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a publication of the Wisconsin Judiciary

The Third Branch



Court security rule approved

Director of State Courts A. John Voelker and Dane County Circuit Court Judge Sarah B. O'Brien appeared on a recent edition of WisconsinEye's Legally Speaking program to discuss a new court security rule. Also interviewed by WisconsinEye Senior Producer Steven Walters were David Callender of the Wisconsin Counties Association and Tony Gibart of the Wisconsin Coalition Against Domestic Violence. See story, page 12.

Effective Justice Strategies studied

By Shelly L. Fox, Special Projects Manager, Office of Court Operations, and Tom Sheehan, Court Information Officer

Two years after beginning work on the project, the National Center for State Courts (NCSC) has delivered its findings and recommendations on Effective Justice Strategies in Wisconsin.

A final draft of the report was delivered to the Director of State Courts, Supreme Court and the Planning and Policy Advisory Committee (PPAC) on Feb. 28.

The report examines some of the best strategies already in use in counties throughout the state to improve the criminal justice system and it makes recommendations on the best strategies going forward.

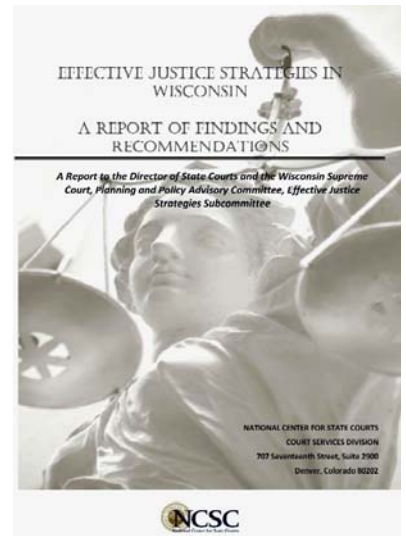
NCSC staff members reviewed current initiatives in several counties, including

the risk-and-needs pilot project, Assess, Inform, and Measure (AIM); problem-solving courts; and criminal justice collaborating committees.

"The report will help guide us in planning and implementing strategies that increase public safety, reduce recidivism and ease the high costs of incarceration," said Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson.

"Some of the most effective justice strategies in Wisconsin have been developed through collaborative efforts among justice system partners at the local level. We will continue working to promote the best ideas throughout the

see EJS on page 9



Appointments bring one new Court of Appeals judge, six new circuit court judges

Gov. Scott Walker has appointed six new judges to fill vacancies on the circuit courts and one former circuit court judge to serve on the Court of Appeals.

Judge Mark A. Mangerson District III Court of Appeals

Judge Mark A. Mangerson has moved from the Oneida County Circuit Court to the District III Court of Appeals. He is the first Rhinelander resident to serve in District III. Mangerson was appointed by the governor in December to fill the vacancy created by the retirement of Judge Edward R. Brunner (see The Third Branch, fall 2011).

Mangerson was first elected to the circuit court in 1988. He

had previously served as district attorney for Oneida and Vilas counties and worked in private practice. Mangerson currently serves on the Judicial Commission and has been a member of the Executive Committee of the Wisconsin Judicial Conference, the Judicial Council, the Chief Judges Committee on Child Support, and the Criminal Jury Instruction Committee. He is a



Judge Mark A. Mangerson

see New judges on page 6

Director's column: The evidence tells us we are on the right track

By A. John Voelker, Director of State Courts

The headline of the *Milwaukee Journal Sentinel* editorial on March 1 declares: "State's Tough on Crime Approach Hasn't Worked." The body of the commentary goes on to say that prison is the only alternative for violent criminals who are dangerous to the community, but that we need to be smarter about how we try to change the behavior of those who don't meet that description. The editorial says, "We've got to slow down prison's revolving door."



A. John Voelker

In the last few years judges around Wisconsin have been leading the way and pursuing different approaches in their jurisdictions to do just that – improve outcomes for offenders, reduce recidivism, and increase public safety. In addition, the Effective Justice Strategies Subcommittee of the Supreme Court's Planning and Policy Advisory Committee (PPAC) has

worked hard to facilitate the use of new, more effective approaches to improving the criminal justice system.

We are at a point now where we know we can do better than we have in the past. The questions to ask now:

- Are we on the right track with these programs?
- Are the approaches we are taking in Wisconsin as good or better than those tried elsewhere in the nation?
- What more should we be doing?

These are questions, from my perspective, that need to be thoroughly and thoughtfully considered.

Toward this goal, my office contracted with the National Center for State Courts (NCSC) to take a look at our efforts to date. The goal of the NCSC study, which was paid for through a grant, was to help us determine what practices and programs are most closely associated with successful outcomes and to provide recommendations on the court system's role in fostering statewide support and replication

of these strategies.

I won't go into detail about the project findings or the recommendations because that information is covered in other articles (*see stories on front page and pages 9-10*), but it is clear that we are on the right track. Counties throughout the state are using research-supported approaches to improve the justice system and seeing positive results.

The idea that we are on the right track is further supported with national recognition of the evidence-based practices in Milwaukee and Eau Claire. The counties were among seven "seed sites" chosen nationally by the National Institute of Corrections to receive federal technical assistance grants for the second phase of a three-phase program

The goal of phase one, which both counties participated in, was to build a framework that would follow offenders from arrest through final disposition and discharge that would result in more collaborative, evidence-based decision making and practices. Criminal justice stakeholders in Milwaukee County are pioneering ways to systemically improve the usefulness and value of risk-based needs assessments for defendants at the earliest stages of the criminal justice process. (*See story, page 10*).

Eau Claire County has set specific goals in reducing recidivism, criminal caseloads and incarceration levels.

Of course, other Wisconsin counties have incorporated a variety of evidence-based practices as outlined in the NCSC report, but these two are among those that have been recognized nationally.

Wisconsin has a proud tradition of improving the criminal justice system by letting good ideas flow from local leadership. Many of the programs in the report, for example, are the result of the efforts of criminal justice coordinating councils.

As we learn more about what works best, we will spread the word so courts throughout the state may take advantage of what's been learned without having to start from scratch. ■

OBITUARIES

Judge Patrick T. Sheedy Milwaukee County Circuit Court



Judge Patrick T. Sheedy

Former Milwaukee County Circuit Court Judge and State Bar President Patrick T. Sheedy passed away on Jan. 13 at the age of 90.

"Pat Sheedy was an officer and a gentleman," Supreme Court Chief Justice Shirley S. Abrahamson told the State Bar of Wisconsin in an article published after his death. "He could command a room with his dignified presence – a testament to his many years in the U.S. Army and the Judge Advocate General's Department. As Chief Judge in Milwaukee County, Pat was strong and decisive, but always

willing to listen to many diverse points of view. He recognized early on the value of information technology in the courts, both to improve efficiency and to ensure that the many disparate players in the justice system were communicating effectively. And above all, Judge Sheedy

never forgot that the courts exist to serve the public. The people who depend upon the courts to solve their disputes fairly and impartially always had Pat Sheedy in their corner. He will be dearly missed."

Sheedy served on the Milwaukee County bench from 1980-98. He served as chief judge from 1990-98. From 1943-46, he served in the U.S. Army in the U.S. and Far East. He was awarded the Legion of Merit and retired as a Colonel on the JAG Corps.

"Pat was a delightful colleague and a great chief judge," Supreme Court Justice David T. Prosser told the State Bar. "He was a furious defender of the interest of the independent judiciary."

While serving on the Milwaukee County bench, Sheedy played an important role reorganizing the court and reducing the felony calendar from 300 to 90 days. Milwaukee County Circuit Court Judge Christopher R. Foley also remembered Sheedy as a mentor during Foley's first few years in the circuit court.

"He always had time to listen and never rushed you," Foley told the State Bar. "He shepherded me through my

LEADERSHIP

Courts, media join forces for outreach program

By Judge James C. Babler, Barron County Circuit Court

Sometimes in life, you hear an idea that is so good, yet so simple, that you wonder why you hadn't thought of it long ago! That's exactly what happened when a small group, including Eau Claire County Clerk of Circuit Court Kristina Aschenbrenner, Barron County Clerk of Circuit Court Sharon Millermon and I, attended the seminar *Improving Rural Courts – a Networking Approach*.

The seminar was presented and funded by the Justice Management Institute, in partnership with the Judicial Council of California and the Bureau of Justice Assistance, United States Department of Justice.

The focus of the seminar was on networking with counterparts from Delaware, Iowa, Washington state and

California to share ideas on local service delivery for rural courts. Presentations were given on various innovative services and approaches to rural courts, and participants were required to develop plans for innovation in their own jurisdictions.

Early in the seminar, there was a presentation by the Napa County California Superior Court on Court-Community Collaboration Initiatives. Staff



Judge James C. Babler

members described one program in which court officials write monthly articles to be published in the local newspaper. In an environment where the integrity and independence of the justice system seem to be assailed on multiple fronts, this appeared to be an idea with solid merit. The proposed initiative provides the public with sound and concise information about the courts. The court system shouldn't consider itself a "bystander" when its image is being tarnished. We should take action!

I knew almost immediately that it was an idea that would work in Barron County and other rural counties. The program is attractive and worthwhile because it:

- involves no public expenditure;
- relies on court officials to write the articles;
- takes relatively little time to prepare the articles;
- allows the courts to partner with newspapers; and

see **Leadership** on page 24



Eau Claire County Clerk of Court Kristina Aschenbrenner, Barron County Circuit Judge James C. Babler, and Barron County Clerk of Court Sharon Millermon attended *Improving Rural Courts - A Network Approach* in Napa, Calif., Oct. 23-26, 2011.



The Racine County Circuit Court judges hosted an informal chat with media from Racine and Milwaukee in March, with Chief Judge Mary K. Wagner, Kenosha County Circuit Court; District Court Administrator Andrew Graubard; Court Information Officer Amanda Todd; and Media Coordinator Mark Hertzberg leading the discussion. The meeting gave both sides an opportunity to ask questions and air concerns. Among the topics that generated lively discussion: appropriate dress for TV news crews in court, reporting prison sentences accurately, and payment of statutory copying fees by reporters who take pictures of court documents with their iPhones. Roundtable discussions are co-sponsored by the Wisconsin Broadcasters Association.

AWARDS

Kluka honored for lifetime achievement

Reserve Judge Barbara A. Kluka will be presented with the State Bar of Wisconsin's Lifetime Jurist Achievement Award on June 14. Kluka is a former Kenosha County Circuit Court judge.



