

The Third Branch



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Budget Impasse Impacts Courts

In the waning days of July, the biennial budget bill remains in the hands of state Senate Democrats—where it has been since mid-June. There is no indication as to when the Senate will take action.

The court is affected by the delayed budget because of a proposed \$2 increase in the court automation fee scheduled to take effect October 1. These funds are to be used by the Circuit Court Automation Program (CCAP) to replace outdated computers and by the court system to implement its strategic information technology plan.

Even if the budget is passed by October 1, the fee increase would be delayed due to the time it takes to revise and distribute fee schedules and educate the relevant state and county employees. This delay reduces available funds for CCAP and the rest of the court system.

The budget has a long road ahead, said Budget Officer David Suchman. Once the Senate passes a version, their changes must be incorporated into a substitute amendment of the version adopted

by the Joint Finance Committee. This process takes about a week, said Suchman. Then the bill moves to the State Assembly, who will most likely pass a different version of the budget. Again, a new draft must be made.

Next, the Conference Committee, comprised of members from both Houses, must agree on a compromise and draft a new amendment. Neither House can amend this version—they may only vote it up or down.

Finally, the budget bill will go to Governor Tommy G. Thompson who has approximately one month to decide which items to veto. However, the budget is far from reaching the governor's desk.

No work will be done on the new state budget in early August since 23 members of the Wisconsin Legislature, including six Senate Democrats, will be attending the annual National Conference of State Legislators in Philadelphia.

It is hoped that budget negotiations will recommence August 11. ♦

Supreme Court On the Internet



The Supreme Court home page at <http://www.wisbar.org/sct/>

The Wisconsin Supreme Court entered cyberspace this summer when it became the latest addition to the State Bar of Wisconsin's web site, located at <http://www.wisbar.org/sct/>. Clicking on the official Supreme Court photograph brings the information-packed site to life.

The site is a useful tool for people of all ages, from grade school students first learning the basic nuts and bolts of the court system, to reporters reviewing the upcoming court calendar.

The home page features colorful photographs and biographies of each Supreme Court justice. For those who have not visited the State Capitol, the site offers a tour of the Supreme Court Hearing Room with information on the murals and art fixtures that adorn the majestic courtroom.

Scanning through the many links, visitors can find information on court-related volunteer programs, Supreme Court

history and the Speaker's Bureau, which matches judges of all levels of the court and clerks of circuit court with speaking opportunities in their communities. Visitors can read recent Supreme Court decisions by clicking on the "Supreme Court Search Engine."

The State Bar web site, directed by State Bar Webmaster Patrick A. McKenna, also includes home pages for State Bar sections, divisions and committees, as well as discussion groups allowing registered members to deliberate on legal topics. ♦

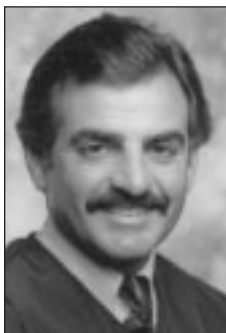
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Guest Column: Outagamie County Juvenile Diversion Program

by: **Joseph M. Troy**
Outagamie County Circuit Court Judge

(Ed. note: The guest column is a new addition to the publication. Each issue, a judge or other court employee will be asked to submit an article about unique initiatives in his or her county. Judge Joseph M. Troy met our request for this issue.)



Judge Joseph M. Troy

Appleton prides itself as being "a great place to raise kids." That sense of security was rocked in spring 1994 with news of the gang-related murder of one youth followed by a triple

suicide of three other teenagers who were responsible for the murder.

As shock and concern echoed throughout the community, two local attorneys, Deborah Agate and Neelam Davison, joined me in planning and implementing the first Juvenile Diversion Program.

The essence of our program is to match youth referred for delinquency problems with an adult mentor and to provide the youth with some opportunities to experience success and self-discipline. The Outagamie County Bar and State Bar of Wisconsin responded with initial financial support and provided all the mentors for our early years of operation.

The Diversion Program is rigorous—only about 70 percent of the juveniles successfully complete the entire program. The juvenile must agree to maintain good school attendance, have at least a C average, participate in regular family counseling, complete community service and restitution responsibilities and keep in contact with his or her mentor.

Equally important, the program provides opportunities for the youth to experience achievement. All youth complete Tae Kwon Do and CPR training, receive privileges at the local YMCA for physical activities and participate in a prison visitation program run through the Green Bay and Taycheedah Correctional Institutions.

The Diversion Program also sponsors special events for youths and their mentors such as baseball games, hockey games, cul-

tural events and bowling outings. These activities give mentors an opportunity to get to know their youth and to open up dialog between them.

While we are very pleased with the low recidivism rate of successful participants (more than 80 percent have no further contact with the juvenile court system), we are more encouraged by the significant changes that have occurred in many youth.

For many youth and their family, the program has served as an opportunity to change old patterns and forge new relations. Rather than simply providing lectures about self-esteem, we have attempted to offer them experiences to help develop it. The program goes beyond holding youths accountable for their past conduct—it encourages future achievements.

As we enter our fourth year of operation, we have made plans to increase the number of youth that we are serving. We continue to work at developing opportunities to challenge and reward the young people in our program for their efforts. ❖

For more information on the Juvenile Diversion Program, contact Judge Joseph M. Troy at (414) 832-5245.

Legislative Update

by: **Sheryl A. Gervasi**
Legislative Liaison

While budget negotiations are consuming most of the Legislature's time and energy this summer, several other bills have been introduced and given preliminary action.

As reported in the last issue, a comprehensive crime victims' rights bill is being worked on and companion bills have been introduced in the Senate and Assembly as **Senate Bill (SB) 195** and **Assembly Bill (AB) 342**. Introduced at the request of the Attorney General, they have the bipartisan sponsorship of 67 legislators. The bill requires notice to victims, if requested, of most stages of a criminal proceeding and guarantees their right to be present at such proceedings, including plea agreement

negotiations. In addition, the bill requires the court to inquire at sentencing if the district attorney has complied with all of the notice requirements. The bill is expected to be acted upon in the fall.

The Governor's truth-in-sentencing initiative was removed from the budget (as were most policy issues) and introduced as **AB 351**. This bill increases the maximum prison penalty for felonies, eliminates mandatory release and parole and provides that a defendant must serve 100 percent of the sentence before being released to community supervision. It has been adopted by the Assembly on an 86-8 vote and presently resides in the Senate Judiciary Committee.

After the bill was adopted by the Assembly, the Governor and the Attorney General agreed to a compromise version of the bill, introduced as **SB 233**. This bill increases the

maximum penalties for felonies, eliminates parole and requires the court to impose a bifurcated sentence in felony cases. The bifurcated sentence must include a prison term and a period of community supervision, which must be at least 25 percent of the prison confinement.

At the same time, the Governor announced the creation of an 18-member Crime Commission to revise the existing criminal code. The commission is expected to report back to the legislature before either one of the two truth-in-sentencing bills (whichever one is acted upon) becomes effective. This will most likely occur by July 1, 1999. Action on the bills is expected in the fall.

AB 410, a trailer bill to the juvenile justice act from last session, has been

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Chief Justice Named Academy Fellow



*Chief Justice
Shirley S. Abrahamson*

Chief Justice Shirley S. Abrahamson has been elected a fellow of the American Academy of Arts and Sciences, a highly prestigious society with diverse members such as United States Supreme Court Justices Stephen Breyer, Ruth Bader Ginsburg, Lewis Powell (ret.) and David Souter; former Secretary of State Henry Kissinger; columnists Anna Quindlen and William

Safire and authors Saul Bellow, Norman Mailer, Toni Morrison and Kurt Vonnegut.

"This is a great honor for me, and for the Supreme Court of the state of Wisconsin, and I am thrilled to have been chosen," Abrahamson said.

According to the Academy's original charter (written in 1780) it is a group of "men of genius and learning" devoted to cultivating "every art and science which may tend to advance the interest, honor, dignity, and happiness of a free, independent, and virtuous people."

The Academy was chartered by the Massachusetts Legislature during the American Revolution by individuals who figured

prominently in the founding of the new nation. John Adams, who later became the second president of the United States, played a central role in the Academy's formation and served as its president. Other Academy presidents have been John Quincy Adams and Roscoe Pound.

Today, the Academy honors achievement in science, scholarship, the arts and public affairs. It also conducts a variety of programs, projects and studies to address the needs and problems of society. Recent Academy projects have focused on technology, ethnic and racial conflict, strategic arms limitation, public understanding of science and the environment and ecology. ❖

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Judge P. Charles Jones Honored with "Judge of the Year" Award

by: Rebecca L. Ferber

Judge P. Charles Jones proudly accepted his "Judge of the Year" award in front of family and friends at a reception on June 26 in Milwaukee. The Wisconsin Chapter of the American Board of Trial Advocates (ABOTA) presented Jones with a study lamp commemorating his judicial achievements.

ABOTA is a national organization whose membership is comprised equally of plaintiff and defense attorneys in civil litigation. The 50 attorneys in the Wisconsin Chapter unanimously chose Jones as the recipient of the award, given annually since 1990.

"The award is a wonderful tribute from the finest litigators in the state. It is an honor to receive it and to be in the company of the esteemed judges who have received the award in the past," said Jones.

