Sauk County Circuit Court in 1988, told the *Wisconsin State Journal* that one of her proudest accomplishments as a judge was starting victim impact panels in Sauk County in 1997. Drunken drivers convicted on a second (or more) offense are ordered to learn about the effects of drinking and driving by meeting with people whose lives have been impacted, often tragically, by a drunken driver.

When her term ends, Wolfe intends to complement her efforts in Haiti by doing mediation work and reserve judging.

## Sullivan Leaves Supreme Court

Supreme Court staffer Susan A. Sullivan recently retired from her position as judicial assistant to Justice Jon P. Wilcox. Sullivan, who began her work for the courts with the Office of Judicial Education in July 1985, joined Wilcox's staff in November 1992. In retirement, she plans to travel, spend more time with her family, and enjoy the new lakeside home she built with her husband, former Corrections Secretary Michael Sullivan. Sullivan was replaced by Marlene A. Finley, formerly administrative assistant to Supreme Court Commissioner William Mann. ❖



Judge Virginia A. Wolfe

## Registers in Probate Elect New Officers

At its semi-annual educational conference in September, the Wisconsin Registers in Probate Association elected new officers. They are: President Sherry Masephol, Wood County; Vice President Kay Morlen, Washington County; Secretary Carol Thompson, Green County; and Treasurer Judith Schneider, Door County.

The conference, held in Sturgeon Bay and hosted by Registrar Judith Schneider, Door County, touched on a wide range of topics. Presentations included: *Judicial Ethics* (with James C. Alexander, executive director of the Wisconsin Judicial Commission); *Dealing with the Grieving Family* (with Dennis White, Ph.D.); *Security in the Workplace* (with the Bureau of Capitol Police); and *Washington Wills* (with Wausau Attorney Mark J. Bradley, husband of Justice Ann Walsh Bradley).

The Register in Probate Association's spring 2000 conference will be held May 3-5. Registrar Dorothy Richard, Burnett County, will be the host. ❖

—Kay Morlen

## Juvenile Court Clerks Meet Drug Dogs, Learn about Boot Camp

Members of the Wisconsin Juvenile Court Clerks Association learned how to deal with stress, took a look at the Wood County Drug Dog Program, and got an introduction to the Department of Corrections' boot camp all during their two-day annual convention in October.

The clerks convened in Wisconsin Rapids and Juvenile Clerk Liz Scholze, Wood County, hosted the event.

Other topics included a juvenile issues panel presented by the Wood County District Attorney's Office, and a primer on the foster care process by Liz Stern.

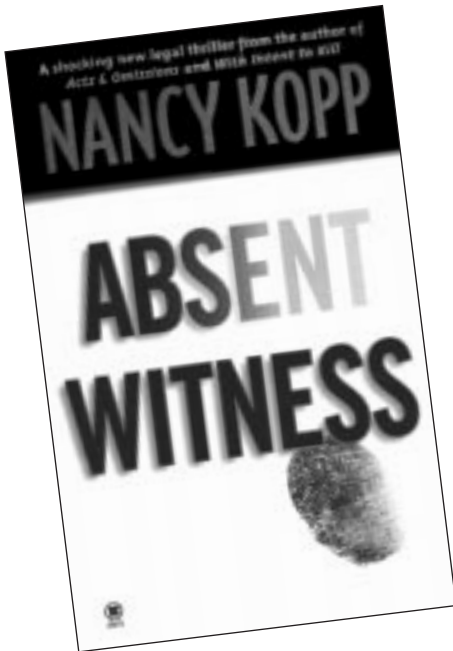
Current officers of the Juvenile Court Clerks Association include: President Barbara Kaiser, Rock County; Vice President Karin Heldmann, Door County; Secretary Kay Morlen, Washington County; and Treasurer Ericka Nelson, St. Croix County.

The Juvenile Court Clerks Association's fall 2000 meeting will be held October 4-6 in Sheboygan County. Marge Halbach, court secretary, will be the host. ❖

—Kay Morlen

# Court Commissioner's Legal Background Helps Create Thriller

*Absent Witness* by Nancy Kopp. New York: Onyx, New American Library, a division of Penguin Putnam, Inc., 1999. 370 pages. \$6.99, soft cover ISBN 0-451-19552-3



by: Chief Justice Roland B. Day (ret.)

Nancy Kopp grew up in rural Wisconsin. She earned a bachelor's degree in history at the University of Wisconsin-Whitewater, and graduated *magna cum laude* from the University of Wisconsin Law School. She served a one-year term as a law clerk to Justice William G. Callow of the Wisconsin Supreme Court. She then spent three years in the litigation department of a large Wisconsin law firm. It was the good fortune of our Wisconsin Supreme Court that Nancy accepted a position as a court commissioner. As one of three Supreme Court commissioners, Nancy studies the cases, writes memoranda, and meets with the Court to make recommendations regarding matters brought within the Court's discretionary appellate jurisdiction. In the course of her work, Nancy Kopp has read countless briefs, thousands of pages of transcripts of the examinations and cross-examinations of litigants, witnesses, physicians, psychiatrists,

psychologists, and scientific experts of the various disciplines. In short, she has an ideal background to write a mystery thriller that will beguile, amuse, and entertain you!

A friend of ours, who recently read Nancy Kopp's previous novel, *With Intent to Kill*, said: "I like Nancy Kopp's writing. She explains legal procedure in a way a lay person can understand it. She gets inside the heads of the attorney-characters so you know what they are thinking and how and why they decide what they are going to do."

A public relations program of any bar association that got that reaction would be considered a huge success!