Judge Barbara A. Kluka

"On the bench, Kluka's knowledge, conduct, and professionalism have been second to none," Chief Judge Mary K. Wagner, Kenosha County Circuit Court, said in her nominating letter. "She has always treated everyone in her courtroom with the utmost respect and dignity and continues to be an outstanding asset to the judicial profession."

A former chief judge for the Second Judicial District, Kluka served on the Kenosha County circuit bench from 1989 to 2011. Prior to her election to the court, she worked in private practice and served as Kenosha County district attorney. She had also worked as a high school teacher before entering the legal field.

Kluka was the first woman to serve on the Kenosha County Circuit Court. She is a former member of the Judicial Education Committee, Judicial Conduct Advisory Committee, PPAC Planning Subcommittee, Supreme Court Special Committee on Gender Neutrality, and the Gateway College Court and Conference Advisory Committee. She is a past presenter and former associate dean of the Wisconsin Judicial College and former faculty of the National Judicial College. In 1997, she served as an instructor for the Criminal Trial Practice in Shanghai and Xian, China.

"Judge Kluka brought a wealth of experience, from her years in private practice to her teaching the Chinese judiciary," Atty. David E. Celebre wrote when nominating her. "No matter who appeared before her, she always administered a legal intellectualism in a common person's way."

State Bar, *Law Journal* honor Sumi

Dane County Circuit Court Judge Maryann Sumi has been recognized by the State Bar of Wisconsin as Judge of the Year, and by the *Wisconsin Law Journal* as one of two Wisconsin judges chosen Leaders in the Law.



Judge Maryann Sumi

Both awards acknowledged Sumi's work in presiding over the controversial collective bargaining case filed by the Dane County District Attorney's Office. In nominating her for the State Bar award, her colleagues wrote: "Her ensuing conduct more eloquently defended the integrity of the courts more than any verbal response could have: she handled the case in the way she has handled countless others." Her colleagues also wrote of her

commitment to remain fair and impartial.

Sumi was appointed to the circuit court in 1998. She has served on the Juvenile Benchbook Committee, Criminal Jury Instruction Committee, and Records Management Committee. She has worked with court related programs, like the Assess, Inform, Measure (AIM) program and the Day Report and Treatment (DART) program. She is a former presiding judge of the Juvenile Division and the Family Division.

The Judge of the Year Award will be presented by the State Bar on June 14 in Wisconsin Dells.

In addition to deciding the high-profile Open Meetings law case, the *Law Journal* points out that Sumi also made the transition from the criminal division to the civil division, resulting in almost a double caseload.

"We can't just say when a case like this comes in that has red flags all over it, 'No thanks. I'd rather not'," Sumi told the *Law Journal* in regards to the Open Meetings case.

"She treats people very respectfully in the courtroom and handles herself very nicely," Dane County Circuit Court Judge Sarah B. O'Brien told the *Law Journal*. "And when she takes the robe off, she's hilarious."

Judge White named Leader in Law

Deputy Chief Judge Maxine A. White, Milwaukee County Circuit Court, has been recognized with a *Wisconsin Law Journal* Leaders in the Law award.

White told the *Law Journal* she considers her service in the courtroom and on various committees a way of giving back to all the people who helped her get to where she is today.

"The opportunity to be here was paid for by so many other people," she said. "So many other people invested in me so that I could succeed and reach my goals that I feel it's a true personal obligation to do the same."

White has served as chair of the Committee on Judicial Selection, as a director for the Judicial Conference, as a member of the Judicial Conference Executive Committee, and as a representative to the Judicial Council. She has also served on the Special Committee on Gender Neutrality and the Judicial Conference Planning Committee.

Prior to her appointment to the Milwaukee County bench in 1992, White served as a legal advisor and instructor for the Federal Law Enforcement Training Center in Georgia, and an assistant U.S. attorney for the Eastern District of Wisconsin.

Cooper receives Founders Award

Recently retired Judge Thomas R. Cooper was awarded the Founders Award at the Robert Burns Dinner of the St. Andrew's Society of Milwaukee on Jan. 28 at the Wisconsin Club.



Deputy Chief Judge
Maxine A. White

Judicial primaries narrow field in six counties

Voters in six counties narrowed the field of candidates for circuit court judgeships this spring.

Dane County Circuit Court, Branch 11 Judge Roger A. Allen v. Ellen K. Berz

In a three-way primary, Assistant State Public Defender Ellen K. Berz came in first place with 44 percent of the vote. The incumbent, Judge Roger A. Allen, took 31 percent for a second-place finish, and in third place was Atty. Francis X. Sullivan, who works for the state Department of Justice.

Gov. Scott Walker appointed Allen last December to succeed Judge Daniel R. Moeser, who retired after 32 years on the bench (*see New judges on page 5*). Moeser is now a reserve judge and an arbitrator/mediator.

Kenosha County Circuit Court, Branch 2

Judge Jason A. Rossell v. Edward R. Antaramian

Judge Jason A. Rossell came out on top in a five-way primary in Kenosha. Gov. Scott Walker appointed Rossell in November 2011 to succeed Judge Barbara A. Kluka, who served for 22 years on the bench.

Second-place finisher Edward R. Antaramian is Kenosha's longtime city attorney and was among the initial applicants for the appointment.

Menominee-Shawano County Circuit Court

Judge William F. Kussel Jr. v. David R. Winter

In a three-way primary for the branch that serves both Menominee and Shawano County Circuit Courts, Atty. David R. Winter, a municipal judge and private practitioner in Shawano, finished less than 40 votes ahead of incumbent Judge William F. Kussel, Jr. Kussel was appointed in 2011 by Gov. Scott Walker to replace Thomas G. Grover, who

retired. Eliminated in the primary was Atty. John B. Selsing, who ran last year for the Green Lake County Circuit Court.

Milwaukee County Circuit Court, Branch 17 Judge Nelson W. Phillips III v. Carolina M. Stark

In Milwaukee County, Administrative Law Judge Carolina M. Stark narrowly outpolled incumbent Judge Nelson W. Phillips III. In third place was Glendale Municipal Judge Christopher Lipscomb. Phillips was appointed in 2010 by Gov. Scott Walker to replace Judge Francis T. Wasielewski, who retired after 28 years on the bench.

Oneida County Circuit Court, Branch 2

John F. O'Melia v. Michael H. Bloom

Just 17 votes separated the first- and second-place finishers in the race to fill the vacancy left by Judge Mark A. Mangerson, who was appointed to the Court of Appeals. Atty. John O'Melia, whose brother, Patrick O'Melia, is the county's Branch 1 judge, came in first. Oneida County District Atty. Michael H. Bloom finished second, and Reserve Judge Timothy Vocke, who served in Vilas County Circuit Court from 1979-83, came in a close third.

Rock County Circuit Court

Jack C. Hoag v. Barbara W. McCrory

In Rock County, Jack C. Hoag, a private practitioner, and Court Commissioner Barbara W. McCrory survived a six-person primary in a bid to replace Judge James E. Welker, who is retiring at the end of his term.

Candidates who were eliminated in the primary included Attys. Michael A. Haakenson, Thomas P. McDonald, Harry C. O'Leary (brother of Rock County District Atty. David O'Leary), and Tod O. Daniel. ■

AWARDS *continued from page 4*

Cooper is a past president of the Society. He has been actively involved in its efforts to support the Milwaukee community through such organizations as Habitat for Humanity, the House of Peace and the Salvation Army Bell Ringers program.

The St. Andrew's Society grew out of Scots in the Milwaukee community who wanted to join together for social and cultural activities. It was formally incorporated by an Act of the Wisconsin legislature (Private & Local Laws Chapter 439 of the Laws of 1871) giving the Society its legal name rather than ordinary registration with the Secretary of State. ■



Retired Milwaukee County Circuit Court Judge Thomas R. Cooper poses with his wife, Dolly, after receiving the St. Andrew's Society's Founders Award in January.

New judges *continued from front page*

former deputy chief judge for the Ninth Judicial District and a 2006 ABOTA Judge of the Year.

“Judge Mangerson’s years of experience make him well-versed in all aspects of law,” Walker said in a press release. “He knows the rules of evidence and uses them to deliver sound rulings.”

Judge Roger A. Allen

Judge Roger A. Allen

Dane County Circuit Court

Former Madison Assistant City Atty. Roger A. Allen was selected by Walker to fill the Branch 11 vacancy created by the retirement of Judge Daniel R. Moeser (*see The Third Branch, fall 2011*).

“Mr. Allen has done an honorable job serving Madison area residents for the last 15 years,” Walker said in a press release. “The support he has

received from a diverse group of area community leaders and residents shows he will be fair and just.”

Allen has also worked in private practice and served as a special agent for the U.S. Drug Enforcement Administration, a police officer in Texas, and in active duty in the U.S. Army. He received his bachelor’s degree from UW-Platteville and his law degree from UW Law School.

**Judge Jennifer R. Dorow
Waukesha County Circuit Court**

The Waukesha County Branch 2 seat has been filled by Jennifer R. Dorow. Dorow has worked in private practice and as an assistant district attorney for Waukesha County.

Dorow is a graduate of Marquette University and Regent University Law School. She fills the vacancy created by Judge Mark D. Gundrum’s appointment to the Court of Appeals (*see The Third Branch, fall 2011*).



Judge Jennifer R. Dorow

**Judge James A. Morrison
Marinette County Circuit Court**

“Wisconsin needs judges that are fair, enthusiastic, ethical and experienced,” Walker said in a press release announcing his appointment of James A. Morrison to the Marinette County Circuit Court. “I feel confident that Mr. Morrison will bring these traits and others to the bench. Mr. Morrison’s involvement in the area makes him a natural fit for this position.”

Morrison is the former chair of the Board of Bar Examiners. He has also served on the District 10

Investigative Committee for the Office of Lawyer Regulation.

A graduate of the College of St. Thomas (now University of St. Thomas) and the University of Minnesota Law School, Morrison has worked in general practice in Marinette since 1976. He has also served as a faculty member of UW-Marinette and instructor for the Northeast Wisconsin Technical College in Marinette.

Morrison fills the Branch 2 vacancy created by Judge Tim A. Duket’s retirement in January (*see The Third Branch, fall 2011*).



Judge James A. Morrison

**Judge Michael E. Nieskes
Racine County Circuit Court**

The vacancy in Branch 5 created by the death of Judge Dennis J. Barry (*see The Third Branch, fall 2011*) was filled by Michael E. Nieskes. A graduate of UW-Milwaukee and DePaul University, Nieskes is the former district attorney and deputy district attorney for Racine County. He has also served as an assistant state’s attorney in Illinois.