Past award recipients include: Judge James C. Eaton, 1996; Judge Allan J. Deehr, 1995; Judge N. Patrick Crooks, 1994; Judge Robert W. Landry, 1993; Judge Susan Steingass, 1992; Judge George A. Burns, Jr., 1991 and Judge Patrick P. Fiedler, 1990.

Jones, who has been on the bench in Dane County since 1972, began as a probate judge. He was elected to his current position in circuit court in 1976 and was re-elected without opposition in 1983, 1989 and 1995. He has presided over all three judicial rotations—civil, criminal and juvenile. Jones will return to the civil division of the Dane County Circuit Court in August after completing a four-year rotation in the criminal division.

In addition to his years in circuit court, Jones acted as the first Secretary of the Judicial Conference in 1978 and served for six years as deputy chief judge for District V.

Jones' interest in judicial education led him to chair the committee of the Civil Volume of the Judicial Benchbook. Prior to this appointment, he served on the Judicial Education Committee and as a faculty member of the Judicial College for nine years. Jones is also serving a five-year term on the Wisconsin Civil Jury Instructions Committee.



George Curtis, President of the Wisconsin Chapter of ABOTA (left) presents Judge P. Charles Jones with an engraved lamp.

With a long list of accomplishments behind him, Jones hopes his future holds continued service as a judge and continued involvement in judicial education and teaching.

Earning the public's respect as a judge is difficult today, Jones said. However, it is aided by being courteous to litigants and counsel, prepared and knowledgeable on the issues and decisive on the rulings. ABOTA's bestowal of "Judge of the Year" award upon Jones is evidence that he does not merely endorse this behavior, but implements it in his courtroom.

Jones and his wife, Ronni, who is also a lawyer and serves in the Office of Judicial Education as municipal judge education coordinator and Benchbook research attorney, celebrated 35 years of marriage at the end of June. They have two daughters: Meghan and Brenna. Outside of work, Jones enjoys golf, travel and bridge. ❖

Reno, Court-Related Volunteers Meet in Madison

In a one-day trip to Wisconsin in May, U. S. Attorney General Janet Reno hurriedly met with the chief justice, the governor and state legislators. In between stops, she sat down with court-related volunteers to ask what the federal government can do to help them.

Reno held a round table discussion in the Supreme Court Conference Room with eight Court Appointed Special Advocates (CASA), Court Volunteer Nora Cusack, Chief Justice Shirley S. Abrahamson and Justices Ann Walsh Bradley, Janine P. Geske, N. Patrick Crooks and William A. Bablitch.

Reno told the group that she was there to listen and to focus on the needs of community efforts such as CASA, which are often funded by a mixture of private and public sources.

Leading much of the discussion, Cusack responded to Reno's question concerning the role of the federal government. Cusack said that while gathering data for the *Volunteers in Court-Related Programs* catalog—a joint publication of the Supreme Court and the State Bar of Wisconsin—she heard many people express a need for paid volunteer coordinators.

People around the state understand the value of having volunteers aid the courts, Cusack said, but programs need consistent staffing to recruit, train and supervise volunteers. Cusack suggested that the federal

government help implement county-wide volunteer positions through grant funding.

The CASA volunteers, who work with juvenile offenders to make sure they receive the appropriate care and comply with juvenile court orders, expressed concern over the potential liability of volunteers and the agencies that use them. They asked Reno if federal legislation could exempt volunteers from legal liability. Reno said that there is pending legislation on this matter.

One CASA volunteer discussed the importance of leadership by example. Reno told the group that she and her Washington staff have a goal of 50 hours of volunteer service per year—a goal she met last year and is on the way to meeting this year.

Reno, accompanied by her special security agents, spent a half-hour in an engaged discussion with the volunteers and justices before speaking with offenders at the Juvenile Detention Center. ❖



Chief Justice Shirley S. Abrahamson gives attorney General Janet Reno a copy of the court-related volunteer catalog—the first of its kind in the nation.

JANET RENO
5/21/97

Dear Chief Justice

Thank you for a great few hours in Madison. I have so many new ideas on volunteer programs and what DOJ might do. Thank you so much! And thank you too for the book on the Capitol. It was a special day with the kids and I appreciate all you did to make it possible.

Annabel, Janet



Court Volunteer Nora Cusack explains the needs of court-related volunteers in Wisconsin to Attorney General Janet Reno.

District Attorneys' Offices On-line with help from CCAP and BJIS

District attorneys' offices in Wisconsin will ease into the 21st century with the speed and efficiency of DA Net, a computer automation project designed to enhance office manageability.

The initiative is a partnership between the Circuit Court Automation Program (CCAP) and the Bureau of Justice Information Systems (BJIS). BJIS was created by the Department of Administration in the 1995-97 budget to provide automation to district attorneys. Under contract with BJIS, CCAP will install the computers, configure the hardware and software and train the district attorneys to use the new technology.

Since the project began last fall, CCAP has successfully equipped each of 72 district attorneys' offices with a personal computer, printer, link to the Internet, e-mail exchange, legal research tools and a complete Windows package.

After installation is complete, the next phase is to pilot a Local Area Network System in three counties. This means that all the administrators in each of the pilot counties—Fond du Lac, Manitowoc and Washington—will be on the same computer network. To do this, CCAP/BJIS encourages counties to equip their employees in the district attorney's office with the same type of computers as the district attorney.

The entire office will benefit from the ability to share e-mail exchange and word-processing documents. For example, the support staff usually creates documents, such as criminal

complaints. Under the new system, the district attorney will be able to access these documents for editing at his or her own computer, without hassle.

Funding for the district attorneys' computers is provided by BJIS. The counties agreed to match the cost of providing computers for the county employees. The project will continue through the next fiscal year. ❖

Update: 5th Standard for Involuntary Mental Commitment

At the end of July, the Attorney General's Office had granted ten approvals to filings under the fifth standard, according to Asst. Attorney General Steven Tinker. The AG's Office approved one filing in Bayfield, Dane, Marinette and Outagamie Counties. Six filings were approved in Waukesha County since May. No federal challenges have been issued yet, said Tinker.

The National Association for Court Management Conference

District Court Administrator Steven R. Steadman and Senior Policy Analyst John Voelker made presentations at the National Association for Court Management in Washington D.C. from July 11-18. The conference included the Knowledge Fair, a forum that invites selected individuals to share information on innovative projects. Steadman shared information concerning Volunteers in the Courts and Voelker presented findings gathered during the consumer research project.

"Not only were we able to share our experience about the use of volunteers in the courts in Wisconsin," Steadman said, "we learned about innovative programs from other judges and court managers."

Steadman and District Court Administrator Gregg T. Moore accepted awards for their work on the mid-year conference in Minneapolis with the Wisconsin Clerks of Court Association. State Law Librarian Marcia J. Koslov also attended the convention on behalf of the state.

Three counties sent representatives to attend the convention. Waukesha County sent Chief Judge Mark S. Gempeler, Business Manager Robert M. Snow, Register in Probate Sally Mohr Lunde, Chief Deputy Clerk Carol Stigler, Chief Deputy Clerk Diane M. Burd, Deputy Clerk of Juvenile Court Jackie Roller and Clerk of



District Court Administrators Gregg T. Moore (left) and Steven R. Steadman accept an award for their work on the mid-year conference in Minnesota.

Juvenile Court Linda Martinez. Winnebago County sent Chief Judge Robert A. Haase and Clerk of Court Diane M. Fremgen. Washington County sent Clerk of Court Kristine M. Deiss and Register in Probate Kay F. Morlen. ❖

People in the News

Judge **Maxine A. White**, Milwaukee County Circuit Court, speaking at a debate on the nation's drug problem, was quoted in the *Milwaukee Journal Sentinel* as saying she advises people who confide in her about drug abusers in their families to seek solutions that don't involve the courts. "Don't expect the criminal justice system to do a darn thing but complicate it," she said.

Judge **William D. Dyke**, Iowa County Circuit Court, was featured in the *Wisconsin State Journal* and the *Dodgeville Chronicle* for his work to establish Teen Court in Iowa County. In Teen Court, minors charged with first-offense misdemeanors are prosecuted and defended by "teenage lawyers" and judged by a jury of their peers. A real judge presides. Judge **John A. Damon**, Trempealeau County Circuit Court, is also working to start Teen Court; Judge **Bruce K. Schmidt**, Winnebago County Circuit Court, is having great success with the program, which he helped launch in December.

Judge **Robert E. Eaton**, Ashland County Circuit Court, was on a blue ribbon panel to select a winner in the "Bay Area Bird Calling Contest" which featured about 30 fourth, fifth and sixth grade students from communities in the Chequamegon Bay area.

Milwaukee County Circuit Court Judge **Kitty K. Brennan** was featured in Milwaukee's *Daily Reporter* for her handling of emotionally charged domestic violence cases. To deal with the stress, she told the paper, she jogs at noon.

Chippewa County Circuit Court Judge **Thomas J. Sazama**, featured in the *Chippewa Herald*, revealed that golf is his love outside of the law and his family. In fact, he is a regular on the tournament circuit.

Judge **Joseph M. Troy**, Outagamie County Circuit Court, got ink in the *Appleton Post-Crescent* for his help in organizing the Juvenile Diversion Program, a volunteer program that targets troubled youths in the community and, among other things, matches them up with adults for one-on-one mentoring. "They [the participating teen-agers] present a significant risk to become more involved with juvenile problems if they don't change," Troy told the *Post-Crescent*, "We're trying to interrupt that cycle of criminal activity."