In Kopp's most recent book, *Absent Witness*, we meet Carrie Nelson, a highly successful civil litigator. She left a sure chance to become a partner in a large and successful law firm where "billable hours" were the main driving force to join a smaller but successful Chicago firm where the best possible service to the client was the main goal. Multi-million-dollar verdicts and settlements which she achieved didn't keep her from representing a group of poor single mothers being evicted from their apartments for reasons Carrie believed would not stand up under the fair housing laws.

It was about this time that the Buckley family sought her help for their daughter, Katherine, cousin of Carrie's best friend from college. Katherine lay comatose in a nationally renowned private mental hospital from head injuries received in an auto accident eight months earlier. Katherine was now found to be three months pregnant, the victim, obviously, of a sexual assault. Carrie went to interview the non-physician, former lawyer who was the administrator of the hospital. He had only one goal: to deny responsibility and refuse to even consider a monetary settlement. He maintained it couldn't possibly be any male staff doctor, nurse, or other hospital employee. Security was claimed to be the best. The patients were all mentally ill with guardians and presumed incompetent. The position of the hospital director, hostile and belligerent from the first interview, was simple: the hospital had absolutely no responsibility in the matter.

The medical staff likewise accepted no responsibility; they had never seen anyone act "improperly" around the victim and had no idea who could have been the perpetrator. A police detective, after minimal investigation, decided it must be the victim's boyfriend, a brilliant law student, who spent many hours sitting by her bedside. The hospital signed onto that theory eagerly. The lawyers, paralegals, and secretaries at Carrie's law firm rallied around her, offering support and help. Among those was a new attorney at the firm and Carrie soon discovered she had more than a professional interest in him.

With the hospital raising the barrier of doctor-patient privilege, how can one question the hospital staff? How does one question potential witnesses—the dozens of present and former patients who were in the hospital with Katherine—who have been declared incompetent?

This is the challenge facing Carrie, the civil litigator, who is now adding criminal investigation to her responsibilities since the cops are of no help at this stage.

All this comes to a head when Carrie files an action on behalf of the Buckylys against Jackson Memorial Hospital. There follow court hearings on requiring hospital staff to respond to subpoenas, and a request to allow Carrie to question present and former patients if guardians give written consent. All vigorously opposed by the hospital. How will the judge decide?

From here on the story moves fast. A suspect is found dead at his apartment, apparently a suicide...or was it murder? Who, in the hospital hierarchy, knows what is going on? And who is involved in a life-threatening cover up? Is Carrie's life in danger? Don't miss the surprise ending!

Another interesting aspect of this novel is the naming of some of the "good guy" characters after people in the court system or the legal profession. I recognized several; it adds to the fun!

This book would be a great gift, especially from a lawyer to clients. It will, as our friend said, explain the legal system.

It's a great way to spend \$6.99! ❖



# Obituaries

## Judge Louis I. Drecktrah Jackson County Circuit Court

Judge Louis I. Drecktrah, who served on the bench in Jackson County Circuit Court from 1970 to 1984, died July 1 at his Black River Falls home. He was 83.

Drecktrah enlisted in the military shortly after receiving his law degree. He served in the U.S. Army Air Corps from 1942 to 1945.

For the next 25 years, he worked in private practice, and served for a time as Jackson County district attorney. In 1966, he received his Doctor of Law degree from the University of Wisconsin Law School, and in 1970, he was appointed county judge.

Drecktrah was elected to the bench several times before retiring on August 1, 1984. In retirement, he served as a reserve judge.

His wife, Helga (Larson) Drecktrah, a daughter, a son, five grandsons, and two great-granddaughters survive Drecktrah.

## Judge Milton L. Meister Washington County Circuit Court

Judge Milton L. Meister, on the bench in Washington (and, for a time, Ozaukee) County for 24 years, died July 9 at a health care center in West Bend. He was 91.

Governor Oscar Rennebohm first appointed Meister, who had been Washington County district attorney, to the bench in 1949. He served as a circuit judge for six months. Then, in 1953, Rennebohm again tapped Meister, this time to be Washington County judge. Meister retained that position until his election as a circuit judge.

Meister's wife, Charlotte, preceded him in death. A son and a daughter survive him.



Judge Clair H. Voss

## Judge Clair H. Voss Waukesha County Circuit Court

Judge Clair H. Voss, who served on the bench in Waukesha County for a total of 30 years, and on the Court of Appeals for five years, died August 10. He was 78.

Voss, a decorated war hero and combat platoon leader who still carried shrapnel in his skull from the Battle of Iwo Jima, brought his Marine training to court with him. Judge Patrick L. Snyder, a longtime colleague and friend of Voss, once noted in

the *Milwaukee Journal Sentinel* that even "good morning" could sound like an order coming from Voss.

Voss, in a 1997 interview, was asked about the strict rules of decorum he imposed in court. He recalled once ordering a local attorney out of his courtroom until the man could borrow a tie. After that, Voss said, the attorney always carried a clip-on tie with him. He also recalled recessing a divorce case when a young man showed up in sandals, shorts, and a tank top. Snyder, who was then an attorney, happened to be involved in the divorce case. He helped to throw together a borrowed outfit for the young man during the recess.

Voss interrupted his service on the trial bench with a stint on the Court of Appeals from 1978 to 1983. Shortly after Voss' election to the Court of Appeals, his first wife died. Soon thereafter, he suffered a heart attack, underwent surgery, and twice went temporarily blind. He spent his days reading voluminous appellate briefs with a magnifying glass and decided the job was not for him. He quit one year before the end of his term and soon won re-election to the trial bench in Waukesha.

Voss retired July 31, 1997. His wife, Joanne (Johnson) Voss, three sons and a daughter, as well as stepchildren, grandchildren, and great-grandchildren survive him. ❖

# Navigating the Internet: Useful Web Sites

by: *Connie Von Der Heide, reference/outreach services librarian Wisconsin State Law Library and Karen Leone de Nie, program assistant to the Supreme Court*

## The National Judicial College (NJC)

<http://judges.org/>

The NJC Web site offers the College catalog with detailed program descriptions and a downloadable registration form. In addition, information on tuition and housing is available. Visitors can also check out Advisory Council activities, find out what alumni are doing, and learn about the Court Volunteer Services Division, which offers information and training to help with start-up court-related volunteer programs.