“The district attorney’s office gives you different challenges every day,” Nieskes told *The (Racine) Journal Times*. “While some cases do seem somewhat routine, there (are) new cases, new individuals, new opportunities every day. I just felt I’d come to a point in my life where I needed a different experience, and my experiences could be put to better use at this time.”



Judge Michael E. Nieskes

**Judge Frank D. Remington
Dane County Circuit Court**

Frank D. Remington was appointed to fill the vacancy on the Dane County Circuit Court Branch 8 seat created when Judge Patrick J. Fiedler retired from the bench (*see The Third Branch, fall 2011*).

After receiving his bachelor degree from UW-Madison and law degree from UW Law School, Remington served as a law clerk for the Wisconsin Supreme Court. He went on to work in private practice. Prior to



Judge Frank D. Remington

NEW FACES**Fremgen named Clerk of Supreme Court and Court of Appeals**

Diane M. Fremgen started her new role as clerk of the Supreme Court and Court of Appeals on March 5. Fremgen made the move to Madison from the Winnebago County Circuit Court, where she had served as clerk of court since January 1997.



Diane M. Fremgen

With a degree in business administration from UW-Oshkosh, Fremgen has served on various court system committees and boards, including the Records Management Committee and CCAP Steering Committee.

In 2008, she helped develop a legal assistance clinic in

Oshkosh. She has also served as president of the Wisconsin Clerks of Circuit Court Association.

"Diane has been here a long time. She did a lot of innovative things in that office," Winnebago County Circuit Court Judge Thomas J. Gritton told the *Oshkosh Northwestern*. "When things needed to get done you could always depend on her to get them done."

Fremgen fills the vacancy created by the death of David Schanker in 2010. Director of State Courts A. John Voelker served as interim clerk of court.

District Four gets new administrator

Jon Bellows has signed on to serve as the district court administrator for the Fourth Judicial District. Bellows relocated from North Carolina, where he spent the past five years as a trial court administrator. Prior to that, he was the director of administration for the Center for Criminology and Public Policy Research and Florida State University, where he graduated with degrees in Public Administration

and Criminology.

Bellows, who brought along his wife, Deborah and their five-year-old son just in time to experience Wisconsin winter, enjoys reading, playing tennis, and watching sports.

District four encompasses Calumet, Fond du Lac, Manitowoc, Sheboygan and Winnebago counties. Bellows replaces Jerry Lang, who retired last June.



Jon Bellows

Fox joins Office of Court Operations

Shelly Fox has taken over the role of special projects manager in the Office of Court Operations. Fox succeeds Erin Slattengren, who moved back to Minnesota in May 2011.

A graduate of Albion College and the University of Michigan Law School, Fox had previously worked in the



Shelly Fox

state Office of Justice Assistance. She has also worked as a staff attorney for the Pennsylvania Coalition Against Domestic Violence's Washington D.C. national policy office and as an assistant prosecuting attorney for Washtenaw County, Mich.

As the special projects manager, Fox manages the Effective Justice Strategies Program for the Wisconsin court system.

She and her husband, Michael, have a four-year-old son, James. Outside of the office, Fox serves on the board for her son's daycare and is active in her church. ■

New judges *continued from page 6*

his appointment to the circuit court, he served as assistant attorney general for the Wisconsin Department of Justice and as a municipal judge for the village of Shorewood Hills. He is a 2008 recipient of the U.S. Office of Inspector General Integrity Award.

"Judge Remington is both fair and open-minded," Walker said in a press release. "He has a long record of serving the people of Wisconsin and his vast experience will assist him as a circuit court judge."

**Judge John P. Zakowski
Brown County Circuit Court**

"Mr. Zakowski's extensive qualifications and community involvement make him an ideal candidate to serve on the Brown County Circuit Court," Walker said in a press release.

Prior to his appointment to the circuit court, Zakowski served as district attorney for Brown County. He had previously worked in private practice. He received his bachelor's and law degrees from UW-Madison. In 2002, he was named the E. Michael McCann Prosecutor of the Year.

Zakowski fills the Branch 6 seat vacated by Judge J.D. McKay, who retired in December (*see Retirements on page 21*). ■



Judge John P. Zakowski

Use of COMPAS assessment tool expands

By Scott Johnson, District Court Administrator and Jared Hoy, State Department of Corrections

Making decisions based upon evidence is not new (or news) to our court system. However, developing criminal justice-related programming, policy and procedures based upon research in a collaborative environment within counties is an evolving concept.



Scott Johnson

Specifically, more than two decades of research exist on factors that contribute to criminal reoffending and the methods the justice system can employ to interrupt the cycle. One of the primary methods (most would note that it is the most important method) is risk and needs assessment of criminally charged defendants.

Correctional Offender Management Profiling for Alternative Sanctions

(COMPAS) is an empirically developed risk and needs assessment tool, a case planning report and case management system for a defendant.

In Wisconsin, development and implementation of COMPAS started with two parallel projects initiated by the Eau Claire Criminal Justice Coordinating Council (CJCC) and the state Department of Corrections (DOC).

In late 2009, Eau Claire County's CJCC approved the purchase of, training in, and use of COMPAS and effectively became a demonstration site. In early 2010, the DOC used funding provided through 2010 WI Act 28 (Becky Young Funds) to implement COMPAS system wide.

Early in the development of the DOC project, a unified coalition was formed to facilitate and oversee process review and implementation in the DOC by the end of 2012. Erin Slattengren (formerly of the Office of Court Operations), Eau Claire County CJCC Coordinator Tiana Glenna, and District Ten Court Administrator Scott Johnson were invited by DOC to work with the coalition as observers.

By working together, it is hoped DOC and the court system each may take advantage of COMPAS as a tool to improve decision making and reduce recidivism. Eau Claire County is the first county to implement COMPAS jointly with DOC, but other counties are exploring or beginning the process.

The coalition and other DOC internal committees initiated multiple activities including:

- **A review of business processes as well as the offender lifecycle within DOC** – this was accomplished with all areas (presentence, Divisions of Juvenile Corrections [DJC], Community Corrections [DCC] and Adult Institutions, [DAI]). One significant initial work product was the development of a high-level visual flowchart depicting how an offender moves into and through DOC.
- **Selection of a demonstration site** – DOC's Region 5 (which is roughly analogous to the Tenth Judicial District) was selected with Regional Supervisor Gena Jarr leading the effort. An implementation team of stakeholders from throughout the region was asked to

work through the initial roll out/implementation. The demonstration site went "live" in late February 2011. DOC and some county staff were trained and started using COMPAS. The training included Evidence-Based Practice (EBP) and Motivational Interviewing (MI) training to assist with a larger culture shift toward aligning with evidence based practice.

- **Presentence Investigation Review Committee** – This area is critical and a subcommittee was formed including judicial members of the Effective Justice Strategies (EJS) Subcommittee of PPAC. Judges Carl Ashley, Milwaukee County Circuit Court (chair); Sarah B. O'Brien, Dane County Circuit Court; Lisa K. Stark, Eau Claire County Circuit Court, and William C. Stewart Jr., Dunn County Circuit Court participated. Unfortunately, the committee's work was put on hold in order to account for the addition of the COMPAS Case Management system, which needs to be in place in order to facilitate the PSI. The committee will be reforming to complete its work later this year.
- **District 10 activities** – Eau Claire County's parallel COMPAS project was dovetailed into a partnership with DOC during the demonstration phase. Additionally, initial orientation and training on the research behind, interpretation of and use of the COMPAS risk and needs assessment tool was conducted for District 10's circuit court judges.
- **Deployment in 6 of the 8 DOC DCC Regions was initiated and staff training conducted throughout 2011.** The remaining geographic areas to be trained in the first quarter of 2012 are Regions 2 and 7 which cover the Racine/Kenosha area and Waukesha north to Fond du Lac areas, respectively.
- **Continued county partnerships** – DOC began the partnership process with Dunn and LaCrosse counties for access to COMPAS in early 2012. Approximately 15 other counties have expressed interest in partnership as well.

Naturally, there have been lessons learned throughout the implementation process both at the county and DOC level, here are a few poignant areas:

- **The use of COMPAS and its results are not intended to replace staff and judicial decision making.** COMPAS is simply an additional tool and is not intended to supplant professional training, expertise nor discretion.
- **Training is essential.** Staff (DOC and county) and judges can be taught how to navigate COMPAS however, without the foundation as to why this type of change is so important expected outcomes relating to reducing recidivism will be difficult to achieve.
- **Use the results!** COMPAS gives both practitioners and policy makers more information than they've ever had in the past. For example, if COMPAS tells us criminal personality is the highest criminogenic need in a given area, is there enough cognitive behavioral

Milwaukee begins universal screening process

Beth Bishop Perrigo, Deputy District Court Administrator

After months of preparation, Milwaukee County began implementation of universal screening of pretrial defendants on Jan. 14. Universal screening helps identify pretrial defendants who can safely be released to the community, resulting in more appropriate and effective use of expensive jail space for high-risk defendants.

Conversely, universal screening helps identify defendants who pose too great a risk to be released, thereby protecting community safety. Screening will also ensure that for those defendants who are released, adequate conditions are imposed to mitigate any identified risk for failure to appear.

Through a pretrial investigation interview, application of the Milwaukee County Pretrial Risk Assessment Instrument and praxis, Milwaukee County will have assistance in identifying the following populations:

- Low-risk defendants who can safely be released with very limited or no conditions pending case adjudication;
- Moderate/moderate high risk defendants whose presenting risks can be adequately addressed by imposition of appropriate release conditions and/or pretrial and community supervision resources;
- High-risk defendants for whom no conditions can assure future court appearance and/or public safety and who therefore must be detained until their case is adjudicated.

Jail screening has been expanded to a 24-hour-a-day, seven-day-a-week operation. Screening focuses on persons arrested/booked on the following types of offenses:

- Summary misdemeanor/felony offense
- Misdemeanor initial appearance warrant return
- Felony initial appearance warrant return
- Misdemeanor bench warrant return
- Summary criminal traffic offense
- Warrant/bench warrant return for criminal traffic offense

- Any criminal offense that would subject the arrestee to having bail set in the Milwaukee County Circuit Court system.

During the first month of operation, about 1,600 investigations were completed on persons arrested and booked into the County Correctional Facility Central.