Judge Jean W. DiMotto

Judge **Jean W. DiMotto** appeared on the front page of the Lifestyle section in the *Milwaukee Journal Sentinel*. DiMotto discussed the "alternative route" she has taken from her work as a kidney dialysis nurse to becoming a successful lawyer, then an at-home mother and most recently a newly elected Milwaukee County Circuit Court judge. The reporter described DiMotto's unique style: "No pat answers, no prepared speeches. She's a woman who takes her time to think about things before opening her mouth."

Milwaukee County Circuit Court Judge **Christopher Foley** received an autographed football and a box of Wheaties from Green Bay Packers defensive end Reggie White at a benefit luncheon for Children's Service Society of Wisconsin. Foley, the recipient of the annual Service to Children award, was pictured in the *Milwaukee Journal Sentinel* next to the Super Bowl champion.

In the spring issue of *The Third Branch*, Wood County Circuit Court Judges **James M. Mason** and **Edward Zappen** were reported as being supporters of Gov. Tommy Thompson's Truth In

Sentencing proposal. In fact, they strongly oppose it. They support the Department of Corrections Task Force Proposal, calling it "intelligent, far-sighted, well-thought out and non-political."



Justice William A. Bablitch

Supreme Court Justice **William A. Bablitch**, interviewed by Milwaukee's *Daily Reporter*, told about his love for fishing, the judiciary and public service. The reporter, who interviewed Bablitch in his chambers surrounded by his fishing trophies, called him "an avid fisherman and lover of the outdoors who has traveled down many streams and tributaries..."

Chief Justice **Shirley S. Abrahamson**, Barron County Circuit Court Judge **Edward Brunner** and Reserve Judge **Nancy E. Wheeler** appeared in the June issue of *Wisconsin Lawyer*. They were lauded for their key roles in the first-ever Volunteers in the Courts conference, which attracted the attention of U.S. Attorney General **Janet Reno**.

Reserve Judge **Nancy E. Wheeler** and Court Volunteer **Nora Cusack** appeared in *The Capital Times* for their role in "an ambitious project to help promote and spread volunteerism" with the Supreme Court's new catalog of court-related volunteer programs.



Chief Judge William Eich

Court of Appeals District IV Chief Judge **William Eich** was surprised when the TV crew from WXOW in La Crosse showed up in court to tape oral arguments of a "not particularly flashy case." Afterward, reporter **Vicki Sylvar** told the Chief Judge that her recent introduction to him at a media conference in Madison had piqued her interest in the judiciary—especially the appellate courts. The result—a feature story on the evening news.

On a cold, windy Memorial Day in Janesville, Rock County Circuit Court Judge **James P. Daley** gave a heartfelt address to the nearly 300 attendees of the annual Memorial Day commemoration. "Today is a time for all Americans to pause and think about what we have, to remember what it cost to achieve and to think about—and thank—those responsible for our lives, liberties and the country we enjoy," he said.

Although the Green Bay School District is slightly above the state's average for school attendance rates, Brown County Circuit Court Judge **J.D. McKay**, along with others on the Brown County Truancy Task Force, are taking a hard look at the current truancy policy in hopes of offering recommendations for improvement, reported the *Green Bay Press-Gazette*.

Dane County Circuit Court Judge **Robert DeChambeau** was included in a story about adoptions in the *Wisconsin State Journal*. DeChambeau remarked that "adoption day" in court is a refreshing break from the habitual dealings with "dysfunctional families and juveniles in trouble."

In an attempt to curb underage drinking at graduation parties, Vernon County Circuit Court Judge **Michael Rosborough**

Continued on next page

addressed high school seniors and their parents about the risks involved in attending or hosting parties that serve alcohol to minors.

Rock County Circuit Court Judge **John W. Roethe** shared his philosophies about the judicial system with *The Edgerton Reporter*. The primary focus of the system, he said, should be a search for truth.

After delivering the spring commencement address at Cardinal Stritch College, Chief Justice **Shirley S. Abrahamson** rode along with a Greenfield police officer on what turned out to be an eventful evening. Abrahamson observed a drunk driving accident and later a double domestic violence dispute. Abrahamson said that the unique perspective ride-alongs offer is important in her line of work.



Judge Dan George

Columbia County Circuit Court Judge **Daniel S. George** presided over a trial of notables such as Mother Teresa, Eleanor Roosevelt, Jack the Ripper and Adolf Hitler. The mock trial was a communications project by Portage High School students, reported the *Portage Daily Register*. The students presented the case of Good v. Evil.

The *Daily Jefferson County Union* reported that Jefferson County Circuit Court Judge **William F. Hue** addressed high school seniors and their parents at the local Rotary Club's annual "Top 10 Percent" luncheon. "I'm lucky enough to be able to make a difference every day," said Hue. "My hope is that you, too, will have the opportunity to make a difference in someone's life."

The *Iron County Miner* featured Iron County Circuit Court Judge **Patrick Madden's** address at the Mercer Cemetery on Memorial Day. "We are the guardians of the freedom won through

the sacrifices of those persons we come here to memorialize. This freedom is their gift to us," he said.

Because of a long waiting list at the Milwaukee County Community Correctional Center, some defendants began serving their work-release jail sentences at home under an electronic bracelet program, reported the *Milwaukee Journal Sentinel*. When Milwaukee County Circuit Court Judge **Kitty K. Brennan** learned about this practice from a defendant in a domestic violence case, she responded, "I don't give bracelet sentences in domestic violence cases. We can't have this going on. Judges don't lightly give jail sentences." Learning of Brennan's concern, House of Corrections Superintendent **Richard Cox** stopped the alternative bracelet sentencing and offered to discuss the issue with Brennan and her colleagues.

Winnebago County Circuit Court Judge **Robert A. Haase** earned praise from *The Oshkosh Northwestern* for a new, streamlined jury selection process which is designed to save money for the county and headaches for prospective jurors.



Justice Janine P. Geske

Justice **Janine P. Geske** tried to "sneak" into the Barron County Courthouse in July. Geske sat on the bench for Judge James Eaton. *The Eau Claire Leader-Telegram* heard the news and printed it on the front page the next day. Geske—who wanted to remain low-profile in her visit only because she wanted to do it for the experience, not for the press—said that she had a wonderful time in her two days in Barron County and enjoyed being in the trenches again. ❖

Volunteer Summer Law Clerk Program a Hit

Forty-seven law students traveled from around the nation to spend a summer in Wisconsin as part of the first-ever national court internship program.

The initiative, spearheaded by Chief Justice Shirley S. Abrahamson, provides students who have completed one or two years of law school with practical, hands-on experience working in the judicial system.

The program's goal is to send the students back to law school in the fall with a new perspective on the Wisconsin judicial system.

The 47 interns, representing 25 law schools, are paired with 68 judges, including the Chief Justice, four Court of Appeals judges and 63 circuit court judges. They are serving in more than 30 counties, three Court of Appeals districts and the Supreme Court.

To gauge the need for interns, Chief Justice Abrahamson sent letters to judges statewide last fall inviting them to participate in the program. The response was overwhelming. More than 100 judges expressed interest in hosting a law student.

The Office of Court Operations then sent notices to more than 150 law schools seeking student volunteers. As the placement

results show, the program was well-received by both the students and Wisconsin judges.

Illustrating the program's success, St. Croix and Pierce Counties expressed interest in continuing the law internship throughout the school year by inviting law students from Minnesota to participate. District Court Administrators Gregg T. Moore and Steven A. Steadman have taken the lead in expanding the program. ❖

Laura Lepak, a University of Wisconsin law student who participated in the program, spent the summer volunteering for Taylor County Circuit Court Judge Gary L. Carlson and for the District III Court of Appeals. Early on, Carlson told Lepak that her job, was "to be nosy and learn what she had not learned in law school." At summer's end, Lepak was confident that she had had a better summer than anyone she would be sitting with in Antitrust class this fall.

Law Day Celebrations Across the State a Success

by: *Rebecca Ferber*

Eighty percent of the counties in the state hosted activities for the first-ever statewide Law Day celebration. Below is a sampling of activities that took place around the state.

- Barron County awarded three local students with savings bonds for their entries in the Law Day essay contest,—“A Circuit Court Through the Eyes of an Eighth Grader.”
- In Buffalo County, more than 200 children participated in Law Day activities at the courthouse. They toured the jail and learned tips on bicycle and farm safety.
- In Chippewa County, high school students gained a better understanding of the legal system through a mock jury trial. Also, lawyers offered free legal advice and judges greeted the public in celebration of Law Day.
- In Dane County, middle school students presented two mock trials. Judges Paul B. Higgenbotham and Sarah B. O'Brien presided.
- Jackson County organized a Law Day essay contest.
- In La Crosse County, 200 fifth graders watched a re-enactment of the *State v. Fred Rogers*. Selected students acted as judge, district attorney, defense attorney, clerk of court and jurors.
- Manitowoc County Courthouse turned its courtrooms into classrooms as judges spoke to high school students.



Manitowoc Circuit Court Judge Allan J. Deehr (ret.) addresses students from Rancalli High School as part of Law Day activities.