## The Judicial Education Reference, Information and Technical Transfer (JERITT) Project

<http://jeritt.msu.edu/>

JERITT is a national clearinghouse of judicial education information for judges, court officers, and staff. The site provides a

searchable database of judicial education programs, contact information on teachers, grants, products, and resources. A publication section includes materials available online, as well as order forms for hard-copy publications. There are also links to useful sites on education, the federal government, legal research, and more. JERITT is co-sponsored by the National Association of State Judicial Educators and the School of Criminal Justice at Michigan State University, with funding from the State Justice Institute.

## The Law News Network

<http://www.lawnewsnetwork.com/>

The Law News Network is a source for current legal news. It is a compilation of articles from *The American Lawyer* and *The National Law Journal*, as well as several other daily and weekly law-related publications. It is updated every day. The "Practice Central" section offers resources on technology and the law. Because the site is so large, Law News Network also allows users to register to receive, at no charge, a digest of the day's top legal stories every morning by e-mail. ❖



# WCCA Called One of Nation's Top Ten Sites

Wisconsin Circuit Court Access (WCCA), which makes circuit court case information readily available through the court system Web site to anyone with an Internet connection and a Web browser, has been named one of the nation's best justice-related Internet sites.

The determination was made by Justice Served, an alliance of court management and justice experts providing management services, consultation, and training to courts, justice agencies, and their partners in technology.

The Justice Served team made the following comment about WCCA: "This excellent site provides access to civil, criminal, probate and other types of cases for circuit courts in Wisconsin

Calendar and docket access is also provided. It has a very good help system."

Run by the Circuit Court Automation Program (CCAP), WCCA provides detailed information about circuit court cases, including the defendant's name, the charge(s), and the sentence in criminal cases. For civil cases, the program displays judgment and judgment party information.

WCCA also offers the ability to generate reports such as: calendars for court officials, attorneys, and issuing agencies; civil judgment reports; and a criminal summary report. The calendars for attorneys and court officials can be generated statewide, so those with activities in multiple counties can view all activities for a given time period. ❖

## The Top Ten Justice Web Site Picks

### #1 Clerk of Courts, Hamilton County, Ohio <http://www.courtclerk.org/>

The reviewers rated this site number one because of the wide variety of services it offers. Users can search current and historical cases in a number of ways. An online payment system that accepts credit cards for traffic fines is in place. Court dockets, schedules, and calendars for all court divisions are accessible online and easy to use and understand.

### #2 North Dakota Supreme Court <http://www.court.state.nd.us/>

The reviewers noted that this site provides excellent calendars with automatic updating, the ability to subscribe via e-mail for new opinions, a wide range of available opinions, and overall good design and implementation. It also provides an "appellate practice tip of the week."

### #3 Los Angeles Municipal Court <http://www.lamuni.org/>

This site was called well-organized and easy-to-use. It provides information on civil, small claims, unlawful detainers, and traffic court online. The reviewers wrote: "the ability to pay traffic fines online and the capabilities of the Web Court impressed (us). It also loads very quickly."

### #4 San Diego Superior Court <http://www.sandiego.courts.ca.gov/superior>

This site's calendaring capabilities for civil, domestic, criminal, and probate made it stand apart. The reviewers also were pleased that the site offers users an opportunity to order a CD-ROM of case information and the ability to obtain updates to that information.

### #5 Sacramento Superior Court <http://www.saccourt.com>

The reviewers recognized this site for its "superb searchable database of cases, very good downloadable forms and good organization."

### #6 Shawnee County Court, Topeka, Kan. <http://www.shawneecourt.org/>

Electronic filing, a good set of downloadable forms and simple and neat organization qualified this court for inclusion in the top ten.

### #7 Seattle Municipal Court <http://www.ci.seattle.wa.us/courts/house.htm>

This site permits online payment for traffic offenses and online juror rescheduling. It also permits individuals to submit electronic applications for volunteer positions with the court.

### #8 Wisconsin Circuit Court Automation Program <http://ccap.courts.state.wi.us/> (see main story).

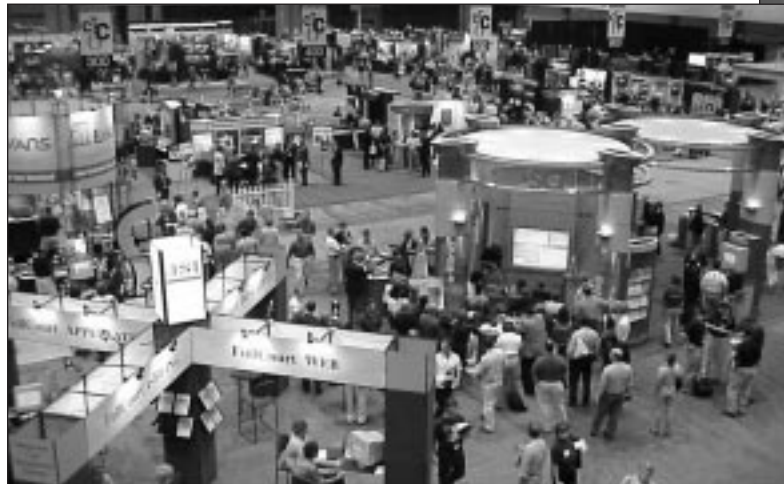
### #9 North Carolina Judicial System Site <http://www.aoc.state.nc.us/>

This site was selected as a very good example of a centralized state judicial system Web site. Criminal calendars are searchable for all 100 counties, and an innovative link teaches kids about the courts.