The investigation process includes use/application of the following tools:

1. Milwaukee County Pretrial Risk Assessment Instrument-Revised
2. Milwaukee County Pretrial Investigation
3. Milwaukee County Pretrial Praxis

The investigation results in the Milwaukee County Pretrial Risk Assessment Report. This report is published to the web-enabled Milwaukee County Pretrial Services Database and is available electronically to all stakeholders. The assistant district attorney uses the report at charging to formulate a bail recommendation, the defense attorney uses the report to prepare for the initial appearance and the commissioner in the In Custody Intake Court uses the report to help formulate the bail and release conditions decision.

The report contains basic defendant demographic information, charge information, risk factor information and a recommendation as to the bond type, bond range, supervision and conditions. This recommendation is the starting point for discussion of bail and release conditions.

To date, the praxis recommendation has been followed in approximately 92 percent of cases.

Outcome data are being collected on every case involving the application of the risk assessment and praxis and will be utilized to measure and compare failure to appear and re-arrest rates for persons released since inception of the program.

While it is difficult at this point to prove a causal relationship, the pretrial jail population on Jan. 25 was 862. As of Feb. 17, it was 733. ■

EJS *continued from front page*

state," Abrahamson said.

Below is a brief history and overview of the report and its recommendations:

Project history

On Jan. 15, 2010, the director's office contracted with the NCSC to conduct the "Enhancing Public Safety: Effective Justice Strategies" research project. Supported by grants from the State Justice Institute and former JEHT Foundation, the NCSC research team was composed of Suzanne Tallarico, project director; Fred Cheesman, research director; Mary Beth Kirven; and Matthew Kleiman. The NCSC team's mission was straightforward, but ambitious:

"Identify court-related evidence-based strategies that enhance public safety, reduce recidivism, and address criminal and addictive behaviors and develop

recommendations related to the court systems role in fostering statewide support and replication of these strategies."

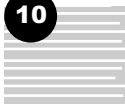
Project overview

In order to fulfill its mission, the NCSC team worked to answer three primary questions:

What is currently being done in Wisconsin courts?

The NCSC team sought to develop an understanding of programs, initiatives and outcome measures currently being utilized in Wisconsin courts related to public safety/problem solving strategies, reducing recidivism and alternatives to incarceration. In order to do so, the team collected information on other alternative sentencing practices, programs and innovative problem-solving strategies being

see EJS on page 10


EJS *continued from page 9*

piloted and implemented throughout the state. These strategies include, but are not limited to, all types of problem-solving courts (i.e. treatment courts, drug courts, etc.), the AIM pilot, day report centers, diversion programming, community service programs, restorative justice initiatives, etc. that strive to enhance public safety, reduce recidivism and address addictive behaviors.

What works and how do we measure it?

The NCSC team compared the effectiveness of some of Wisconsin's existing programs to findings of national research. They also made recommendations on how to assess the programs on an ongoing basis and how to promote replication of the best programs.

What should be the statewide strategy and plan of action?

The NCSC team has developed specific recommendations for educational and outreach strategies to promote further development of best practices state wide and foster system improvement.

The NCSC team undertook a multi-faceted research approach to answering these three primary questions. Over the course of two years, the NCSC team engaged in site visits to 15 counties, held conference calls and conducted telephone interviews with various stakeholders, produced multiple surveys focusing on descriptive information, and conducted six focus groups to obtain data to inform the project. The information obtained by the team served as a primary resource in developing the report and, particularly, in formulating the NCSC's ultimate recommendations to the Director of State Courts.

The NCSC team completed a preliminary draft of the report in November 2011. Tallarico presented the first edition of the report to the EJS Subcommittee on Nov. 17, 2011 and a subsequent edition to PPAC on Jan. 26.

Recommendations:

The report makes the following overarching recommendations:

- Wisconsin should continue its strategy of shifting funding from incarceration to the development of evidence-based community corrections and treatment infrastructure. This recommendation builds on the 2008 Justice Reinvestment Initiative and work by the Legislative Council's Special Committee on Justice Reinvestment Oversight, which in 2009 identified five policy options to reduce spending on corrections and promote public safety.
- Develop a Statewide Criminal Justice Coordinating Committee (CJCC) to provide central planning and coordinating support. Effective coordination of the many agencies that participate in a criminal justice system is a key factor to the system's overall success. While local CJCCs have contributed to local criminal justice solutions for over 40 years, the value of this kind of coordinated planning has also been experienced, more recently, at the state level.

Currently, 28 states have collaborative bodies that address and coordinate criminal justice issues at the state level.

- Wisconsin's history of support for evidence-based practices should become institutionalized and supported by the systematic collection of performance measurement data and the formal evaluation of selected, promising programs. The state also should develop a system of performance measures for its drug courts and join the growing number of states that have evaluated drug courts statewide to assess their effectiveness and cost-efficiency.

The report also includes chapters and recommendations on the use of risk-and-needs responsivity (RNR) assessments and problem-solving courts.

Recommendations regarding RNR include:

- Wisconsin should implement a statewide protocol for implementing a process to provide judges with RNR assessment information before sentencing.
- The feedback component of the AIM program should be refined and enhanced, in part by collecting of some additional data elements that will assist with understanding which program elements contribute the most to offender outcomes, such as: Sanction/sentence, type of service and dosage (unit of services).
- Training should be available to judges, staff, and other stakeholders, such as prosecutors, defense lawyers and policy makers, in the use and interpretation of assessment information. Training is critical for the successful implementation and utilization of risk and needs assessment information.
- Evaluate implementation of a statewide protocol for the implementation of a process to provide judges with RNR Assessment information before sentencing.

Recommendations regarding problem-solving courts include:

- A full-time, state-level position should be dedicated by the court system to coordinating efforts and providing technical assistance to problem-solving courts in Wisconsin.
- A full-time, state-level position should be dedicated by the court system to provide technical assistance and training regarding evidence-based practices.
- Special attention should be given to OWI courts to ensure that they are based on the most recent evidence-based practices literature.
- An Interagency Problem-Solving Courts Oversight Committee should be formed to establish guidelines and base criteria for problem-solving courts.
- Circuit courts that currently have problem-solving courts, as well as those that are developing problem-solving courts, should ensure that appropriate and varied treatment is available to meet the needs of the targeted population. ■

Waukesha, Eau Claire host sentencing seminars

So when it comes to sentencing an offender, what really works? The answer to that question is of great interest to judges and lawyers, not to mention the public we serve.

In an educational seminar in Waukesha on Jan. 19-20, experts from The Justice Management Institute (JMI) of Virginia and The Carey Group of Minnesota presented the latest in social science research on offenders and sentencing.

Elaine Nugent-Borakove, the president of JMI, is a former director of the National District Attorneys Association Research Institute. Frank Domurad is vice-president of The Carey Group with a background in probation supervision as well as cognitive-behavioral intervention. The training opportunity was funded by a grant from the Wisconsin Office of Justice Assistance to Waukesha County's Criminal Justice Collaborating Council (CJCC). Waukesha CJCC



In January, Waukesha County hosted a Smarter Sentencing seminar attended by southeastern Wisconsin lawyers, justice system stakeholders and circuit judges. Pictured here from left to right are Waukesha County Circuit Court Judge William J. Domina; Waukesha County Criminal Justice Coordinating Committee coordinator Rebecca Luczaj; First Assistant Public Defender Sam Benedict; and Waukesha County Circuit Court Judge Jennifer R. Dorow.

Coordinator Rebecca Luczaj managed the program.

Eighteen circuit judges, 20 lawyers, and other justice partners from 10 counties in southeast Wisconsin gathered to learn about what works and what doesn't work. Smart Sentencing is part of a movement in the justice system also represented by Wisconsin court system-sponsored projects such as Assess, Inform, and Measure (AIM), the

Department of Corrections' COMPAS (see related story, page 8), and treatment courts. All involve efforts to test and validate objective criteria for determining risks and needs of offenders.

A companion grant awarded to Eau Claire County resulted in a repeat of this seminar on Feb. 27-28. Attendees came from nine northern and western counties in Wisconsin. ■

PPAC subcommittees study planning, security

By Shelly Cern, PPAC Policy Analyst

The Supreme Court's Planning and Policy Advisory Committee (PPAC) continues to increase its communication with the judiciary following the plenary session at the annual meeting of the Wisconsin Judicial Conference. Efforts include the "micro" e-newsletter *From the Front Lines* and e-mail updates from the PPAC judicial representative, highlighting key items following a PPAC meeting. These quick bites of information are aimed at keeping the judiciary up to date on PPAC activities and key PPAC accomplishments in a more timely manner. Please contact your PPAC representative if you have questions or comments on a PPAC item featured in any of this correspondence.

PPAC Planning Subcommittee

The PPAC Planning Subcommittee continues its work on the 2012-14 *Critical Issues Report* to identify the court system's short-term priorities. Planning priorities for the Wisconsin court system for 2012-14 are court system funding, increasing public confidence, evidence-based practices, and access to justice (in no particular order). In the coming months, PPAC and the planning subcommittee,

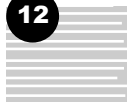
through the judicial representative to PPAC, will be asking for further information on these critical issues. PPAC will be looking for specific suggestions of initiatives, policies, procedures, budget items, education initiatives, legislation, administrative changes, or training that can become an objective or action item for each critical issue, regardless of perceived cost or feasibility. PPAC wants to know what the circuit court judges want the Supreme Court, the director of state courts and PPAC to do to address each issue.

PPAC Court Security Subcommittee

On Jan. 11, the Supreme Court approved *Rule Petition 11-03 – in the matter of repeal and recreation of SCR 70.38-70.39, relating to court security and facilities* (see related story, page 12). PPAC will be working with the director of state courts to provide education and to implement the new data collection, reporting and other requirements included in the new rule. You can find the rule petition and related documents at: www.wicourts.gov/scrules/1103.htm

Further information about PPAC, its subcommittees and initiatives can be found at:

see **PPAC** on page 24



Supreme Court adopts key changes to security rule

The Supreme Court in January unanimously adopted amendments to SCR 70.38 and 70.39, making a number of changes to the 1994 rule that governs court security and facilities.

The changes do not address Wisconsin's new concealed carry law. Instead, they focus on improving communication and training. The newly amended rule will ensure for the first time that information on security incidents is shared among the counties. That change was among the most important to Dane County Circuit Court Judge Sarah B. O'Brien. She co-chaired the Planning and Policy Advisory Subcommittee on Court Security, which developed the proposed changes to the rule.

"Instead of the Security and Facilities Committees filing a report every six months that goes into (a) file cabinet, we envision ... an annual report from each county to be synthesized by the Director of State Courts Office and shared with all counties' security committees," she said.