- Ozaukee County hosted a Law Day open house featuring free legal advice from local bar association attorneys.
- In Sheboygan County, area students celebrated Law Day as they toured the courthouse, sat in on a jury trial, talked to judges and participated in a mock trial.
- In St. Croix County, Law Day participants toured courtrooms, government offices and jail facilities. Lawyers offered legal advice to interested citizens.
- In Trempealeau County, local lawyers held sessions offering legal information to the community.
- In Washara County, more than 300 people participated in Law Day events. Grade school students watched a mock trial and high school students delivered oral arguments. Visitors and staff toured the historical museum.
- In Winnebago County, more than 1,500 students participated in Law Day events, including: real and mock trials, courthouse tours and legal information booths.
- In Wood County, Judge James M. Mason presided over a mock trial re-enacted by area high school students. ❖

Jackson County Confronts Underage Drinking Problem

Since September 1993, the Jackson County Circuit Court has been working with its county's Health and Human Services Department to provide an alternative to penalties levied against underage drinkers.

The result is the Jackson County Underage Alcohol Violation Program (UAVP), funded with state grant money, offered through Health and Human Services and

supervised by Mental Health Coordinator Esther Hinshaw. Instead of simply fining young adults, or suspending their licenses as part of an underage alcohol conviction, Circuit Court Judge Robert W. Radcliffe has been referring first offenders to UAVP.

Under UAVP guidelines, the offenders are required to meet with their school counselors for an overall school performance evaluation, to complete an alcohol

assessment with the Franciscan Skemp Behavioral Health Center, to attend a two-hour educational/counseling class and to complete 10 hours of community service.

A parent or guardian must come with the juvenile to both the assessment and the class. In class, juveniles discuss the situation that brought them into court and the consequences of their actions. They also watch

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Austin Documents 161 Years of State Law Library

In a 75-page manuscript, Dennis D. Austin, Court Services Librarian, recorded 161 years of Wisconsin State Law Library (WSLL) history, citing amusing quirks, including a mid-1800s rule which banned visitors from sitting near the books.

Austin, writing out of a sheer love for history, said that important milestones in the library's development need to be written down to preserve a link to the past.

Austin traced the library's history from Belmont, where it had 1,500 volumes and a \$5,000 budget, to its present location in the State Capitol with 175,000 volumes and a fiscal year 1996-97 budget of \$983,200.

According to Austin's report, the same act that created the Territory of Wisconsin in 1836 allowed for a state library because Congress thought that this "distant state" would need the assistance of books, in particular law books.

In a library older than the state itself, Austin worked for a year and a half dusting off the bindings of old Wisconsin Board of Trustees meeting minutes and personal notes from former librarians to recreate the library's history in ink.

Half of the detailed document, which Austin also condensed into a 16-page version, outlines early library budgets, personnel changes and devastation caused by numerous fires.

The manuscript, which State Law Librarian Marcia J. Koslov called "a real gem," details early expenditures, including a five dollar payment to a worker in 1838 for hauling wood to the library fireplace.

A hundred years ago, the librarian was responsible for keeping a strict record of all books borrowed from the library. If an entry was missing, a dollar was subtracted from the librarian's salary. This drew laughter from the library staff when Austin debuted his works at a presentation in early summer. Other 19th century rules

have not changed—the 25 cents-per-day library fine, established in 1851, is still in effect.

Austin kept the group's attention by recounting a 1903 fire in the Capitol which spread to the north wing, home of the law library. Governor Robert M. LaFollette arrived to direct fire-fighting efforts, which were aided by downtown Madison residents and about 200 university students. Austin asked the group to imagine students throwing stacks of books out the windows to snow banks below in an attempt to save them from the flames.

WSLL is now under the authority of the Supreme Court due to a 1977 decision to repeal the power of the Board of Trustees, set up in 1851. Times have changed, but the library's mission has remained constant—to provide materials and information about the law to the citizens of Wisconsin. ❖



Dennis D. Austin presented his 75-page documentation of WSLL history to his colleagues before his retirement this summer.

Underage Drinking

Continued from page 9

two videos entitled *Teens and Alcohol* and *Rumor*. The videos address such issues as gaining control over actions, losing car privileges, hurting friends, having a marred reputation and dealing with depression.

A parental class is then held separately. The parents discuss chemical dependency signs and symptoms, tips for better parenting and the laws that apply to the offenses.

Community service sites, approved in advance by the judge, include: local schools, city police departments, city parks, the recreation department, the county forestry and parks department and the county nursing home. Offenders might also work with the elderly and others in need in the Native American community.

Compliance with the judge's orders results in a dismissal of the charge. Default results in a mandatory appearance before the judge.

If the judge convicts an underage person of drinking a second time, a 15-day license suspension is ordered. More than 100 cases have been referred to the UAVP program since its inception.

Deputy Clerk Ruth E. Ciriaks monitors the cases from start to finish, tracking compliance with assessment, class, completion of community service, report filings and dismissal or review. In addition to her work on UAVP, she handles all traffic, adult forfeitures and other juvenile, non-delinquent offenses. ❖

Bayside Ordinance Aimed at Expanding Judge's Sentencing Options



Judge Charles S. Blumenfield

Municipal Judge Charles S. Blumenfield and law enforcement officials in the Village of Bayside want to work problems out locally.

The focus of a new ordinance, passed by the Bayside Village Board in June, is to expand the judge's available sentencing options in order to deal more effectively with juvenile matters at the local level, alleviating the need to send juveniles to circuit court.

The ordinance grants the municipal judge power to suspend the driver's licenses of juveniles who break municipal ordinances, such as those prohibiting littering, trespassing and

vandalism. It also allows the judge to sentence juveniles to community service or require them to attend a drug or alcohol abuse program.

Blumenfield used community service and participation in drug or alcohol abuse programs as alternative sentences in the past, but they were on a voluntary basis. Now, he can order them.

"We are asking them (the juveniles) to give back to the community," he said. "They have taken something from the social fabric."

Blumenfield wants juveniles who have broken the law to appreciate the consequences of their actions. "A penalty that requires a kid to dish out food at a soup kitchen may be more meaningful than having parents shell out money," Blumenfield said. "They need to learn respect for the law."

As far as suspending driving privileges, he said that is a harsh penalty that would only be used as a last resort.

Other communities around the state have already expanded sentencing options or are looking into doing it. ❖

Videoconferencing: Supreme Court Seeks Grant Funding

by: John Voelker
Senior Policy Analyst

In June, the Wisconsin Supreme Court submitted a grant application to the Bureau of Justice Assistance requesting \$148,600 for the implementation of videoconferencing in the court system. The project has three primary objectives:

1. Implementation of a fully-functional model videoconferencing demonstration site in one county. This would include purchasing the necessary equipment and using the system for select proceedings.

2. Development of a "standards of good practice" reference manual based on the experience in the pilot county. The manual would address questions, such as:

- What entities inside and outside government, such as the State Bar of Wisconsin and State Medical Society of Wisconsin, should be included in the development of this system?
- What technological standards and equipment specifications are appropriate in applying videoconferencing to the legal system?

- What type of application will ensure maximum connectivity with other agencies involved in the legal system?

- Which individuals or organizations can provide either financial or expert assistance during implementation?

3. Formation of an interdisciplinary committee of justice system representatives and technology consultants to supervise the pilot county to ensure that the videoconferencing system addresses the needs of all potential beneficiaries.

The court anticipates that the proposed strategy would improve case processing and the administration of justice. In the short term, the pilot county would determine the immediate benefits of videoconferencing, such as reduced transportation costs and security risks. In the long term, a reference manual and a designated court resource person would provide counties around the state with the basic tools to successfully implement videoconferencing.

Information regarding the outcome of this grant application is anticipated by October. For more information, contact John Voelker at (608) 266-8861. ❖

Century-old Position Still Mystery to Many

by: **R. Lynne Bruley**
(Former Jackson County Register in Probate)
Senior Computer Support Analyst

People may not know who the local register in probate is, or what that person does. However, when a family member dies or is placed under guardianship, they learn fast.

The register in probate first became a statutory position for Milwaukee County in 1880. The register was responsible for the care and custody of probate, trust, guardianship, mental commitment and cemetery and adoption records. By 1895, the law was amended so that registers were appointed in all Wisconsin counties.

Due to modifications in probate law since the late 1950s, the responsibilities of registers in probate have expanded. With 77 years of combined service, Joyce Slouka, Walworth County Deputy Register and Register in Probate, and Carol M. Will, Price County Register in Probate, have worked through many of the following changes:

- In 1971, the age of majority was lowered from 21 to 18. This meant that individuals could inherit at an earlier age and guardianships terminated earlier.
- Changes in spousal rights laws required registers to become familiar with inheritance tax laws.
- In 1973, the state legislature passed a law allowing for informal administration of estates, which gave registers the additional title of "Probate Register." Under this law, registers gained the ability to make quasi-judicial determinations as to heirship, grant domiciliary letters, approve the final distribution of estates and advise personal representatives regarding procedures in the preparation of estate documents.
- After court reorganization in 1978, county judges became circuit judges. This change meant that the judges were handling all

other aspects of court work, so more probate work was given to the registers.

- The Wisconsin Supreme Court's decision in *State ex rel. Watts v Combined Community Services* in 1985 required registers to identify the guardianships affected by the case and set up annual reviews.
- Marital Property Law took effect in 1986, causing changes in how spouses could inherit. The registers had to adopt new probate procedures under this system.



After 41 years of service in Price County, Carol M. Will earns the distinction of being the longest-serving register in probate in the state.

In addition to statutory changes, the language of the law has changed, said Slouka and Will.

"When I first started, there were terms such as dower, executor, letters testamentary, legatee and devisee," said Will. "Now, spouse, personal representative, domiciliary letters and heir are used."