### #10 Clerk of the Court, Maricopa County Court <http://www.maricopa.gov/clkcourt/default.html>

An excellent case history database and the ability for attorneys to change their office addresses online distinguished this site. ❖

# National Tech Conference Highlights E-Filing



JOHN HARTMAN



CCAP's Steve Semmann provided attendees with a demonstration of the Wisconsin Circuit Court Access Web site.

More than 125 vendors filled the exhibition hall at the Court Technology Conference.

by: **John R. Hartman**  
Director, Office of Information Technology Services

Almost 3,200 people from 39 countries including Australia, Uganda, and Latvia, to name a few, turned out for the sixth annual Court Technology Conference (CTC-6) held September 14-16 in Los Angeles.

Representatives of the Wisconsin court system participated in demonstrations, educational sessions, and special interest group meetings at the conference, which focused on the use of technology in the courtroom setting.

Informal and formal discussions at the conference made it clear that electronic filing (e-filing) of legal documents soon will fundamentally change the way the court system does business. New Mexico, which implemented an e-filing system eight months ago, sent six representatives from across the court system to discuss the roles they played and the lessons they learned during their 18-month development phase. In a separate session, judges from courts in Kansas, Maryland, Texas, and Washington, D.C. (U.S. District Court), participated in a facilitated discussion of their views on—and use of—electronic filing.

The conference also permitted more than 125 vendors (a 30 percent increase from CTC-5) to showcase their products. Vendors demonstrated products in a number of specialty areas including:

- architecture/facility planning;
- case management systems;
- communications and networks;
- computer-aided transcription;
- computer-assisted legal research;
- court reporting;
- digital recording and transcription;
- imaging/document management;
- office automation; and
- security.

Representatives of the Wisconsin court system included staff from the Circuit Court Automation Program (CCAP) and the Office of Information Technology Services, and representatives of the CCAP Steering Committee. Marilyn Graves, clerk of the Wisconsin Supreme Court and Court of Appeals, won a ticket to the Conference by entering the courts' Web site in a contest. ❖

## Committee to Study Issues Surrounding Online Access to Records

Director of State Courts J. Denis Moran has convened a committee to manage a variety of issues that have arisen from making circuit court records available through the court system's Web site. These records were previously available to the public only in hard copy form.

The Wisconsin Circuit Court Access (WCCA) Oversight Committee is expected to meet quarterly. Its first meeting was held September 30, and the next will be December 8. The committee will handle privacy concerns and data access issues.

Members of the committee are: Moran; Jean Bousquet, director of the Circuit Court Automation Program; Patrick Brummond, deputy director for court operations; Gary L. Carlson, Taylor County Circuit Court judge; Judy Coleman, Dane County clerk of circuit court; Kristine Deiss, Washington County clerk of circuit court; Charles F. Kahn, Jr., Milwaukee County Circuit Court judge; Alan Lee, assistant attorney general; Diana Miller, Eau Claire County clerk of circuit court; Gregg Moore, District X court administrator; and Wendy Wink, deputy director for management services (Wisconsin Supreme Court). ❖

## First District

*continued from page 1*



Judge  
Richard J. Sankovitz

advocates for victims, who will assist victims in finding emergency housing, transportation, and child care. In addition, four new assistant district attorneys and a court commissioner will be dedicated to domestic violence cases.

These changes will support goals that have been set in areas targeted for improvement in Milwaukee County. These goals included enhanced services to victims and better treatment, oversight, and accountability of offenders. "The grant will

permit us to build on the work we started in 1994," said Judge Richard J. Sankovitz, presiding judge in Milwaukee County's Misdemeanor Division.

"The First Judicial District already has dedicated three specialty courts to domestic violence cases, and the district attorney has implemented new charging policies and bolstered its domestic violence charging unit. At the same time, community organizations have expanded victims services and refined batterer programs to meet the needs of specific groups such as diverse racial and ethnic groups, the elderly, and the physically challenged," he noted. "We believe these efforts, combined with significant work by Carmen

## Teen Court

*continued from page 13*

sentence includes jury duty and community service as restitution for their offense. In addition, the programs help youth develop important life skills by encouraging public speaking, use of reasoning and logic, conflict resolution, and citizenship.

There are 13 teen courts operating throughout the state, with new programs being considered in Waupaca, Dane, and Wood Counties. Teen courts hear cases of first-time juvenile offenders who have admitted guilt and have chosen this alternative sentencing program.

Teen courts vary in type; some are three- to five-person tribunals of trained teens who question offenders and determine sentencing, and others use teens as attorneys, bailiffs, clerks of court, and jurors while an adult presides as judge.

Recently appointed Wisconsin Supreme Court Justice Diane S. Sykes gave the keynote address at the conference. She said that recent changes in the juvenile justice code have opened the door to teen courts by stressing accountability and participation of youth in the justice system. "One of the biggest contributions teen courts can make to society's greater good [is] the inspiration of young people to active citizenship," Sykes told the group. "Teen courts are a new weapon in the 'personal responsibility' arsenal."

Conference presenters included Paula A. Nessel of the American Bar Association's Division for Public Education, and Tracy Godwin of the American Probation and Parole Association's National Youth

Pitre and the Milwaukee Commission on Domestic Violence and Sexual Assault to build collaboration among all the providers, helped to make our grant application successful."

If the program is successful, Milwaukee will be a national model for handling these difficult cases.

The grant, from the National Institute of Justice, is believed to be the largest court-related grant ever awarded in Wisconsin. The initial award is \$1.998 million for 18 months with an opportunity for four annual renewals.