O'Brien said another important change will be development of an online forum where security and facility committees can share security issues in real time.

Waukesha County Circuit Court Judge Michael O. Bohren, who co-chaired the committee with O'Brien, appeared before the Court to advocate for the changes. He

said among the most important updates is an expanded set of responsibilities for county security committees, and a new focus on training for courthouse employees to help them spot potential security problems and address them.

In late March, a Court Safety and Security Conference – the third such event to be held in Wisconsin – will be offered in Appleton. Sponsored by a long list of partners including the state Supreme Court, Fox Valley Technical College, the Wisconsin Sheriffs and Deputy Sheriffs Association and more, these conferences give law enforcement and court personnel strategies for minimizing safety risks and handling potentially volatile situations.

The committee began its work in 2007. The process took several years because of the size and diversity of the group. Members included circuit court and municipal judges, law enforcement officers, clerks of court, county board supervisors, a district court administrator and others who work in court facilities. Bohren and O'Brien agreed that the discussions were spirited but not contentious.

As before, the rule recognizes the constitutionally appropriate role of the courts in addressing their facilities and priorities within the constraints of funding and budgets. It provides minimum standards for a functional and secure facility, but does not impose specific requirements. ■

High court considers Treatment Court petition

A rules petition pending before the Supreme Court would make it easier for judges to participate in specialty treatment courts without concern of violating ethics rules related to *ex parte* communications.

Rule petition 11-09 was developed by an advisory committee of judges and clerks of circuit court and adopted by the Supreme Court's Planning and Policy Advisory Committee (PPAC) and its Effective Justice Strategies Subcommittee. It was filed with the Supreme Court by Director of State Courts A. John Voelker in December 2011.

The rule is intended to help courts strike an appropriate balance between the need for confidentiality of treatment records and the need for public accountability and open records in the criminal justice system.

The treatment committee developed a report, including a review of an ABA model rule and best practices in other states. The report is available online at: www.wicourts.gov/courts/programs/alternatives.htm.

The petition proposes an exception to the *ex parte* rule, rather than comment added to the existing rule, to provide additional protection for judges who preside over treatment courts.

The text of the proposed rule reads: SCR 60.04(1)(g)6. *A judge may initiate, permit, engage in or consider ex parte communications knowingly waived by a participant when serving on therapeutic or problem-solving courts, mental health courts, or treatment courts. In this capacity, judges may assume a more interactive role with participants, treatment providers, probation officers, social workers, and others.*

The committee also considered the role of the judge in treatment team meetings, where a multidisciplinary group of

professionals meet regularly to discuss the participant's progress.

Although the Wisconsin committee looked at the work of treatment courts specifically, the proposed rule follows the ABA model and other states by referring to "therapeutic or problem-solving courts, mental health courts, or treatment courts."

The rule is meant to be broad enough to include other courts such as veterans' courts and teen courts, so that judges are able to take initiative and develop new approaches to these issues, Voelker said. The rule was drafted to recognize the wide variation in problem-solving and therapeutic courts and the need for individual jurisdictions to devise special rules for these courts.

The rule would not result in any loss of rights by the treatment court participant. Participation in treatment court is voluntary and requires the participant to agree to a number of conditions in order to complete the program successfully. Each participant already signs a waiver agreeing to *ex parte* communication among treatment team members and the judge, and the requirement of knowing waiver is expressly included in the new rule.

Approximately 40 treatment courts are currently operating in Wisconsin. The judges of these courts have worked closely with other professionals in their communities to develop effective coordinated approaches to these often intractable problems, Voelker wrote in a supporting memo. The rule affirms that judges may properly work as part of a team and communicate as needed to provide the ongoing interaction, monitoring, and control needed for success. The Supreme Court has not yet schedule a date to consider the petition. ■

Judge Des Jardins does time on the “chain gang” at Lambeau Field

Some people find it amusing that a circuit court judge actually works on the “chain gang.”

But Judge John A. Des Jardins, Outagamie County Circuit Court, isn't serving time for a crime. He's part of the Green Bay Packers' sideline team that spots the first down mark with “the chains” at Lambeau Field.

Des Jardins is in his 11th season at what he calls his hobby job.

“I have to pinch myself every time I go down on the field. It's a complete privilege to be down there,” Des Jardins said.

Just as he does in his role as circuit court judge, Des Jardins has to be fair and impartial, setting aside his own personal feelings for one side or the other. His deep love of football – from Pop Warner levels through professional teams – is the reason he's there.

The work also helps keep alive his family history with the Packers – his grandfather, John (Jack) Des Jardins, played for the team during its inaugural season in 1919.

The Packers do compensate the chain gang, but Des Jardins said any one of the eight members would pay the Packers for the privilege. Other members of the chain gang include educators, salesmen, real estate brokers and accountants. Each has a high school or college officiating background.

For his part, Des Jardins was a sports official for high school football and basketball, both of which were helpful experience. He contends it's probably easier to get onto the Wisconsin Supreme Court than it is the chain gang.

“When you're standing on the field next to Aaron Rodgers before 70,000 cheering fans, it seems more prestigious as well,” Des Jardins said.

The sideline job offers him a perspective few non-players and coaches ever get.



Judge John A. Des Jardins poses along the sidelines with NFL Commissioner Roger Goodell during last year's game against the New Orleans Saints.

As a member of the chain gang, Des Jardins gets so close to the action that he can overhear things not picked up by television crews.

One favorite story came from a New England Patriots game in 2005.

“A Brett Favre pass was caught by Donald Driver but a flag was thrown. Patriots quarterback Doug Flutie was running around on the sidelines yelling at the officials, ‘You can't take that away! It was beautiful! It's an injustice!’

“The official started laughing. He had the whole Patriots sidelines laughing. Flutie was like a kid at a Pop Warner game,” Des Jardins said.

“On the Packers sideline, it is refreshing to see the youthful enthusiasm in players like Clay Matthews and Donald Driver,” he added.

Being so close to the action has taught him to be quick on his feet, especially

when a 300-pound football player is charging toward the sidelines. When hit, he has been launched six feet on two occasions.

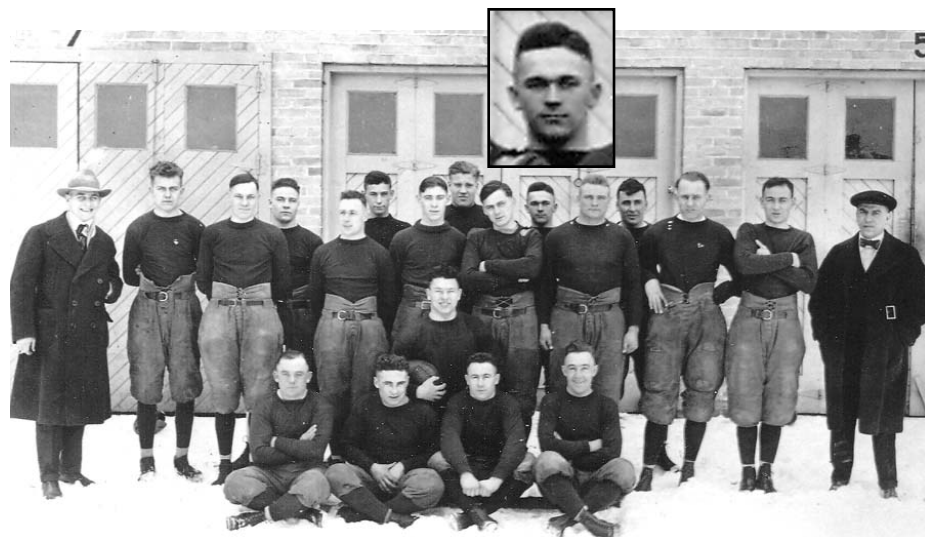
The job has its risks, with chain gang members suffering two broken bones over the years. Des Jardins said, “I would consider any Lambeau injury as a badge of honor. But when the play is coming at you, it puts the fear of God in you. You have to have your head on a swivel. You have to be very aware and not freeze up. You usually dodge the first player. It's the third or fourth one you have to watch out for.”

Openings on the chain gang usually don't happen until someone passes on. As a result, Des Jardins gets a lot of inquiries about his health during football season. Getting on the chain gang took several years and persistence.

Des Jardins' work for the Packers continues a family connection that started with Curly Lambeau, who attended high school with Des Jardins' grandfather Jack.

After WWI, Lambeau asked him to be on the first Packer team. Things were a bit different back then. In 1919, the team passed a hat to collect money at games and donations were evenly split. His grandfather received \$16.25 for the entire season.

In later years, Des Jardins' grandfather took him to games, or he would sneak in under or over the barbed wire fence to see games. Now, he doesn't have to sneak in, and he's about as close to the action as he can be without donning a jersey. ■



The 1919 Green Bay Packers, featuring “Jack” Des Jardins (inset).

Milwaukee County legal-related service programs expand to meet need

By Kellee Selden-Huston, Milwaukee Legal Resource Center

More and more people are depending on the free law-related services in the Milwaukee County Courthouse, including the Milwaukee Legal Resource Center (MLRC) and the Milwaukee Justice Center (MJC), which partners with Marquette Volunteer Legal Clinic.

The MLRC is serving about 55 percent more people than just one year ago. Approximately 3,680 people used the MLRC in January 2012, compared to an average of 2,080 patrons per month in 2011. That's true even though the Resource Center is temporarily operating in a space (Room G10-1) that's only one-third the size of its former location.

Once a "law library" serving mostly judges and lawyers, the MLRC's collection of printed materials has been reduced significantly to fit in the temporary location. It still serves lawyers and judges, but its services to the general public have increased both in kind and numbers, according to Head Librarian Lynne Gehrke.

"Very few people who come through our door are self sufficient. Almost every single person needs assistance, and their needs are expanding. We now create as many as 35 Access accounts in a day for fee waivers, and we are the only location in the courthouse to assist with electronic filing of the real estate transfer tax. Those are services that we didn't even offer a year ago," Gehrke said.

She and her three-person staff sell forms for divorces, modification motions, name changes, stipulations, de novos, paternity and other family law forms. The library users need assistance with a variety of questions ranging from researching law case and finding the right courtroom, to setting up online accounts and making copies.

The MLRC staff also sees to it that judges have up-to-date resources in their chambers and on their benches and provides research assistance to attorneys.

After supplying legal forms or packets, MLRC staff often refers patrons to the MJC's Family Law Self-Help Desk for assistance in filling out forms or the Marquette Volunteer Legal Clinic at the MJC for free legal assistance.

