

# Muni View

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## COORDINATOR'S CORNER

It looks like the amount of rain we are going to receive this spring is competing with the amount of snow we received this past winter. I hope this edition of the Muni View finds all of you with dry basements.

I'm pleased to announce that we have selected the topics for our November 6 & 7, 2008, Law and Humanities Seminar. We have invited back Professors John P. Kaminski and Richard Leffler to speak to us on *America's Founders*. Please read on for more details.

As you may recall, during the 2007-2008 reporting period we held a session at each seminar to update you on progress of the proposals to amend sections 755 & 800 of the Wisconsin Statutes pertaining to municipal courts. Retired judge, Jim Gramling, has graciously provided an update entitled *Dining on Elephant* which is included in this edition of the Muni View.

Also enclosed are this spring's judicial election results. In response to the election, Judge Thomas Alisankus, city of Evansville – town of Union municipal court, submitted the following article. I know Carol and I personally echo Judge Alisankus' sentiments and I'm sure many of you do as well.

## A SALUTE TO A FINE JURIST

Hon. Thomas J. Alisankus

It has been our collective privilege to have been associated—both professionally, and personally—with Justice Louis Butler. If there ever was such a thing as a “peoples’ jurist”, Lou would have been the first.

Many of us have been fortunate to have ‘grown up’ with Lou, when he began his distinguished career as a Milwaukee Municipal Judge. His approach to the law never forgot about the people. That is an especially valuable attribute to someone presiding over a municipal court-- the ‘peoples’ court.

Lou never retreated from his quest to be the best judge possible. It shows. His command of legal principles that most members of the public will benefit from is impressive, even though most of the members of that same public will take that ‘benefit’ for granted. At least until the day that THEY are in court; or, until the day that THEY need a Public Defender.

Lou, we appreciate your service, as a lawyer, judge, justice, teacher, and person. You will always be a friend of the municipal judges. Please don't be a stranger at our future training sessions. Or, at a lunch. Or, just dropping by to say ‘hi’. You have our enduring respect and admiration.

## MUNICIPAL COURT QUESTIONNAIRE

The annual **Municipal Court Questionnaire** is enclosed. Please complete this important document and return it to our office via fax or mail by **July 14** (unless you were recently elected and have already completed one this year). A few years ago we added a question asking about your special interests and any other information about yourself that you would like to share. Your answers help us identify potential seminar faculty and/or group discussion and breakout leaders. So if this type of involvement with Judicial Education interests you, please answer this question.

## DINING ON ELEPHANT

Hon. James A. Gramling, Jr., Retired

Eating an elephant takes a long time. Though I have no personal experience, I'm pretty sure of that. I know it seems like that's what we've been doing as we drafted and pursued the rewrite of Chapters 755 and 800.

The WMJA began this process with a resolution in the summer of 2006. Seven judges slowly gnawed through the chapters doing a careful update. The Clerks' Association and the Chief Judges' Subcommittee on Municipal Courts reviewed and commented. Presentations were on the menu at four seminars. And now it's two years later. The feeling of endlessness, though,

has changed abruptly. On June 5<sup>th</sup>, the State Senate's Judiciary Committee, chaired by Sen. Lena Taylor, held an informational hearing on our proposed bill and we are now on a clear path to enactment. Speaking in favor of the proposals were Judge Chris Lipscomb, Marie Molleson from the Clerks Association, and myself. Registering in support were Judges Rändi Othrow, Jerry Geurts, J. D. Watts, and Dan Koval, and Commissioner Todd Meurer. Letters were presented from Judge Derek Mosley, President of the WMJA, and former judge David Nispel. Also testifying, for informational purposes, was Curt Witynski, Assistant Director of the League of Wisconsin Municipalities.

The major points made on our behalf were that a comprehensive legislative enactment is necessary to enhance the independence and professionalism of the courts and to provide for sensible, workable procedures. It appeared that the Committee generally agreed that the provisions would accomplish that but the Senators expressed concern about the expense of some of the mandated changes. That was not unexpected. The League expressed concern about removal of control from the municipalities in favor of the judge and the chief judge. Again, that was not unexpected. There was a suggestion that the proposals be split into more than one bill so that, for example, noncontroversial items might be in one and fiscal impact items might be in another. We are likely to resist that because, as Chris Lipscomb noted, piecemeal approaches have not worked in the past.

Where do we go from here? The League of Municipalities will evaluate the proposals over the summer and will present us with a written analysis of their position. The Judicial Council, whose representatives were at the hearing,

will be undertaking a review of the bill, at Sen. Taylor's request, and is expected to issue a report later in the year. We will also need to meet with representatives from the Towns Association. At the end of all this we will evaluate whether we need to revise our approach and the content of the bill. And then we will move forward when the new Legislature convenes in 2009.

It has been a long haul and will get longer, but we are looking past elephant to something more like champagne and caviar at mission's end.

## **FACULTY DEVELOPMENT**

The Office of Judicial Education is proud to announce that five of your fellow judges recently attended a 2-day Faculty Development workshop instructed by Prof. Gordon Zimmerman, University of Nevada – Reno. This workshop was held at Stone Harbor Resort, in Door County and was attended by municipal judges, circuit court judges and court staff.