Congressman Thomas M. Barrett informed Chief Judge Michael J. Skwierawski of the First Judicial District's successful application for the grant under the Violence Against Women Act. "This grant is an exceptional example of a coordinated community response to a serious issue in our community," Skwierawski said.

"The City of Milwaukee, Milwaukee County, the courts, the federal government, and the private sector programs should be commended for their willingness to work toward a common goal—the reduction of family violence. The grant will afford us the opportunity to enhance the services to victims and treatment opportunities for defendants. It will build upon the solid foundation already in place with three dedicated domestic violence courts and a variety of community services." ♦



Chief Judge  
Michael J. Skwierawski

Court Center. They offered participants a national perspective on teen court funding, legal issues, and evaluation methods. "There seems to be a lot of support for teen courts in Wisconsin, and it's really promising that so many different groups are interested in this program," Godwin said. Conference participants included teen court coordinators, judges, clerks of circuit court, intake workers, social services representatives, corrections officials, law enforcement officers, teachers, teens, and others.

A highlight of the conference was a demonstration trial by volunteers from the Iowa County Teen Court, coordinated by Marcia Richgels-Hill and Claire Joyner. Iowa County Circuit Court Judge William D. Dyke introduced the Teen Court, which presented the case of a 15-year-old boy caught vandalizing a picnic table in a local park. Conference participants observed defense and prosecution teams making their opening statements, and questioning the defendant and his mother. In closing, each team recommended a sentence. The jury deliberated and presented a sentence of three teen court jury terms, 15 hours of community service with the parks division, an apology letter to his parents and the arresting officer, and a 500-word essay on how vandalism affects the community.

The event was sponsored by the Boys & Girls Club of Greater La Crosse, the Governor's Juvenile Justice Commission, the Office of Justice Assistance, and the State Bar of Wisconsin. ♦

*For more information, contact Karen Leone de Nie at (608) 266-1298 or e-mail karen.leonedenie@courts.state.wi.us.*

## Sykes

*continued from page 1*

send almost half of the state prison inmates to the state prison system from Milwaukee County Circuit Court and we do something like 30 percent of the state's civil legal business in this county. Having served a number of years on the criminal rotation, most of the time in felony court, and a shorter period of time on the civil court in the state's most populous and busiest county qualifies me to be on the Supreme Court. I've heard about 4,000 misdemeanor cases, about 2,500 felony cases, including two years on the homicide/sexual assault rotation here in Milwaukee County, and about 650 civil cases during that seven-year time period on the circuit court and that certainly is significant.

**Marens:** *What is the toughest part about taking the job right now?*

**Sykes:** Well, I have to learn how to make the transition from being a court of one to a court of seven. This is decision-making by committee and it's much different therefore than decision-making as a court of one in a trial court setting. Also, obviously, as a Supreme Court justice, [one is] dealing with the most sensitive and difficult and important legal issues that confront the state. While that can be true as well at the trial court level, clearly the trial court is serving a different sort of a function. The judges in the trial court are on the bench almost all day long, ruling from the bench, making oral rulings, presiding over jury trials, presiding over motion hearings, plea hearings and sentencing in the criminal side ... and presiding over motion hearings and civil trials on the civil side of the job.... In the Supreme Court, it's more reading and writing, so there's an adjustment in that regard and it's also an adjustment to making decisions with other justices in a collegial sort of way as opposed to, as a trial court judge, where you are on your own. So that's the adjustment that I have found to be most profound in this first week on the job.

**Marens:** *Have you been politically active?*

**Sykes:** No, I have not. This is a non-partisan position and judges are prohibited from being involved in partisan politics and even when I was in the private practice of law, I was not a member of any political party and was not political in the

partisan sense of the word. I have been an observer of politics since my days in journalism school [at Northwestern University's Medill School of Journalism] and as a newspaper reporter [at *The Milwaukee Journal* between college and law school].... As a matter of fact, my family background is in public service and government. My father was city manager of Brown Deer for many years, and then he was the Milwaukee County director of Transportation, Public Works, and Development for many years....my mother was a guidance counselor at Shorewood High School for many years and so I've been an observer of government and politics for much of my adult life but I have never been a member of a political party or active in partisan politics.

**Marens:** *For the voters who want to know...how do you feel about abortion, or handgun control, or the death penalty...how do you answer them?*

**Sykes:** Well, I would answer them by saying I am ethically prohibited from taking positions on those issues in a public sort of a way, and my personal, private views on those issues are completely irrelevant and will not influence my decision-making on the bench.

**Marens:** *But people will say, 'how can they not influence you?'*

**Sykes:** Well, that's where the judicial philosophy which requires judges to apply the law as it is written and in accordance with the intent of the Legislature comes into play, because it requires the judge to apply that intent of the Legislature and what the Legislature has written into the law faithfully without regard to whether that individual judge likes the result and that's where that discipline comes into play. I may not like the result of a particular case, but I'm not going to manipulate it to produce a certain result. I'm going to apply the law as it's written and as it reflects the intent of the Legislature.

**Marens:** *How do you expect people to form an opinion about you and the other candidates next spring, when they can't get an answer about what they normally look for in candidates?*

**Sykes:** In part this is a process of educating the electorate about the role of the judiciary and the importance of the independence of the judiciary. Judges are not legislators and are not executive branch office holders, and we...can't go out and say, 'vote for me because I'm going to lower your taxes' or 'I'm going to make sure that this policy agenda...gets enacted into law.' That's not the role of the judiciary. ♦

## Juvenile Holdover Programs

*continued from page 6*

John P. Hoffman (Waupaca County) have been selected by the APPA to coordinate jurisdictional teams that will develop and/or enhance juvenile holdover programs. The National Highway Traffic Safety Administration and the Office of Juvenile Justice and Delinquency Prevention sponsor the program.