The Family Law Self-Help Desk, located in Room G9, has recently expanded its volunteer hours to help *pro se*

litigants from 8:30 a.m. to noon, Monday through Friday, and from 1 p.m. to 4 p.m. on Mondays, Tuesdays and Wednesdays.

"We have doubled the number of people we are seeing," MJC Legal Director Ayame Metzger said. "I think that makes it a success." The increased days and hours of the clinic mean more people can get assistance during regular business hours every week day.

The volunteers and law students at the MJC Family Law Self-Help Desk focus on family court questions. Metzger explains: "We don't give any legal advice at the *pro se* clinic. We give out legal information, assist in filling out forms and supply information on how to file those forms."

Volunteers can help with divorces, modifications in child support and placement issues, reopening paternity claims, restraining orders, name changes, stipulations, contempt motions and motions to modify grandparents' rights. They don't help with anything that is done in children's court, such as guardianship issues. The MJC doesn't handle real estate issues or electronic filings that need to be done for transferring deeds.

Metzger is employed by the Milwaukee Bar Association and its Foundation, which works with Marquette Law School and Milwaukee County to provide the funding, volunteers, forms and supplies the free clinics need.

In addition to the Family Law Self-Help Desk, MJC partners with Marquette Volunteer Legal Clinic to provide brief legal advice and referrals to *pro se* litigants.

The brief legal advice clinic is located in Room 106 of the courthouse on Thursdays and Fridays from 2 p.m. to 4 p.m. and offers help with small claims and other more in-depth matters requiring legal answers. MJC Executive Director Atty. Dawn Caldart and the staff of volunteer attorneys and law students help with issues that often arise in small claims and civil court.

Together, the MLRC, the MJC and the Marquette Volunteer Legal Clinic help the courts run more smoothly by reducing the number of ill-prepared litigants. ■

OLR offers Web-based lawyer search

On Jan. 12, the Wisconsin court system and the Office of Lawyer Regulation debuted a new online search program that provides information about lawyer status, standing, and discipline history.

In addition to providing easier access, the program provides significantly more information than in the past to judges, court staff, and members of the public.

From the Office of Lawyer Regulation Home Page (www.wicourts.gov/olr), the links to "lawyer status and history" and "search lawyer status and history" enter the search page.

Or, from the court system home page (www.wicourts.gov), the tab "how do I" and the link "find the status/standing of a lawyer" enter the search page. From there, typing the name, bar number, or other information results in a list of all lawyers meeting the search criteria. Selecting a particular lawyer provides information about the lawyer's firm and contact information, current status and standing, any pending public disciplinary cases with a link to the Wisconsin Supreme Court and Court of Appeals Access site, and public disciplinary history with a link to each final disciplinary order. ■

Chief Judge Kremers meets with mayors



Chief Judge Jeffrey A. Kremers

On Feb. 13, District One Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, met with members of the Intergovernmental Cooperation Council of Milwaukee County (ICC). Members of the ICC are mayors and city managers of the municipalities in Milwaukee County.

Milwaukee County Executive Chris Abele attended the meeting, as did representatives of the local fire departments and the president of the Milwaukee County Law

Enforcement Executives Association (MCLEEA), an organization of police chiefs.

In his remarks, Kremers described the structure,

operations, budget challenges and workload of the Milwaukee County circuit courts. He also spoke about the evidence-based decision making efforts continuing in the county, such as universal screening and enhanced crisis intervention efforts to assist the local police departments' work with people who have mental illness. A question and answer period followed his remarks and he invited the attendees to visit the courts.

Kremers' efforts are part of a larger District One outreach program. Over the past few months, he and other members of the Executive Committee of the Milwaukee County Community Justice Council have attended citizen meetings in the Milwaukee police districts. Also, as part of "Courts Connecting with Communities," he has partnered with representatives of the Milwaukee Bar Association's Community Relations Committee, chaired by Milwaukee County Circuit Court Judge Carl Ashley, to develop a speakers' bureau for the district. ■

Judges gather to take the plunge in Eau Claire

Under the fearless and uncompromising leadership of Barron County Circuit Court Judge James D. Babbitt, four Wisconsin circuit court judges plunged into the frigid waters of Half Moon Lake in Eau Claire on Feb. 26.

Collectively known as "Monty Python's Flying Circuits," Babbitt and circuit court judges Jennifer Weston, Jefferson County; Jeff Anderson, Polk County; and Craig Day, Grant County participated in the Polar Plunge for Special Olympics in Eau Claire on Feb. 26. The group raised more than \$1,800, all from the generous donations of Wisconsin judges. ■



Circuit Court Judges (from left to right) James D. Babbitt, Barron County; Jeffery L. Anderson, Polk County; Jennifer L. Weston, Jefferson County; and Craig R. Day, Grant County, participated in the Polar Plunge for Special Olympics in Eau Claire on Feb. 26.

Photo credit: Eric Brock



The Supreme Court met on March 5 to hear comments, via videoconference, about the various ways in which the federal courts and state courts throughout the country handle the rulemaking process. Among speakers was South Dakota Supreme Court Chief Justice David E. Gilbertson, pictured above on the video screen.

Children's Court Initiative Summary Report issued

By Bridget Bauman, Children's Court Improvement Program

The Children's Court Initiative (CCI) Summary Report, which compiles the data, findings, and best practice examples from the CCI on-site reviews conducted in 71 counties, was issued in January. The report can be found online at: www.wicourts.gov/courts/programs/ccip.htm#1.

CCI is a comprehensive county circuit court review process designed to strengthen court processing in child in need of protection or services (CHIPS) and termination of parental rights (TPR) cases. With the goal of improving outcomes for children and families, combined with an effort to prevent the loss of federal funding, the CCI Advisory Committee established safety, permanency, due process, and timeliness performance measures based on provisions contained in state and federal law, best practice principles, and the findings from federal reviews that have been conducted in Wisconsin. Case processing as it relates to the performance measures is assessed and tracked through on-site county reviews, where the following data collection methods are utilized: court file review, court observation, and focus groups.

The CCI Summary Report is a culmination of the activities and reviews performed since the project's inception over six years ago. CCI reviews have occurred in all of the counties in Wisconsin, with the exception of Menominee County where the child welfare cases are heard in tribal court. A total of 2,052 CHIPS cases and 761 TPR cases were reviewed, 438 hearings were observed, and over 700 focus groups were conducted during the on-site reviews.

The Children's Court Improvement Program is in the process of developing a new continuous quality improvement program that will replace CCI to promote ongoing monitoring and assessment of case processing in child welfare proceedings.



Bridget Bauman of the Children's Court Improvement Program reviews a file during a visit to Milwaukee County.

Key Findings from the CCI Summary Report

Strengths:

- Making findings on court orders "contrary to the welfare of the child," "reasonable efforts to prevent removal" and "reasonable efforts to achieve the goal of the permanency plan"
- Providing parents with notice of hearings and an opportunity to participate in court
- Attendance of the child's guardian ad litem or adversary counsel at key hearings
- Giving priority to CHIPS and TPR cases, consistent with case processing goals
- Low number of judicial officers presiding over a child's case
- Filing orders in a timely manner and using standard circuit court forms

Needs Improvement:

- Guardian ad litem performance
- Complying with the Indian Child Welfare Act
- Caregiver notice and participation at court hearings
- Following change of placement notice requirements and having an associated change of placement order
- Providing adversary counsel for children 12 years and older in CHIPS cases
- Consistently making findings orally on the record "contrary to the welfare of the child," "reasonable efforts to prevent removal" and "reasonable efforts to achieve the goal of the permanency plan" ■

Questions about the CCI Summary Report may be directed to Bridget Bauman at bridget.bauman@wicourts.gov or (608) 267-1958.



Sheboygan Lutheran High School was among teams that competed in the Appleton regional of the State Bar of Wisconsin mock trial competition Feb. 11. Regional winners and two "wildcard" teams proceed to the state finals, which were judged by Supreme Court justices in Madison on March 12. Judge James J. Bolger, Sheboygan County Circuit Court, was one of the Sheboygan Lutheran coaches. The first place winner of the state competition, Xavier High School of Appleton, represents Wisconsin at the National Mock Trial Championship in Albuquerque, N.M. May 3-6.

PEOPLE

Chief Justice **Shirley S. Abrahamson** and her Executive Assistant **Theresa Owens** collaborated on an article about the criminal justice system that was published in the Winter 2012 edition of *Wisconsin People & Ideas*, a magazine of the Wisconsin Academy of Arts and Letters.

“Making the Criminal Justice System ‘Visible’” explores Wisconsin’s criminal justice system and the approach justice system partners are taking together to improve it – effective justice strategies.

Abrahamson explains that judges across the state are joining with justice system partners, including county officials, prosecutors, public defenders, treatment professionals and others, to develop collaborative programs that protect public safety, reduce recidivism and ease costs of incarceration. Examples of approaches taken in some counties include bail-monitoring programs and drug and alcohol treatment courts, among others.

The article also outlined a National Center for State Courts study of effective justice strategies in Wisconsin that provides an overview the AIM Pilot Project, problem-solving courts and county criminal justice collaborating councils.

“The number of effective justice strategies in process and the level of collaboration demonstrated in so many communities in Wisconsin are a testament to our commitment to make systemic changes and develop a statewide strategy for building evidence-based practices



Chief Justice Shirley S. Abrahamson

and problem-solving strategies and for measuring outcomes,” the article concludes in part.

Waukesha County Circuit Court Judge **Ralph M. Ramirez** was the focus of the *Wisconsin Law Journal*’s January Asked and Answered segment. Ramirez, who chairs the Committee to Improve Interpreting in the Wisconsin Courts, told the *Law Journal* that he would like to develop a CLE course that focuses on equal access to the courts and using certified interpreters to address language barrier issues. According to the article, his favorite legal movie is *My Cousin Vinny*. “We all need a good laugh,” he’s quoted as saying. “And don’t forget that the lawyers shook hands at the end of the case.” Ramirez told the *Law Journal* he considers his family to be his greatest achievement, and his motto, “Seek perfection of character; be faithful; endeavor; respect others; refrain from violent behavior,” stems from his training in Shotokan karate.



Judge Ralph M. Ramirez



Chief Judge J. Mac Davis, Waukesha County Circuit Court, poses on the deck of the USS John C. Stennis while visiting his son, naval pilot Lt. Carl Davis during a family visit week.