Even though basic statutory duties have remained unchanged since the first appointment in 1880, the scope of the work has increased. Currently, registers meet with the family members of the deceased, review annual reports prepared by guardians and assist new attorneys with probate issues. They also work with the Department of Health and Social Services and mental health providers.

While today's registers face heavier workloads, the implementation of the Circuit Court Automation Program (CCAP) in 1991 has made the job more manageable, according to Will and Slouka.

"I really thought I was too old to learn how to use a computer," Will said, "but it is making my job easier." ❖

In the Nation's Eye: Wisconsin Court Outreach Programs

For everyone who participates in court outreach programs, here are a few items of feedback:

- The spring edition of *National Judicial College (NJC) Alumni* magazine featured Wisconsin's Judicial Ride-Along program. In Wisconsin, legislators, county board members and reporters have spent half days on the bench with local judges. The goal is to have these individuals see the courts from a new perspective and enhance communication between the co-equal branches of government. Rides are being organized again this fall.
- *NJC* also featured the localized visitors' guides—a project to educate people who come into county courthouses. This joint effort between the State Bar of Wisconsin and the Wisconsin Supreme Court was well-received by counties throughout the state.
- An editorial in the March/April *Judicature* highlighted several Wisconsin court outreach programs, noting that the Wisconsin courts "have devised a series of programs to include the public in the delivery of justice." Among other initiatives, the article

mentioned the News-Media Seminar, which took place at the State Capitol in the spring. This seminar brought judges and journalists together in an educational forum.

- The June issue of *State-Federal Judicial Observer* printed a cover story on Chief Justice Shirley S. Abrahamson and Wisconsin court programs that promote public confidence. A half-dozen Wisconsin programs were detailed.
- The features on Wisconsin initiatives in these publications and others have sparked interest nationwide. The Court Information Officer is regularly contacted by people who are interested in creating similar programs in their own states. So far, courts in Alabama, Arkansas, California, Georgia, Hawaii, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Montana, Oregon, South Carolina, Tennessee, Texas and Washington, D.C., have expressed interest in duplicating one or more of Wisconsin's court outreach programs. ❖

Retirements



Dennis D. Austin
Court Services Librarian

Dennis D. Austin

Dennis Austin, 55, retired after serving more than 26 years as Court Services Librarian.

Austin began working in the Wisconsin State Law Library (WSLL) as a cataloguer in 1964. After spending four years in the Air Force, Austin returned to WSLL to fill the need for a librarian. He did not expect to spend the next quarter-century in the position.

At first, working in the law library was challenging for Austin since he had no legal background. But his unfamiliarity with the material made the job interesting, he said. Although his know-how has expanded over the years, the constant flow of unique questions has kept the job exciting.

In a recent interview, Austin recalled a contest he had with District IV Court of Appeals Judge Paul Gartzke. Judge Gartzke used to call Austin with baffling legal questions and Austin would search on end for the response. “He never did stump me,” said Austin chuckling.

Over the years, Austin’s position has changed as technology has advanced. The development of computer research allows broader and easier access to information. However, Austin continues to rely mainly on books, stressing that they are still his passion.

Given the chance to explore his penchant for written material, Austin recently created a historical manuscript on the law library—calling it a “nice closure” to his career (see page 9).

“The manuscript will have a life of its own,” Austin said, referring to future use of the manuscript after his retirement.

Austin said he will miss the library patrons and his colleagues. However, he looks forward to escaping the cold winters and the nine-to-five lifestyle he grew accustomed to in Wisconsin. He and his wife, Barbara, are headed to the Gulf of Mississippi where Austin plans to spend time with his in-laws, enjoy the warm weather, fish and gamble. ❖

Judge Jack Aulik

Dane County Circuit Court Judge Jack Aulik, 63, is leaving the bench August 30, one year before his term expires. Concerned about his recent bout with cancer, Aulik told the *Wisconsin State Journal* that he wants to “enjoy more of my own time in other endeavors—travel, fishing.” A trip to visit relatives in Czechoslovakia is in his near-future retirement plans.

He said that his health is good, but if the cancer returns, it would be terminal.

Aulik earned his law degree from the University of Wisconsin in 1958 and was elected judge in 1986 after 27 years of private practice.

Aulik’s chief legacy is the Drug Diversion Program, nicknamed “drug treatment court,” which he pushed into existence a year ago. Between 40 and 50 people have participated in Dane County so far.

Chief Judge Daniel R. Moeser called Aulik a “real workhorse for the judiciary” and said he is looking forward to having Aulik work as a reserve judge.

Aulik has two daughters and five grandchildren. ❖

Judge Allan J. Deehr

After 24 years on the bench in Manitowoc County, Judge Allan J. Deehr will be missed by his colleagues there and all across the state.

Manitowoc Circuit Court Judge Fred H. Hazelwood told the *Herald Times Reporter* that Deehr is an “accomplished jurist and a good friend,” a judge who seldom, if ever, lost his temper on the bench.

Deehr earned his law degree from the University of Wisconsin in 1967. Seven years later, he was appointed to the bench by former Governor Patrick Lucey. At the age of 31, he was one of the youngest judges in the state.

In his tenure, Deehr was named the Judge of the Year by the Wisconsin chapter of the American Board of Trial Advocates and presided over the county’s longest jury trial—it lasted about two months.

Prior to his appointment, he worked in private practice and served one term as district attorney of Manitowoc County, where he spent his childhood.

Deehr, 54, and his wife, Linda, were married in a church in Greece at the end of June. They moved to California in early August shortly after more than 300 friends, family and colleagues gathered to pay tribute to the Deehrs. ❖

Judge John F. Foley

Milwaukee County Circuit Court Judge John F. Foley decided not to run for re-election last April. For him, it was time to relax. After 29 years on the bench, he earned it.

Foley, referred to as “the robeless judge” in *The Milwaukee Journal Sentinel* last year, remarked on his somewhat laid-back demeanor in the courtroom. His robe, hanging untouched on his coat tree, illustrates this informality.

“Very rarely did I sit,” Foley said, referring to his courtroom style. “I would stand right down with the lawyers.” In doing so, Foley wanted to come across as more approachable. He hoped to “add something to the quality of life” of those before him.

Foley, 69, said that his judicial career was the product of two, driving interests. As a young attorney and an active member of the State Bar of Wisconsin, he took part in court rule-making. He also wanted to help shape educational policy, prompting his successful bid for the Milwaukee School Board race in 1958.

Ten years later, Foley combined these interests and was elected to Milwaukee County Children’s Court. Almost three decades later, he is hanging up his robe—for good.

Judge Foley is going to enjoy his retirement with his wife, four grown children and grandchildren. He also plans on doing some reserve work. ❖

Judge William D. Gardner

Joy Gardner wants her husband to learn to bake bread. After 18 years in the Milwaukee Circuit Court, he decided the time is right for baking—and retirement.

Judge William D. Gardner was elected to circuit court in 1979. In his tenure, he presided over misdemeanor, felony, civil and children’s court, spending nearly four years in each.

A native of Wisconsin Rapids and life-long Wisconsin resident, Gardner graduated from Marquette University Law School in 1960. However, a law degree had not always been his mission.

Gardner spent the previous seven years in seminary training, but decided not to pursue the Catholic priesthood. As a retirement gift, his colleagues at the court contributed money to the seminary. The seminary will use the donation to host a guest speaker, in the judge's honor, to lecture on "Morality and Law." Gardner said he was "deeply touched" by the gift.

Prior to his election to the bench, Gardner served as the deputy district attorney in Milwaukee County for 10 years.

In retirement, Gardner is considering arbitration-mediation work and reserve judging. He will also be active in adult literacy programs in Milwaukee. The Gardners have two sons and three grandchildren—all in the Milwaukee area. ❖

Judge Richard G. Greenwood

After serving 20 years on the bench in Brown County Circuit Court, Judge Richard G. Greenwood finished his final term on August 1.

Greenwood, 69, was appointed by Governor Martin J. Schreiber in 1977 and was elected in 1979, 1985 and 1991. Along with the lawyers and courthouse staff, Greenwood indicated he will miss the days spent presiding over trials.

Greenwood began legal practice in his hometown of Green Bay in 1958 and served there as the assistant city attorney and city attorney before becoming a judge.

A former carrier pilot in the U.S. Navy, Greenwood continues to have an interest in aviation. His retirement plans include a trip to Newfoundland, where he will visit the region's air museum. Greenwood also intends to make use of balsa wood and razors and start building the model airplanes that he has put on hold for 20 years.

While travel and hobbies will consume much of Greenwood's time during retirement, he hopes to remain involved in the legal sphere by serving as a reserve judge and by doing some mediation-arbitration work. ❖

Judge Kent C. Houck

Judge Kent C. Houck retired on August 1 from Richland County Circuit Court. Houck was appointed by Governor Warren P. Knowles in 1965 and has been re-elected five times since.

Houck said that he will miss working with the variety of people that are involved in the one-judge county courthouse, where he handles any type of case that comes his way. Though there are disadvantages to being a generalist rather than a specialist, Houck said, the opportunity to try many different types of cases and to work with a diverse group of attorneys has made his career interesting.

Looking back, Houck noted that the law has changed dramatically over the last 32 years, especially family, juvenile, probate and consumer protection. In his opinion, most changes have been improvements.