Each judge will appoint three to five individuals from various local and county agencies and the community—such as representatives from law enforcement, juvenile intake, juvenile probation,

the county board, and local service groups—to participate on the teams. A two-day training seminar in Madison in December, hosted by the University of Wisconsin-Extension, will assist these teams in developing an implementation plan for each jurisdiction. The training will help teams evaluate jurisdictional resources and needs in order to tailor a plan that is realistic and suitable for their communities. APPA will continue providing technical assistance after the seminar. As a result of this pilot training project, the APPA will publish a *Juvenile Holdover Program Implementation Manual* to assist jurisdictions around the country. ♦

*For more information, contact Karen Dunlap at (606) 244-8211.*



## New Faces

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in construction cases. From 1978 to 1984, he prosecuted primarily white collar crime including antitrust and securities fraud. During that time, he also served as a special prosecutor in a number of cases including homicides in Trempealeau and Vilas counties.

He is a Vietnam veteran who served three years of active duty in the Navy Seabees, where he selected, trained, and supervised a 14-man team of divers.

Flanagan is married to Maureen McGlynn Flanagan. They have two sons and a daughter.

### Judge William M. Gabler Eau Claire County Circuit Court



Judge William M. Gabler

Judge William M. Gabler was appointed on August 15 to the Eau Claire County Circuit Court to replace Judge Gregory A. Peterson, following Peterson's election to the Court of Appeals, District III. Gabler, who was chosen from a large field of candidates, took office on September 1, and will have to seek election to the post in April.

Gabler was a partner in Garvey, Anderson, Johnson, Gabler & Geraci, S.C., since 1976.

From 1983 to 1991, Gabler was a part-time U.S. magistrate judge for the Western District of Wisconsin.

Gabler was a member of the State Bar of Wisconsin's Ethics Committee from 1989 to 1995, and a member of the State Bar's Committee to Assure Judicial Independence from 1989 to 1991. He also has taught frequently at legal education seminars.

### Judge William Sosnay Milwaukee County Circuit Court



Judge William Sosnay

Judge William Sosnay, Bayside, has been appointed to the Milwaukee County Circuit Court, Branch 8. Sosnay, who was sworn in on September 13, replaces Judge Michael J. Barron, who retired in July.

"I have known and worked with Bill Sosnay for over 25 years in the Milwaukee community," said Chief Judge Michael J. Skwierawski. "He brings exceptional talents, skills and a broad base of legal experience to the bench. In addition, people

will find that one of his greatest strengths is superb judicial demeanor and temperament. He is a welcome addition to the Milwaukee and Wisconsin bench."

Sosnay was serving as an assistant attorney general at the time of his appointment.

He was an assistant district attorney from 1972 until 1984, when he became a partner in the Milwaukee law firm of Mulcahy and Wherry. In 1991, he joined Davis & Kuelthau, S.C., where he was also a partner. His private practice experience includes both civil and criminal law.

Sosnay served on the Board of Governors of the Seventh Circuit Bar Association and is past president of the Corporate Practice Institute where he was also on the Board of Governors.

He received a bachelor's degree from the University of Wisconsin in 1967 and a master's degree from Marquette University in 1969. He graduated from Marquette University Law School in 1972.

Sosnay, a lifelong resident of the Milwaukee area, was a village trustee in Bayside from 1986 to 1992.

He is married and has three children.

### Beth Bishop Perrigo Deputy District Court Administrator, District I



Deputy District  
Court Administrator  
Beth Bishop Perrigo

Beth Bishop Perrigo has been named deputy district court administrator for the First Judicial District. She began her new position June 7.

Perrigo comes to the courts from the American Society for Quality in Milwaukee, where she was manager of division relations for the 134,000-member association dedicated to quality principles.

Prior to moving to Wisconsin in 1990, Perrigo was a legislative consultant for Shea, Paige, Rogal & Associates, in Chicago and Springfield, Ill. She also served as assistant director of legal and legislative affairs for the Illinois Department of Registration and Education.

"I am delighted to have Beth working for the First District," District Court Administrator Bruce Harvey said. "She provides extensive public and private sector expertise that will benefit the district particularly in the area of *pro se* litigation and consensus building with the various constituencies of the court system."

Perrigo holds bachelor's and master's degrees from the University of Illinois/Springfield.

She and her husband, Steve, are the parents of two sons. ❖

## Building Trust and Confidence

continued from page 5

enhancing trust in the justice system. The plan will be complete by June 2000.

Members of the steering committee who were appointed by Johnson of the League of Women Voters are: Deb Augustyn; Cheryl Furstace Daniels, administrative law judge, Department of Agriculture, Trade, and Consumer Protection, and president, League of Women Voters of Dane County; and Melanie G. Ramey; appointed by Loeb of the State Bar: Eileen A. Hirsch, attorney, State

Public Defenders Office-Appellate Division; Derek C. Mosley, attorney, Milwaukee District Attorney's Office; and Thomas A. Bailey, attorney, Bailey Law Offices and supervisor, Milwaukee County Board; appointed by Abrahamson and Moran: Carl Ashley, judge, Milwaukee County Circuit Court; Patience D. Roggensack, judge, Court of Appeals District IV; Claudia Singleton, clerk of circuit court, Jackson County; and Joseph M. Troy, judge, Outagamie County Circuit Court (chair). ❖

Questions about the project may be directed to John Voelker, assistant to the chief justice, at (608) 261-8297, or Trina E. Haag, public affairs coordinator for the State Bar of Wisconsin, at (608) 250-6025.

## People in the News

*continued from page 11*

Twin Lakes Municipal Court Judge **Bruce Goodnough** said: "If you look at it from a pragmatic point of view, every time we hear a case in municipal court, it saves time for circuit court [and] it's cheaper to keep it in the village."