Thanks to his son, Chief Judge **J. Mac Davis**, Waukesha County Circuit Court, had the opportunity to experience something few civilians have, the *Waukesha Freeman* reported. Davis spent a week aboard the USS John C. Stennis aircraft carrier in the Pacific Ocean while visiting his son, Lt. **Carl Davis**, this February. The senior Davis took part in a “Tiger Cruise,” a Family Week that allows family members of active service members to have a first-hand experience of what active-duty life is like.

“It was interesting. Different than a pleasure ship. Busy. Crowded,” the judge told the *Freeman*. “I think I had a fairly good conceptual idea of what he does and what the Navy does and the importance of that. But the hands-on and seeing the relatively crowded conditions they live in and yet they are effective. Almost 6,000 people, and equipment, and 80 warplanes on the ship and they’re effective.”

The younger Davis is a VAW-112 Golden Hawks Air Wing pilot who flies a Hawkeye E-2 radar plane. He has spent the past seven months on duty in the Arabian Sea. His father was able to join the ship as it made the last leg of its return home.

The visit, and meeting the men and women who serve



Lt. Carl Davis, wearing his flight gear, was able to show his father, Chief Judge J. Mac Davis, Waukesha County Circuit Court, what life aboard an aircraft carrier is like firsthand.

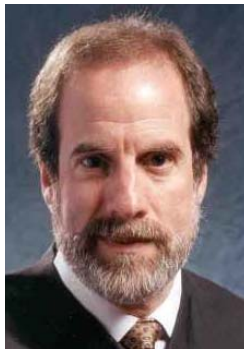
PEOPLE *continued from page 17*

with his son, gave the father some peace of mind.

"Somebody has to do it and I don't know anyone who can do it better than my son," Davis told the *Freeman*. "I am proud of him. I am not worried about him."

Former Judge **Charles B. Schudson**'s presentation to the National Association for Court Management at their summer conference was highlighted in its publication, *Court Manager*. Schudson spoke about emotional intelligence in the courtroom, and the question of whether judges can perform their administrative duties without any bias, as their code of conduct requires.

According to Schudson's talk, as humans we are all unconsciously incorporating learned prejudices into our social interactions. Schudson argued that if judges are aware of this, it can be addressed through emotional intelligence and benefit courtroom interactions.



Judge Charles B. Schudson

Judge **Kitty K. Brennan**, District I Court of Appeals, hosted the 22nd Annual TEMPO Mentor Awards at the Pfister Hotel in Milwaukee Feb. 16.

In Brennan's introduction, the nearly 500 attendees also heard a description of the Milwaukee Circuit Court system that she presided over as Chief Judge before moving to the Court of Appeals. "Professionally, I've been able to expose the importance of our courts to the Milwaukee community," Brennan said in the TEMPO brochure. She was a recipient of the award in 2006 and is a board member of the organization.

Winners of the recent awards were: Earnestine Willis, M.D., Medical College of Wisconsin; Lisa Froemming, Columbia-St. Mary's; and Deloitte.



Judge Kitty K. Brennan, District I Court of Appeals, hosted the TEMPO Mentor Awards in February.

TEMPO is an organization of influential women in the Milwaukee community. It established the Mentor Awards in 1990 to acknowledge the value of mentoring as well as the power of education. Each award winner designates an accredited institution to which a

donation of \$5,000 is given in their name.

Langlade County Circuit Court Judge **Fred W. Kawalski** plans to use technology to help curb truancy, but not in the way one might think, according to the *Antigo Daily Journal*. Teenage offenders now face losing their cell phones, iPods, and other electronic devices for up to 60 days if the court finds them to be habitual truants, thanks to a new amendment to Antigo's city ordinances. The city is hoping the new punishment will act as a deterrent for teens whom officials are having harder time reaching, the *Journal* reports.

"We do have an issue with certain kids and we are trying to reach them in a way they will understand," Antigo City Attorney **Mike Winter** told the *Journal*.

In January, the *Milwaukee Journal Sentinel* reported on the Waukesha County alcohol treatment court's numbers since its inception in 2006. According to the report, 280 offenders have participated in the program. The program has had 164 graduates, seven of whom have reoffended. Seventeen participants have voluntarily left the program, and 20 were removed by the program staff. Participants in the program are offered reduced sentences if they agree to treatment, monitoring and supervision.

These numbers come in as the county is planning a new drug treatment court. The *Journal Sentinel* reports that the county has received a three-year, \$350,000 federal grant to fund the new court, which is anticipated to start running this year.

"We expect there will be a dramatic reduction in jail and prison days," Waukesha County District Attorney **Brad Schimmel** told the *Journal Sentinel*.

Conflict over nativity scenes in the Capitol during December led the *Wisconsin State Journal's* Odd Wisconsin to revisit an old separation of church and state case decided by the Wisconsin Supreme Court. On March 18, 1890, the Wisconsin Supreme Court ruled in favor of a group of Catholic parents who objected to an Edgerton school's reading from the King James Bible in the school. According to the *State Journal*, the U.S. Supreme Court cited that case when ruling against prayer in public schools in 1963.

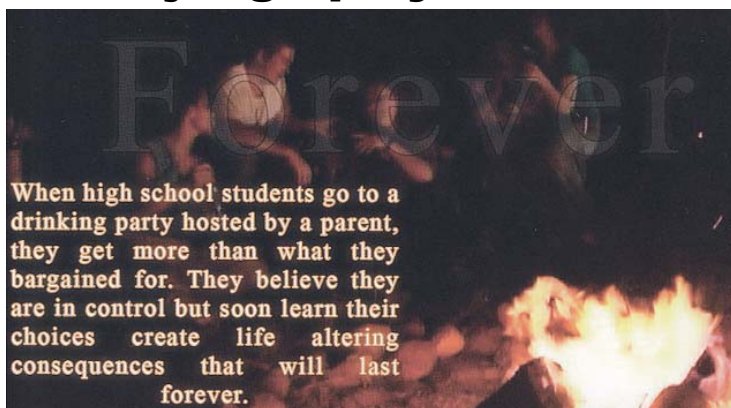
It wasn't newly appointed Kenosha County Circuit Court Judge **Jason A. Rossell** who was in the spotlight at his swearing-in ceremony this past December, according to the *Kenosha News*. All eyes were on his two-and-a-half-year-old son, Cameron, but that may be because he was standing on a chair.

"Cameron, a day like today is a special day," the *Kenosha News* reports Chief Judge **Mary K. Wagner** saying. "And when you're that short, you get to stand on a chair. Get up



Judge Fred W. Kawalski

Chief judge plays role in student video



When high school students go to a drinking party hosted by a parent, they get more than what they bargained for. They believe they are in control but soon learn their choices create life altering consequences that will last forever.

The DVD cover for the video "Forever."

Chief Judge Scott R. Needham, St. Croix County Circuit Court, appears as a judge in an hour-long film created in part by students at New Richmond High School. "Forever" demonstrates the damaging effects of an underage drinking party that was sanctioned by parents and led to a fatal car accident. The film, available on DVD, portrays the party, the accident, the funeral, court appearances and the devastating, permanent effects of some injuries. Students and parents from the high school play leading roles in the hour-long video. The video was produced by Haesefilms Ltd., from the East Coast, said Jeff Swanson, assistant principal. ■

PEOPLE *continued from page 18*

there and take a look at the audience."

Cameron even got to play an important role in the ceremony, conducted by Supreme Court Justice **Michael J. Gableman**, when he and his older sister, Alaina, presented their father with his gavel.

"This is the greatest job in the world," said Rossell, according to the *Kenosha News*. "It is an amazing honor." ■



Photo credit: Kenosha News/Brian Passino

Kenosha County Circuit Court Judge Jason A. Rossell receives a gavel from his son, Cameron, and daughter, Alaina, at his swearing in ceremony.

COMPAS *continued from page 8*

programming capacity in that area? If not, how will a County or DOC narrow the gap?

- **Focus on evaluation/outcome analysis.** Resources invested in COMPAS must be tied to outcomes. The data gleaned from a COMPAS implementation aligned with research should be able to demonstrate long-term recidivism reduction.

As the initial implementation moves to completion in 2012, it is essential to note that evidence-based practices and the implementation of COMPAS have challenged the status quo within DOC as well as within some counties. To date there have been over 28,800 assessments completed in COMPAS and approximately 650 have been completed in Eau Claire County. Finally, it is essential to note that the substantial collaborative efforts that predated the COMPAS project both within DOC and at the county level, had their foundation in the EJS Subcommittee of PPAC and in the earlier pilot project from committee called Assess, Inform and Measure (AIM). ■



Photo credit: Bill Olmsted, The Janesville Gazette

On March 12, Chief Justice Shirley S. Abrahamson discussed the value of academic research with about 30 students in the advanced placement government program at Janesville's two high schools – Craig and Parker. She met with the group at the Madison Club. The students also visited with representatives from the executive and legislative branches and with lobbyists.

RETIREMENTS

**Judge Margaret J. Vergeront
District IV Court of Appeals**

District IV Court of Appeals Judge Margaret J. Vergeront has decided not to seek reelection, and will retire at the end of her current term in July. Vergeront was first elected to the appeals court in 1994.



Judge Margaret J.
Vergeront

Legal access for all citizens has been a prominent theme throughout Vergeront's legal career. Following a clerkship with the late Federal Judge James E. Doyle, she worked as a staff attorney and managing attorney for Legal Action of Wisconsin from 1976-84. While working in private practice, she continued to provide pro bono legal services. As a member of the Dane County Bar Association's Delivery of Legal Services

Committee, she helped establish a volunteer lawyer program with Legal Action of Wisconsin and a legal clinic at a drop-in shelter in Dane County, and encouraged private practice attorneys to advise non-profit organizations serving low-income people. She was a founder and member of the first board of directors for the Dane County Bar Association Pro Bono Trust Fund. In 1988, she received the State Bar Pro Bono Award for her work. She currently serves on the Access to Justice Commission.

Over the years, Vergeront said she has noticed an increase in the number of *pro se* litigants both at the trial and appellate level. In her retirement, she said she hopes to remain involved in some way with the effort for help low-income people receive assistance within the judicial system. She also plans to garden, travel, and spend time with her family and on her farm in Dane County.

Vergeront is also a member of the National Association of Women Judges and Legal Association of Women. She is a past member of the Federal-State Judicial Council, the Judicial Education Committee, and the Planning and Policy Advisory Committee (PPAC) Planning Subcommittee. As part of the judicial skills development seminar sponsored by the Shanghai People's High Court and UW East Asian Legal Studies program, Vergeront has given lectures on judicial ethics and the Wisconsin court system to judges from Shanghai, China. She is also a regular speaker on topics including the court system, the history of women on the bench, and brief writing to various bar associations, community organizations and student groups.