Those municipal judges who participated were: **Hon. JoAnn Eiring**, Town of Brookfield, **Hon. Scott Letteney**, Town of Geneva, **Hon. Mark Neilsen**, City of Racine, **Hon. Jodi Sanfelippo**, Village of West Milwaukee and **Hon. Cynthia Vopal**, Village of Bellevue.

All the judges did a wonderful job and I look forward to working with them as faculty at upcoming seminars. I also wish to thank all of them for volunteering their time to attend this workshop.

## **Election Results, New Judges, New Courts, Resignations**

### **District I**

**Paul Christensen** was elected in the village of Whitefish Bay replacing Patrick Brennan who did not run for reelection. **Mark Kapocius** was elected in the village of Greendale defeating incumbent Anthony Machi.

### **District II**

**David Jensen** was elected in the village of Fontana replacing Pete Wilson.

### **District III**

**Jeffrey Warchol** was elected in the city of Brookfield replacing Richard J. Steinberg. **Judge Steinberg** has been appointed as a Reserve Judge for District III. **Jennifer Weston** was elected in the city of Fort Atkinson. **Judge Lampert** retired and therefore did not seek reelection.

### **District IV**

**Steve Olson** was elected in the city of Manitowoc. Dan Glaeser did not run for reelection. **Carol Hauser** was elected in the City of Brillion by special election held April 29, 2008.

### **District V**

**Marjorie Schuett** was elected in the city of Middleton. David Nispel did not run for reelection. **John Hyland** was elected in the village of Waunakee. Christopher Duren did not run for reelection. There is currently a vacancy in the village & town of Black Earth Municipal Court. William Donaldson moved out of the municipality and resigned in March 2008.

## District VI

**Patrick McGrath** was elected in the village of Port Edwards. The previous judge, Scott Drew resigned. **Paul O. Schoenmann** was elected in the village of Spring Green. Ted Linns did not run for reelection. **Richard E. Tyler** was elected to the multi-jurisdictional Regional Center Court. Stacy Smith did not run for reelection. **Dan Pulsfus** was appointed to the newly created municipal court for the city of **Portage**. **Sandra Cardo Gorsuch** was elected in the city of Reedsburg. Rebecca Richards-Bria did not run for reelection.

## District VIII

**Russell Buhr** was elected in the village of Lena. Amy Marquardt did not run for reelection. There is a vacant seat in the court in the town of Athlestone.

## District X

**Richard Olson** was elected in the village of Colfax. Matthew Uetz did not seek reelection.

## **NEW WMJA WEBSITE**

The Wisconsin Municipal Judge's Association has launched a website at: [wmja.net](http://wmja.net) Here you'll find helpful information for both members and nonmembers of the Association. The website currently contains information about the association, calendars for Judicial Education seminars, and updates on issues of importance to municipal judges and much more. If you would like more information about the website or the Association you can visit the website for a list of key contact people.

## **LAW & HUMANITIES SEMINAR**

As you may know, every other year we offer a Law & Humanities seminar which is considered an enrichment seminar rather than a nuts & bolts "how to" session. This year's offering will be held at the Kalahari Resort in Wisconsin Dells on November 6 & 7. Our faculty will be Prof. John Kaminski, Director of the Center for the Study of the American Constitution at the University of Wisconsin and Deputy Director, Richard Leffler. This seminar will give judges the opportunity to learn about the historical beginnings of the American Constitution and about the lives of our founding fathers. The topics for this year's seminar will be:

**George Washington:** The Man of the Age

**Thomas Jefferson:** Philosopher and Politician

**Abigail Adams:** An American Heroine

**James Madison:** Champion of Liberty and Justice

This will be a full 2-day seminar and will carry 4 judicial credits.

## **UPCOMING SEMINARS**

### **2008/2009 SEMINARS**

**Traffic** – July 24 & 25, 2008 – Radisson, La Crosse  
Please register by July 3<sup>rd</sup> if you would like to attend.

**Special Topic** – September 11 & 12, 2008 – Radisson, Green Bay

**Clerks Seminar** – October 23 & 24, 2008 – Osthoff Resort, Elkhart Lake

**Law & Humanities** - November 6 & 7, 2008 – Kalahari Resort, Wisconsin Dells

**Trial** – March 12 & 13, 2009 – Stoney Creek Inn, Wausau

### **2009/2010 SEMINARS**

**Orientation & Institute** – May 5–8, 2009 – Jefferson Street Inn, Wausau  
**Special Topic** – July 16 & 17, 2009 – The Plaza Hotel, Eau Claire

**Trial** – *not yet scheduled*

**Clerk's Seminar** – October 8 & 9, 2009 – Chula Vista Resort, Wisconsin Dells

**Traffic** – March 11 & 12, 2010 – Heidel House Resort, Green Lake

Our program calendars and announcements are also located on the Supreme Court's website at:

[wicourts.gov/services/judge/edu.htm](http://wicourts.gov/services/judge/edu.htm)

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