Speaking at the Attorney General's Law Enforcement Conference, Milwaukee County Circuit Court Judge **Thomas P. Donegan** outlined some of the changes in juvenile justice, according to an article in *The Oshkosh Northwestern*. In the 1970s, he told the group, there were no programs to treat juvenile offenders, "so all we were doing was filling up spaces at Lincoln Hills and Wales [juvenile detention facilities]." By the 1990s, several programs became available to provide alternatives and intervention. "We previously had 70 to 75 percent of those youths coming back. Now we are seeing that 75 percent don't return to the system," he said. "We reversed those statistics."

La Crosse County Circuit Court Judge **Michael J. Mulroy** calms the nervous group of potential jurors by promising that almost everyone survives jury duty, according to the *La Crosse Tribune*. Nearly every week more than 30 potential jurors are questioned in a La Crosse courtroom.

City of Brookfield Municipal Court Judge **Richard J. Steinberg**, on the bench for 25 years, has been elected to a two-year term as president of the Wisconsin Municipal Judges Association.

*Stand the Storm*, a half-hour documentary produced by the Wisconsin Supreme Court's Sesquicentennial Committee in cooperation with Wisconsin Public Television, was nominated for a prestigious Emmy award. The video, which tells the story of runaway slave Joshua Glover and the Wisconsin Supreme Court's nullification of the Fugitive Slave Law, has aired several times on statewide public television. More than 100 copies have been sold to schools, libraries, community groups, and interested individuals. To order a copy, call Wisconsin Public Television at (608) 263-4575.

Governor **Tommy G. Thompson** appointed Judge **Maxine A. White**, Milwaukee County Circuit Court, to lead a task force to look into racial profiling. Thompson vetoed a budget provision

that would have required police, deputy sheriffs, and state troopers to gather information on the race, ethnicity, age, and gender of every driver they stop to determine whether a pattern of discrimination exists.

Marathon County's Children's Court Service and Social Services Departments will merge on January 1, 2000, in an effort to better handle troubled youths and protect county residents, reported *The Tribune-Phonograph*. Marathon County Circuit Court Judges **Dorothy L. Bain** and **Gregory E. Grau** support the merger. Bain said "there is no way that the judiciary in my mind has the time to devote the managerial skills to Children's Court Services given the population of this court."

At the 39th annual meeting of the American Judges Association (AJA) in Cleveland, Outagamie County Circuit Court Judge **Harold V. Froehlich** was elected treasurer of the organization and appointed chair of the AJA's Budget Committee and a member of the nine-person Executive Committee. The AJA has a membership of over 3,000 judges. The purpose of the Association is to promote and improve the effective administration of justice, to maintain the status and independence of the judiciary, and to provide a forum for the continuing education of its members and the general public, and for the interchange of ideas among judges. ❖

## Court of Appeals, District IV, Has Moved

The Court of Appeals, District IV, and Staff Attorney Main Office have moved. Their new address is:

10 East Doty Street, Suite 700  
Madison, WI 53703

All telephone and facsimile numbers remain the same. ❖

## CASA

*continued from page 12*

recruit volunteers. At first, the CASAs will only work with the tribal court, but they may eventually volunteer to serve the Bayfield County Circuit Court as well.

"The children in our court now do not have anyone to represent them. No one to stand up for their rights," said Defoe. "There are not enough guardians *ad litem* to serve all of the children."

In 1974, more than 30 percent of Native American children were in out-of-home placement. State courts were terminating parental rights due to what some considered unwarranted claims of abuse and neglect, and many children were being placed in non-Indian foster and adoptive homes and institutions. In response, Congress passed the Indian Child Welfare Act (ICWA) in 1978 to protect Native American children, families, and culture, according to Becca Calhoun of the NCASAA. ICWA provides that, whenever possible,

Native American child welfare cases should be heard in tribal courts and also sets procedural safeguards for those cases that remain in state courts.

According to Buffalo-Reyes, the Red Cliff community works together to raise their children. "We look after one another," she said. With that in mind, tribal CASAs will talk to all those who are knowledgeable about the child's welfare, and report that information to the judge. It will then be up to the tribal courts, who understand the uniqueness of the family system and culture, to decide the best interest of the child. "[Tribal communities] look for the way to wellness," said Buffalo-Reyes. ❖

*For more information on Wisconsin CASAs, contact Marcia L. Varvil-Weld at (608) 221-3511. To learn more about the Red Cliff CASA Project, contact Stephanie Defoe at (715) 779-3726, ext. 13. For information on the NCASAA, visit [www.nationalcasa.org/](http://www.nationalcasa.org/) or their resource site at [www.casenet.org/](http://www.casenet.org/), or call (800) 628-3233.*

# Wisconsin Starts Judicial Teacher Training Institute

High school teachers from across the state will have an opportunity to learn about the courts at the first Wisconsin Judicial Teacher Training Institute, to be held on February 18 and 19 at the Concourse Hotel in Madison. The Institute is designed to address the lack of public understanding of the courts by giving secondary teachers the tools they need to effectively incorporate law-related education into their curricula.

Twenty-five secondary teachers from public and private schools will be selected to participate in the Institute. They will return to their school districts to share what they have learned with their colleagues. Institute presenters and participants will also give workshops at statewide conferences of the Wisconsin Council for Social Studies and the Wisconsin Education Association Council, so that the Institute can have the broadest impact.

The State Bar of Wisconsin received a \$10,000 grant from the Constitutional Rights Foundation to fund the Institute. The Bar has partnered with the Wisconsin Supreme Court, University of Wisconsin Department of Curriculum and Instruction, and the Wisconsin Department of Public Instruction to plan the project.

At the Institute, teachers will participate in a mock trial, learn

about how a case moves through the courts, discuss the function of the court system, review the relationship between the judiciary and the other branches of government, participate in sentencing exercises, and discuss teaching strategies. After the training, teachers will submit teaching plans, which will be posted on the State Bar's Web site along with other teaching materials.