After retirement, Houck will continue to live on a farm north of Richland Center with his wife, Marilyn, and numerous domestic animals. He intends to travel and pursue his hobbies—studying technological history, collecting old machinery and tree farming. ❖



Judge Daniel L. LaRocque

Judge Daniel L. LaRocque

The District III Court of Appeals is saying good-bye to Judge Daniel L. LaRocque after 12 years of service. LaRocque, who turned 60 in July, began his career in Marathon County as a District Attorney for 11 years before becoming a circuit court judge for seven years. LaRocque, appointed in 1985 to the Court of Appeals by Governor Anthony S. Earl, has become "a legend" in local legal community, according to secretary Carolyn C. Alvanos.

Looking back, LaRocque said, "I don't think the public appreciates how hard the staff work." He would like to publicly thank all the secretaries, law clerks and support staff who work "behind the scenes to get the job done."

His friends and family gathered for a golf outing in mid-July to celebrate his newfound freedom. LaRocque, who recently married, will reside in Sun Prairie with Jean, his wife, upon retirement and will serve as a reserve judge.

When asked about his post-retirement plans, he said: "I like to travel; I like to bike and I am probably going to look for warm weather in the winter." ❖

Roger J. Thomas

In February 1964, Roger J. Thomas, 57, became a court reporter. Thirty-three years later, he bids farewell to Winnebago County Circuit Court Judge Thomas S. Williams and the rest of his colleagues. Upon retirement, his plans are a bit uncertain, he said. He would like to spend some time with his family at his cabin in northern Wisconsin where he likes to fish, snowmobile and hunt. ❖

Judge Clair H. Voss



Judge Claire H. Voss

Judge Clair H. Voss wrapped up 37 years on the bench with his August 1 retirement.

Voss, 76, was elected to the Waukesha County Circuit Court in 1985 and re-elected in 1991.

Upon graduating from Marquette University Law School in 1948, Voss began practicing law in Waukesha. He served as the Waukesha County Assistant District Attorney from 1953-1959. Since 1960, he has served as judge and deputy chief judge in county and circuit courts and as a judge and reserve judge in

the Wisconsin Court of Appeals.

A decorated military veteran, Voss has received the Purple Heart, Navy Cross and Presidential Citation for his service in the United States Marine Corps.

In his spare time, Voss enjoys hunting, fishing and studying Civil War history. ❖

Continued on page 19

New Faces in the Courts

Willis Replaces Deehr in Manitowoc County



Patrick L. Willis

Patrick L. Willis, a life-long resident of Manitowoc, has served as city attorney for 20 years. He was appointed to fill the vacancy created by Judge Allan J. Deehr's mid-term retirement. He begins August 23.

"I am honored to be following in Judge Deehr's footsteps," said Willis. "He has set such a high standard and brought a great amount of respect to the office."

Willis is past state chairman of the League of Wisconsin Municipalities Attorneys Section. Currently, he serves as director of the State Bar of Wisconsin's Administrative and

Local Government Law Section. He is also vice president of the Board of Directors of the Cities and Villages Mutual Insurance Company.

Willis graduated with honors in 1975 from the University of Wisconsin Law School where he was an editor of the *Wisconsin Law Review*.

Willis and his wife, Jean, have three children: Amanda, Ben and Carly. He is a former member of the Manitowoc Area Catholic Schools Board of Education. An active father, Willis donates his time to coaching boys and girls basketball, baseball and softball. ❖

Bain Appointed to Bench in Marathon County



Dorothy L. Bain

Dorothy L. Bain, 44, is "thrilled" to have taken the bench in Marathon County Circuit Court.

Governor Tommy Thompson appointed Bain to fill the seat of Judge Michael Hoover, who moved to the District III Court of Appeals in August.

Since graduating from the University of Wisconsin Law School in 1989, Bain has worked in private practice. Currently, she is a family law and civil trial attorney with the Wausau firm of Ruder, Ware & Michler.

Active in the Wausau community, Bain serves on the Board of Directors of Judicare, an organization which provides legal assistance to low-income individuals, and acts as the president of the Board of Family Counseling Services. For the past eight years, she has coached the D.C. Everest Senior High School mock trial team.

Bain is married to William Skarie, a dentist. She has a son and two stepsons. In her free time, she enjoys playing golf, cooking and traveling. ❖

Director of State Courts Communication Survey

We Received 62 Responses to Survey Questions

When do you generally read *The Third Branch*?

Although many of you read *The Third Branch* on the day it arrives, most read it the same week.

***The Third Branch* is available on the State Bar of Wisconsin's web site (<http://www.wisbar.org\sct>). Would you prefer electronic access?**

Readers prefer direct mail over electronic access.

How can *The Third Branch* be improved?

- 17 readers asked to see more information on legislation and budget matters
- 25 requested more features on new court initiatives and programs, both successful and unsuccessful
- 17 suggested more profiles on judges and other court employees
- 12 readers wanted more "People in the News" information
- 15 would like more administrative news

Readers requested additional coverage of:

- retiring judges
- registers in probate, clerks of court and juvenile court staff
- long-range court system planning
- municipal courts and judges
- rapidly changing technology

Several readers commented that information in *The Third Branch* is not as timely as they would like. As a quarterly publication, we include information from the last three months. However, we will strive to bring you the most up-to-date information available.

We appreciate your participation in this survey. We incorporated a number of reader suggestions in this issue and will continue to do so in future editions. Please continue to contact Court Information Officer Amanda K. Todd with comments, (608) 264-6256.

❖

Abrahamson and Storck Travel to China

by: *Rebecca L. Ferber*

Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson and Judge John R. Storck, Dodge County Circuit Court, traveled to China in July to participate in a judicial education program.

The goal of the seminar, sponsored by the Ford Foundation and the Shanghai Judges' Association, was to give Chinese judges an introduction to civil procedure in Germany and the United States. A German judge and a Japanese academic joined Abrahamson and Storck as speakers at the seminar.

In the first set of lectures, Abrahamson and Storck spoke with judges from the Shanghai court system. Next, they traveled to Xian to meet with judges of the Shaanxi Province.

Chinese judges were anxious to learn about the civil trial system in the United States, Storck said, because the development of a market economy has created a demand for reform.

"Many attributes of our civil trial system, which we take for granted, are non-existent in China," said Storck.

For Example, the Chinese have an inquisitorial judicial system in which the judges play an active role in collecting evidence. Furthermore, there is no pretrial discovery by the parties, Chinese judges have minimal legal training and there is an inadequate number of practicing attorneys—due to the Cultural Revolution.

"The lack of judicial independence is a great concern for the judges in China," Storck added.

As part of the program, Abrahamson and Storck role-played a case from the creation of the cause of action through a jury trial and an appeal. The Chinese judges greatly enjoyed this unfamiliar method of teaching, said Storck.

A seasoned lecturer, Abrahamson has met with women's lawyers' and judges' groups and with law students in Bulgaria, China, Egypt, India, Israel, Japan, Malaysia, Pakistan, the Philippines, Russia, Sri Lanka, as well as here in the United States.

Storck has been on the bench since October 1994 and is a member of the Wisconsin Judicial Education Committee. He prepared videotapes and other audiovisual materials on Wisconsin courts as part of the American team's presentation in China. ❖



Chief Justice Shirley S. Abrahamson and Judge John R. Storck in Shanghai, China at the closing ceremony after six days of lectures to the Shanghai Judges' Association.



A group of female judges from Shaanxi Province at a seminar in Xian, China with Chief Justice Shirley S. Abrahamson and Judge John R. Storck.

Obituary

Judge Robert W. Hansen

Robert W. Hansen, a state Supreme Court justice from 1968 to 1977, died on June 9 at Shorehaven Health Center in Oconomowoc. He was 86.

Hansen was elected to the Supreme Court in 1967, defeating George Currie and becoming the only person in Wisconsin history to oust a sitting chief justice.

He was praised for his eloquence and noted for the colloquial style of his written opinions. In one decision involving obscenity and redeeming social value, Hansen

wrote, "An orange floating in an open sewer does not change it into a fruit salad."

As a district judge, Hansen established a program to help "salvage" families who appeared before him.

"A family court judge is not to be just a surgeon, cutting the family ties," Hansen said. "He must also seek to be a physician, to heal the wounds and restore family solidarity."

Chief Justice Shirley S. Abrahamson said of Hansen: "He loved the law and he loved to discuss it. It didn't matter whether you agreed with him or not."

Former Chief Justice Nathan S. Heffernan called Hansen a "person who proves that it's hard to tell who's a liberal and who's a conservative." While Hansen was considered a man with strong conservative opinions, Heffernan noted that he was also one of the most liberal justices on labor law.

After his retirement from the Supreme Court in 1977, he served as a Court of Appeals reserve judge in Waukesha and Milwaukee until a few years ago.

Hansen is survived by his wife, Dorothy, and four children: Susan, John, James and Karen. ❖

Improving Court Accessibility for the Hearing Impaired

by: **Karen Leone de Nie**

The Wisconsin court system is taking a proactive role in improving access to the courts for the deaf and hard of hearing by sending representatives to an American Judicature Society (AJS) workshop in Chicago on September 13-14.

The event, funded by a grant from the W.K. Kellogg Foundation, brings judges, court managers, judicial educators and advocates for the deaf and hard of hearing together to exchange ideas and develop a plan of action for improving access. AJS encourages attendees to implement workshop ideas in their home districts,

said District II Court of Appeals Judge Richard Brown, faculty member of the workshop.