Teachers will get an opportunity to try out what they have learned by preparing their students to hear an oral argument at the Wisconsin Supreme Court as part of the *Court with Class* program. *Court with Class*, started in 1996, has hosted almost 2,500 students. The program invites classes to come to the Supreme Court Hearing Room to listen to cases, and gives the students a chance to talk with a justice after the proceeding.

A new teaching manual will be produced as part of the Institute. It will contain summaries of high profile Wisconsin Supreme Court and U.S. Supreme Court cases, a history of the court system, mock trial scripts, a list of legal resources, suggested teaching strategies, and more, and will be available to teachers across the state. ❖

For more information, contact Dee Runaas, law-related education coordinator for the State Bar, at (608) 250-6191.

## New Area Code in Wisconsin

Several Wisconsin communities will get a new area code. Communities in Kenosha, Ozaukee, Racine, Walworth, Washington, and Waukesha counties will change from the 414 area code to 262. The change went into effect in September, but will become mandatory on March 4, 2000.

There are some exceptions to this conversion. The following telephone exchanges will keep the 414 area code:

Ozaukee County: 247, 351, and 352

Racine County: 425, 427, 525, 529, 570, 571, 762, 764, 766, and 768

Waukesha County: 359, 422, 425, 427, 525, 529, 577, 815, and 979

It will be necessary to change all speed dials programmed for the affected areas, including phones, fax machines, modems, and routers. For more information, visit the Web site at [www.codefinder.com](http://www.codefinder.com). ❖

## CCAP Winner in State Budget

*continued from page 4*

Defender's Office would increase by \$2,726,600 over the biennium. These costs are presently being borne—and will continue to be borne—by counties.

A 1996 Supreme Court decision held that a legislative elimination of the courts' power to appoint counsel for parents in these cases interfered with the judicial branch's inherent authority.

The budget for the Circuit Court Automation Program (CCAP) remained intact. This means CCAP will be able to tap a stable source of revenue to complete county implementations and to hire needed technical support staff, computer support analysts, and programmers.

Legislators, legislative staff, justices, judges, clerks of court, court administrators and staff, court commissioners, registers in probate, county board supervisors, county administrators and executives, and concerned citizens worked together to bring stable funding to CCAP.

State Representative John Gard, R-Peshtigo, co-chair of Joint Finance, led the effort to hammer out a compromise on CCAP funding. Gard brought together staff from the Department of Corrections, the Governor's Office, the Department of Justice, and the Department of Administration to find ways to give each entity the funds it needs while providing CCAP with its stable revenue source.

Senator Brian Burke, D-Milwaukee, co-chair of Joint Finance, is a longtime CCAP supporter who also played a key role in the budget compromise. "I worked with my colleagues on the Joint Finance Committee to secure a stable source of funding for CCAP," he said, "[because] an efficient court system is in the best interests of Wisconsin citizens, county governments, and state agencies."

"This is a story that everybody can feel good about," said Justice David Prosser, whose 18-year career in the Wisconsin State Assembly led him to play a key role in the courts' budget process.

Prosser praised the governor for leaving CCAP's budget intact, and made note of the hard work of Director of State Courts J. Denis Moran, Legislative Liaison Sheryl A. Gervasi, District Court Administrator Gregg Moore, CCAP Director Jean Bousquet, Deputy Director Patrick Brummond, and Budget Officer David Suchman. This team worked throughout the budget process to develop comprehensive, plain-English materials on court-based information technology, helping everyone involved to understand and communicate key messages about CCAP.

Chief Justice Shirley S. Abrahamson agreed. "I don't think there's a member of the Legislature who didn't hear about CCAP," she said.

A summary of the Supreme Court's budget submission can be found on the Court's Web site at [www.courts.state.wi.us](http://www.courts.state.wi.us). A summary of pertinent provisions will be distributed to affected court personnel shortly. ❖

# The Third Branch

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*The Third Branch* is a quarterly publication of the Director of State Courts Office, providing news of interest to the Wisconsin Judiciary. Send questions and comments to: Amanda K. Todd, Court Information Officer, P.O. Box 1688, Madison, WI 53701-1688. Phone (608) 264-6256. E-mail: amanda.todd@courts.state.wi.us.

# Office of Judicial Education Tentative Program Calendar 2000

## JANUARY

26-28 **Bench/Bar Conference**  
Milwaukee Hilton, Milwaukee

## FEBRUARY

*Canceled: Clerks of Circuit Court Institute  
(clerks attending national conference in March)*

## MARCH

1-3 **Child Abuse & Neglect Specialty Seminar\***  
Radisson Inn, Madison

## APRIL

5-7 **Evidence Workshop\***  
Country Inn, Pewaukee

14 **Revised Date: Prison Tour\***

## MAY

1 **College Faculty Development Workshop**

2-3 **Faculty Development Workshop**  
Radisson Inn, La Crosse (*by invitation only*)

7-12 **Civil Mediation**  
Interlaken Resort, Lake Geneva (*judges only; limited enrollment*)

24-26 **Criminal Law & Sentencing**  
Ramada, Wausau

## JUNE

14-16 **Revised Date: Elder Law Seminar\***  
Holiday Inn East, Madison

## SEPTEMBER

18-22 **Judicial College**  
The Pointe, Minocqua (*judges only*)

## OCTOBER

25-27 **Meeting of the Judicial Conference**  
Paper Valley Hotel, Appleton

## NOVEMBER

15-17 **Civil Law**  
Holiday Inn, Stevens Point

## DECEMBER

6-8 **Family Law\***  
Concourse Hotel, Madison

\* Registration open to circuit court commissioners on a space-available basis.

# The Third Branch

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