Wisconsin will send Milwaukee County Circuit Court Judge Jeffrey A. Kremers, District Court Administrator Sam Shelton and Charlene Allen of the Office of Court Operations. "An advocate from a deaf and hard of hearing organization is in the process of being selected," said AJS Project Coordinator Wynne Harrison.

A few components of the workshop include: a plenary session on legal obligations to provide equal access to court programs and services, a discussion of interpretation options and existing tech-

nology and a brainstorming session on developing court-advocate relations.

The Chicago workshop is the last in a series of regional workshops focusing on this issue. Information attained from the workshops will be used by AJS to develop a Court Access Improvement Curriculum and a Workshop Replication Guide, scheduled to be available in the summer of 1998. *Silent Justice*, a video that highlights barriers to effective communication in the courts, is now available for purchase. For more information, please contact Project Director John C. Domino at (312) 558-6900, ext. 109. ❖

The Volunteer Connection

Twelve new programs have been added to the Court-Related Volunteer Programs in Wisconsin catalogue since its debut in April.

- To obtain a copy of the catalog contact:

State Bar of Wisconsin
P.O. Box 7158
Madison, WI 53707-7158

- To receive an update to the catalog—outlining 12 additional programs in Dane, Eau Claire, La Crosse, Milwaukee, Trempealeau, Walworth and Waukesha Counties—Please contact the Wisconsin Supreme Court at (608) 266-1298.
- Information on Volunteers in the Courts is also available on the Supreme Court's home page on the State Bar of Wisconsin's web site at:
<http://www.wisbar.org/sct/>
- Background information on the volunteer programs listed in the catalog is available at:

Wisconsin State Law Library
310 East, State Capitol
Madison, WI 53702
(608) 266-1600 ❖

Wisconsin Judicial Conference

September 24-26
The Country Inn,
Pewaukee

Harvard Law Professor Arthur R. Miller, a nationally-recognized authority on the right of privacy, is directing the media program on Friday, September 26.

A seasoned moderator, Miller has hosted the acclaimed PBS series *The Constitution, Health Care in America* and *The Presidency*. For almost 20 years, Miller has appeared regularly on ABC's *Good Morning America* as the program's legal editor.

His savvy style will make for an educational and vibrant panel discussion. Panel members include five representatives from print and broadcast media, three attorneys, two judges, a law enforcement official, a victim and a layperson. ❖

Reminder: Registration deadline for the Judicial Conference is Friday, August 29. Please contact the Judicial Education Office to purchase tickets for your guests.

Supreme Court Art Brochure Reprinted

The Wisconsin Sesquicentennial Commission graciously agreed to fund the printing of 10,000 Supreme Court Art brochures with the sesquicentennial logo on them. The brochure, authored by Retired Chief Justice Roland B. Day, may be ordered in bulk (free of charge) for distribution in courthouses by calling (608) 266-1298. ❖



**THE SUPREME COURT
HEARING ROOM**
STATE CAPITOL
by Roland B. Day
Chief Justice (retired) Wisconsin Supreme Court
Chair, Wisconsin Bicentennial Committee and U.S. Constitution, 1986-1991

Dear Friend,

Welcome to the Wisconsin Supreme Court Hearing Room, one of the most beautiful courtrooms in the nation.



As you will soon discover, each of the four handsome murals in this room tells a story. Each depicts a momentous occasion in the history of law and together they show the foundations of Wisconsin law.

Behind the majestic bench the Wisconsin Supreme Court's seven justices hear oral argument each month. The Court is committed to delivering justice impartially and fairly to all, and to making Wisconsin's legal system accessible and understandable.

We hope that you enjoy the story that the Supreme Court Hearing Room has to tell. This room belongs to every person in the state. You are welcome here.

Sincerely yours,
Shirley S. Abrahamson
Chief Justice, Wisconsin Supreme Court



The Wisconsin Supreme Court Hearing Room is reputed to be the most beautiful of its kind in the country. In addition to the walls and columns of marble from Germany, Italy, France and Maryland, the bronze candelabras, the carved mahogany bench and counsel table, the most striking objects are the four large murals, each nine feet by 18 feet six inches. Each mural depicts a source of Wisconsin law.

Albert Herter (1871-1950), the famous New York muralist, was commissioned to paint the murals. They were painted in New York and later installed in the hearing room. Of special note is the way the colors in the murals complement the colors in the marble panels beneath them.

Wilson Marks 25 Years as Commissioner

Supreme Court Commissioner Joseph M. Wilson was honored for his 25 years of court service at a surprise gathering in the Supreme Court Chambers in early June.

Wilson, who began as a commissioner under Chief Justice E. Harold Hallows in 1972, envisioned staying in the position for only four or five years. Eighteen justices later, he is still here, he said with a laugh. He enjoys being at the forefront and cutting edge of the law, he added. The job changed most drastically in 1978 with the reorganization of the court and the formation of the Court of Appeals.

As court commissioner, Wilson prepares memoranda and makes recommendations to the court regarding matters brought within the court's discretionary jurisdiction.

He and Joyce, his wife of 29 years, have two sons and two grandchildren. Together, they are very active in the community. The Wilsons, along with 10 other musicians, entertain people with a Dixieland band, Schnickelfritz, meaning "trouble-makers" in German. On the weekends, the Wilsons can be seen around town sounding their trumpet and clarinet in nursing homes, singing and dancing in variety shows and country line dancing. ❖



Supreme Court Commissioner Joseph M. Wilson receives plaque honoring his 25 years of service from Chief Justice Shirley S. Abrahamson.

Court with Class Honored

Court with Class—an outreach effort to increase access to the State Supreme Court—earned high honors by winning the 1997 “LEXIS-NEXIS Public Service Achievement Award” from the National Association of Bar Executives.

The award was given at the “Gala of Public Service Awards Breakfast” in San Francisco at the end of July.

Close to 1,000 students from 50 schools watched Supreme Court oral arguments during the last court calendar year and met with a justice afterward. The program is intended to provide students and teachers with an exciting law-related educational experience.

With cooperation from the State Bar of Wisconsin, teachers are provided with an informational packet about the court prior to their visit. The packet includes biographies of the justices, a synopsis of the case to be heard at oral arguments and other law-related materials intended to help students prepare for their day in court.

Wisconsin Court of Appeals Districts I, II and IV are in the process of replicating the program. ❖



Students in the Court with Class program gather outside the Supreme Court Hearing Room after listening to oral arguments.

Report on Gender Discrimination Issues in the Wisconsin Court System

The Special Committee on Gender Neutrality is seeking information concerning gender discrimination that may exist in the Wisconsin court system. This information will assist the Wisconsin Supreme Court in taking appropriate and necessary action to ensure that the state court system serve all the citizens of Wisconsin, regardless of gender.

The Special Committee was appointed by the Wisconsin Judicial Conference, an organization of all state court judges, to contact court system employees, attorneys and the public concerning gender discrimination. The committee, chaired by District III Court of Appeals Judge Thomas Cane, will evaluate and monitor

gender bias issues and report to the Wisconsin Supreme Court. The committee will annually review the issues with appropriate persons and entities inside and outside the court system.

Information regarding this issue is essential to the Special Committee's work.

Please contact:

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Legislative Update

Continued from page 2

introduced by Rep. Bonnie Ladwig and Sen. Calvin Potter. The bill revises provisions relating to original adult court jurisdiction, restitution and forfeitures, sanctions and contempt, rules of evidence and the disclosure of juvenile court records. The bill is in the Children and Families Committee. No action is expected until the fall.

While no action has occurred with respect to **AB 92** and **SB 46**, two pending

substitution bills that were reported on in the spring issue, another bill, **AB 441**, has been introduced by Rep. Scott L. Walker and Sen. Alberta Darling. This bill would eliminate substitution of judges in criminal matters while retaining existing disqualification provisions. Unlike the other two bills, no reference to an affidavit of prejudice is created under this bill. This bill is in the Assembly Judiciary Committee.

The Director of State Courts' Office recently released **Informational Bulletin (IB) 97-10**, regarding a potential change to the retirement system with respect to the multiplier used for creditable service earned

prior to January 1, 1998. Companion bills **SB 245** and **AB 421**, co-sponsored by Sen. Calvin Potter and Rep. John P. Dobyms, were introduced to accomplish this task. No action is expected on this bill until the fall.

Lastly, Director of State Courts J. Denis Moran will submit a bill for introduction this summer that creates six additional judgeships, one in each of the following counties: Fond du Lac, Jefferson, La Crosse, Lincoln, Rock and Milwaukee. The judgeships would go into effect August 1, 1999. The bill, in the drafting stage, will likely be acted upon in the fall. ❖

Judicial Ride-Along Program an Early Success

Representative Scott L. Walker is no stranger to the courts.

In his second Judicial Ride-Along, Walker joined Judge Patricia D. McMahon on the bench in Milwaukee County Circuit Court July 30.

The program—designed to improve communication between judges and lawmakers—invites legislators to spend a half day on the bench with circuit court judges statewide. Because of the program's success in 1993 and turnover in the legislature, it is being repeated this summer in Judicial Districts I and V and will be expanded to include the rest of the state this fall.

The goal of the program is to show how various pieces of legislation affect court operation. Walker said that his day in civil court with McMahon was “absolutely” in-line with this objective. The unique perspective from the bench, Walker said, will help him evaluate the legislative intent of

bills and better understand how they will be carried out.

Walker, who represents the 14th Assembly District, was paired through the program with Milwaukee County Circuit Court Judge Timothy Dugan in 1993. Since then, he has made frequent contact with other judges in Milwaukee County, including Judge Robert W. Crawford and Judge Dennis P. Moroney.

His most recent day in court was spent observing civil proceedings in the morning and criminal with Judge John A. Franke in the afternoon. He also attended a meeting with McMahon and court volunteers and toured the Legal Research Center.

In civil court, Walker said he learned about case management. McMahon emphasized the importance of allotting the correct amount of time for each case, based on its complexity. They also discussed the benefit of mediating cases before they enter



*Representative
Scott L. Walker*



*Judge
Patricia D. McMahon*

the court process. Walker said he saw firsthand the “reality of numbers” troubling the Milwaukee County Circuit Courts.

McMahon said that she learned a great deal from her discussion with Walker about issues and concerns that relate to Milwaukee County. The benefit went both ways, Walker responded. ❖

Retirements

Continued from page 13

Judge Warren Winton

Washburn County Circuit Court Judge Warren Winton announced his retirement after 26 years on the bench.

He began his career in 1966, serving first as county judge and later as circuit court judge until his 1986 election defeat. Re-elected in 1991, he served another six years. In his tenure on the bench, Winton served as chairman of the Wisconsin Board of Juvenile Court Judges and was elected by his colleagues to the office of Chief Judge to the 13th Judicial Administrative District.

Upon retirement, Winton plans to work as a part-time reserve judge. When he is not working, he and his wife, Lucy, will be visiting family. “We have six children, so we will travel around to see them and our grandchildren,” Winton said. They will also participate in activities of the Washburn County Historical Society, where he serves as vice president. ❖

Wisconsin Judges Serve in National Judicial Organizations

Four Wisconsin judges were appointed by Judge Michael G. Harrison, incoming chair of the American Bar Association Judicial Division, to serve as committee chairs and vice chairs for the National Conference of State Trial Judges for the 1997-98 year.

The new leaders are Eau Claire County Circuit Court Judge Thomas H. Barland, chair Jury Management Committee and vice chair Long Range Planning

Committee; Brown County Circuit Court Judge Vivi L. Dilweg, vice chair Membership Committee; Portage County Circuit Court Judge Frederic W. Fleishauer, vice chair Ethics Committee; and Outagamie County Circuit Court Judge Harold V. Froelich, vice chair Judicial Services Committee.

Chief Justice Shirley S. Abrahamson has encouraged active participation by Wisconsin judges in national judicial

organizations and was delighted to hear about the new appointments.

The mission of the National Conference of State Trial Judges is to improve the administration of justice, promote judicial independence, increase public understanding of the judicial system, provide a national forum to exchange information on common issues and represent the interest of the nation's general jurisdiction trial judges to build a more effective dispute-resolution system. ❖

The Third Branch

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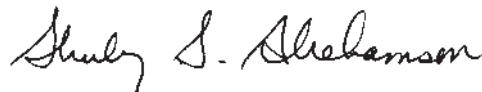
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The Third Branch is a quarterly publication of the Director of State Courts Office, providing news of interest to the Wisconsin Judiciary. Send questions and comments to: Amanda K. Todd, Court Information Officer, P.O. Box 1688 Madison, WI 53701-1688.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

Chief Welcomes Interim Court Information Officer

On behalf of the Wisconsin court system, I would like to welcome Trina E. Haag as the editor of this issue of *The Third Branch*. Trina is a May 1997 graduate of the University of Wisconsin. Graduating Phi Beta Kappa, Trina earned a double major in journalism and French. During eight months of her senior year, Trina volunteered as a student intern at the court,

assisting Court Information Officer Amanda K. Todd with a wide range of projects. Her work was excellent and we were pleased that she agreed to become the Interim Court Information Officer during Amanda's summer maternity leave. I hope all of you have contacted Trina throughout the summer with your questions and suggestions. ❖



Birth Announcement:

Court Information Officer Amanda K. Todd and her husband, Jim C. Beal, welcomed Maxwell Robert Warren Beal into the world on May 18, 1997. Max and mother are both doing well and enjoying the hot summer months at home with Max's older brother, Jake, who turned two in July.

The Third Branch

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New Area Code in Wisconsin

INFORMATIONAL BULLETIN 97-11

Tremendous growth in the demand for telecommunications services is causing a shortage of available telephone numbers in eastern Wisconsin. As a result, this region will soon have two area codes, 414 and 920.

July 26, 1997, is the beginning of a three month optional dialing period. During this time, both the new and old area code numbers will work. Starting October 25, 1997, the 920 area code must be used to complete calls to this area. It will be necessary to change all speed dials programmed for the effective area, including phones, fax machines, modems and routers. It is important to remember to use the 8 + 1+ area code + seven digit number for dialing long distance. The "8 + 1" pattern was especially designed to be used with an area code where the middle digit is not a "0" or "1".

The geographical area retaining the 414 area code is the seven county area in the southern portion of the current 414 area, including Milwaukee, Racine and Kenosha. Two-thirds of Jefferson County and all other areas in the northern part of 414 will get the new area code, 920. This affects the District Court Administrators' offices in Oshkosh (District VI) and Green Bay (District VIII). Several circuit court offices are included: Brown, Calumet, Dodge, Door, Fond du Lac, Green Lake, Jefferson, Kewaunee, Manitowoc, Oconto, Outagamie, Sheboygan and Waushara.

If you have any questions, call the Ameritech special information hotline, 1-800-378-222, or the Office of Information Technology Services helpline, 608-264-6923.

TELEPHONE NUMBER PREFIXES* THAT WILL KEEP THE

414 AREA CODE:

201	247	279	317	357	409	466	516	552	599	638	678	747	797	860	939
203	248	280	318	358	410	471	517	553	601	639	679	750	798	861	940
205	249	281	319	359	412	472	518	554	602	640	681	752	799	862	941
207	250	282	320	362	413	473	520	557	603	641	690	760	801	870	942
209	251	283	321	363	415	475	521	558	604	642	691	761	802	871	945
214	252	284	322	365	416	476	523	560	605	643	692	762	804	873	946
216	253	285	323	367	417	479	524	562	606	644	694	763	805	874	947
217	254	286	325	369	418	480	527	567	607	645	695	764	806	875	948
218	255	287	327	371	420	481	529	569	610	646	697	765	807	877	949
219	256	288	328	372	421	482	530	570	612	647	701	767	808	878	955
220	257	289	329	374	422	483	531	571	614	649	702	768	812	879	960
221	258	290	332	375	423	486	534	573	615	650	703	769	813	881	961
222	259	291	333	376	425	489	535	574	616	651	704	770	814	882	962
223	260	296	334	377	427	491	536	575	617	652	706	771	816	884	963
224	263	297	335	378	438	495	537	577	618	653	709	774	817	886	964
225	264	298	338	379	441	501	538	578	619	654	710	777	819	889	965
226	265	299	340	382	442	502	539	579	620	656	712	778	820	890	966
227	266	301	341	383	443	503	540	580	626	657	714	780	821	895	967
228	267	302	342	384	444	504	541	581	627	658	717	781	827	896	968
229	268	304	343	385	445	505	542	584	628	659	718	782	828	906	976
230	270	305	344	389	447	506	543	587	629	662	719	783	835	930	980
237	271	306	345	390	449	507	544	588	630	663	723	784	838	931	981
238	272	307	347	392	453	508	545	590	631	669	724	785	840	932	985
239	273	308	350	396	454	509	546	591	632	670	728	786	843	933	988
241	274	309	351	397	456	510	547	593	633	671	736	789	844	934	990
242	275	310	352	402	461	512	548	594	634	672	740	790	848	935	998
243	276	313	353	404	462	513	549	595	635	673	741	791	852	936	
245	277	314	354	407	463	514	550	597	636	675	742	792	857	937	
246	278	316	355	408	464	515	551	598	637	677	744	796	859	938	

TELEPHONE NUMBER PREFIXES* THAT WILL CHANGE FROM

THE 414 AREA CODE TO 920:

202	262	366	424	450	484	532	592	674	716	743	775	831	855	893	982
204	269	370	426	451	485	533	596	680	720	745	776	832	856	894	983
206	293	373	428	452	487	556	609	682	721	746	779	833	858	897	984
208	294	380	429	455	488	559	613	683	722	748	787	834	863	898	986
210	295	386	430	457	490	563	621	684	725	749	788	836	864	899	987
212	303	387	431	458	492	564	622	685	726	751	793	837	865	921	989
213	324	388	432	459	493	565	623	686	727	753	794	839	866	922	991
215	326	391	433	460	494	566	625	687	729	754	795	841	867	923	992
231	336	394	434	465	496	568	648	688	730	755	803	842	868	924	993
232	337	398	435	467	497	572	655	689	731	756	822	845	869	925	994
233	339	399	436	468	498	576	660	693	732	757	823	846	872	926	995
234	346	401	437	469	499	582	661	696	733	758	824	847	876	927	999
235	348	403	439	470	519	583	664	699	734	759	825	849	880	928	
236	349	405	440	474	525	585	665	705	735	766	826	850	885	929	
244	360	406	446	477	526	586	667	707	738	772	829	853	887	952	
261	361	419	448	478	528	589	668	713	739	773	830	854	892	954	