"One of the best things about being an appellate judge is you get to confer with your colleagues before writing an opinion" Vergeront said. Her advice to the judge who fills her vacancy is to take full advantage of this. She said tackling difficult legal issues and working them out with her fellow appellate judges is what she will miss most about the job. She said she will also miss all of the people she has worked with.

**Judge Sue E. Bischel
Brown County Circuit Court**

"Everyone should be retired," former Brown County Circuit Court Judge Sue E. Bischel said.

After almost 20 years on the Branch 3 bench, Bischel retired in February.

Looking back on her career, Bischel said the drunk driving homicide cases really stand out for her because of the pain for the family and friends of the survivors. One case in particular she remembers involved the death of two girls who had just graduated from high school, one of whom was the daughter of a Green Bay police officer. Bischel recalls how it impacted the entire community.

In 2004, Bischel worked to retool an ineffective drunk driving treatment program in the county. The program, run through the Jackie Nitschke Center treatment facility where Bischel has served on the board of directors, offers treatment to inmates with drunk driving convictions. In her retirement, she said she hopes to get re-involved in the treatment center and the drunk driving program. She said she also plans to do custody and placement mediation work, as well as spend time on her boat and hanging out with her four grandchildren.

Bischel said she misses the opportunity her job gave her to say or do something that could make a difference and help someone turn their life around. But she said she feels it became increasingly difficult to get people to respect the judicial process and that people often didn't want to accept responsibility for their actions.

"I never swore on the bench," she said. "I waited until I got to chambers."

Two positive changes Bischel said she witnessed while on the bench were the increase in female lawyers in the courtroom and the work to deliver services to people who need interpreters in the courtroom.

"That is a wonderful thing," she said of the change.

Bischel had served as chief judge and deputy chief judge for the Eighth Judicial District. She is also a former member of the Court Reporter Committee, the Municipal Court Committee, and the Bail/Bond Committee. She has instructed seminars for new prosecutors and Wisconsin district attorney continuing education.

Bischel served as district attorney for Brown County prior to her election to the circuit court in 1992. She has also served as an attorney for the Brown County Child Support Agency and staff attorney for Legal Services of Northeastern Wisconsin, as well as working in private practice. She is a graduate of UW-Eau Claire and the University of Minnesota Law School.



Judge Sue E. Bischel

**Judge Thomas R. Cooper
Milwaukee County Circuit Court**

In February, Milwaukee County Circuit Court Judge Thomas R. Cooper wrapped up 34 years of service to Milwaukee County. Cooper began working as a court commissioner for the county in 1978. In 1993, he was appointed to the Branch 28 bench by then-Gov. Tommy Thompson.

"Every once in a while a big case comes along," Cooper said reflecting on his judicial career. "A judge's job is to take that case and do their best with it."

Cooper has had many big cases come before his bench

see **Retirements** on page 21

RETIREMENTS *continued from page 20*

over the years. One in particular that stands out for him was a first-degree intentional homicide case of a child who was 13 years old when he was involved in a drive-by shooting. Cooper made the decision to waive the child from adult to juvenile court, a decision that was not popular at the time.

"People were livid," Cooper said. "I was 'man of the week' for right-wing talk show hosts in Milwaukee."

The youth was sentenced to a juvenile corrections center until he was 21. During that time, he graduated high school and began earning college credits. He is now a college graduate. Cooper said his decision not to try him as an adult gave the boy his life back.

Cooper was in the news again recently when he presided over the Milwaukee paid sick day ordinance trial. The case spent three years in the courts, ultimately making its way to the Supreme Court in 2011, which deadlocked at a 3-3 vote. The state legislature passed a law taking away municipalities' ability to create such ordinances.

"You read a lot about judges in the press," Cooper said. "More negative than positive. As a judge you need to sit down and do justice. That's how I tried to operate."

Cooper received his bachelor's degree from UW-Oshkosh and his law degree from Marquette University Law School. While on the bench, he has served as a member of the Confidentiality Advisory Committee and the Uniform Bond Committee. In 1998, he worked with the Court Improvement Program to earn a half-million dollar grant from the U.S. Dept. of Health and Human Services for the Milwaukee Permanency Project. The project was developed to improve case processing in child abuse and neglect cases in the Milwaukee County Circuit Court.

Cooper said he will miss the daily challenge and intellectual discipline his job required, as well as the camaraderie it provided.

"But not having stress is also nice," he said.

In his new-found free time, Cooper, who describes himself as an "avid do-it-yourselfer" plans to work around the house, remain active in the Scottish community, and continue to work one day a week with Habitat for Humanity, and he says his wife would like to travel.

"I've also discovered reading books for pleasure," he said.

Judge J.D. McKay **Brown County Circuit Court**

Relaxation is the main thing on former Brown County Circuit Court Judge J.D. McKay's mind these days. After 15 years on the circuit court bench, McKay retired this past December and plans to often be found sitting on the end of a pier, sipping a beverage and enjoying the sunsets at his place in the Upper Peninsula.

McKay was first appointed in 1996. A graduate of UW-Madison, he had previously worked in private practice. While on the bench, he served on the Executive Committee of the Wisconsin Judicial Conference, Wisconsin Trial Judges Association, Planning and Policy Advisory Committee (PPAC), PPAC Planning Committee, and the

Juvenile Jury Instruction Committee. He has also served as a presiding judge for Brown County.

"I had a great staff, and I'll miss the daily contact," McKay said of his time on the bench. "I've handled all types of cases and met all types of people, singling any of them out would be too difficult. I've enjoyed them all, the good, the bad, and the ugly."

McKay said he has noticed a change in the legislature's attitude toward the judicial system, which has caused him some concern, and said the changes involved with "Truth in Sentencing" were difficult to deal with.

"I believe that judges took an unfair and unnecessary hit on that one," he said.

When not enjoying his vacation place in the U.P., McKay said he plans to do some reserve and mediation work and play more golf.



Judge J.D. McKay

Darcy McManus **Court Commissioner,** **Ozaukee County Circuit Court**

Ozaukee County Court Commissioner Darcy McManus retired on Feb. 29 after almost 18 years with the county.

While with the county, McManus worked on numerous committees and programs to help provide legal services to all members of the community. In 2007, she worked with the Ozaukee County Bar Association to expand the county's self-help legal clinics. McManus has continued to work on training and scheduling attorneys and applying for grants to keep the Ozaukee County Family Law Assistance Center operational.

McManus, who has served on the Planning and Policy Advisory Committee (PPAC), co-chaired the Limited Scope Representation Subcommittee established by PPAC in 2010. She has also served as a member of the *Pro Se* Forms Subcommittee, Records Management Committee, Ozaukee County Court Security and Facilities Committee, and the PPAC Planning Subcommittee.

In 2008, she received a STOP Grant for attendance at National Judicial Institute Enhancing Judicial Skills in Domestic Violence cases, and is a 2010 recipient of the Marc Dorfman Award presented by the Wisconsin Family Court Commissioners Association for outstanding public service.



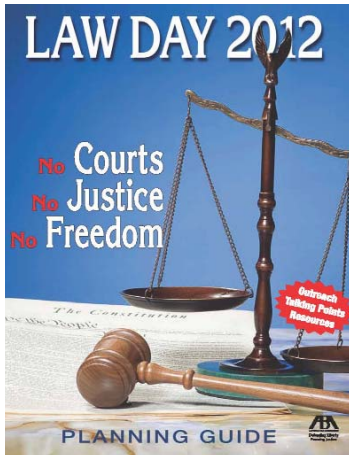
Darcy McManus

Bev Olsen **Branch 1 Judicial Assistant,** **Waupaca County Circuit Court**

After 35 years with the Waupaca County Circuit Court, Bev Olsen retired in December. Olsen served as a judicial assistant to Judge Philip M. Kirk for the past 16 years. Prior to that, she served as the deputy clerk of court for the

Courts, bar associations to mark Law Day

The Wisconsin court system, the State Bar of Wisconsin and several local bars will celebrate Law Day 2012 with a variety of activities, including, among other things, courthouse tours, classroom discussions and free legal advice clinics.



The Young Lawyers Division (YLD) of the State Bar of Wisconsin is seeking classroom volunteers, including judges, to meet with students to discuss the theme of the American Bar Association's (ABA) [2012 Law Day](#) program, "No Courts, No Justice, No Freedom."

Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson has been selected to serve as an ABA honorary co-chair of Law Day 2012 and will be

participating in a variety of educational events.

"This year's theme helps convey the importance of the work done by judges and lawyers throughout Wisconsin. It's an opportunity to get the word out, and I'm hoping everyone who can help will do so," Abrahamson said.

The focus on the role of the judicial branch comes as courts across the country are facing severe budget cuts and shortfalls. An ABA study found that most states cut court funding by 10 to 15 percent within the past three years.

"Law Day benefits students, volunteers, and the community," said Jill Kastner, YLD past president. "Not only are students educated about our legal system, but they get the opportunity to have a positive experience with an

attorney," Kastner said in a press release. This is the fourth year the YLD is sponsoring Law Day activities in classrooms around the state.

The YLD will provide age-appropriate curriculum to educate students about our great legal system and about the legal profession. Volunteers will be assigned to K-12 classrooms statewide.

To volunteer, contact Jennifer Dye, YLD Public Service committee chair, or the program coordinator at LawDayWI@gmail.com.

Local bar associations and courts elsewhere in the state also will be celebrating.

The Dane County Bar Association and Dane County circuit court judges will host their annual Law Day open house from 3 p.m. to 4:30 p.m. on May 1. The public is invited to the courthouse to learn how the judicial system works, how the public's rights are protected through the work of the courts, and what legal resources may be available.

Circuit court and appellate court judges, law enforcement personnel, attorneys, court staff, and citizens will present short informative programs about the role and work of the courts, mock trials, and guided courthouse tours. Throughout the courthouse, judges, attorneys, and volunteers will staff stations and provide explanations about courtroom procedures, the jury process, and courtroom technology and security.

For more information or to volunteer, contact the Dane County Bar Association, Bob or Le Jordan, executive coordinators, by e-mail at law@dcba.net or phone (608) 848-1950.

The Milwaukee Bar Association is seeking volunteers to help answer legal questions at four locations on Sat., May 5. Anyone interested in volunteering may contact Britt Wegner at 414-276-5931 or bwegner@milwbar.org. ■



The Supreme Court and Committee of Chief Judges met jointly in Madison on Jan. 19 to discuss issues of mutual interest. Chief Judges Scott R. Needham, St. Croix County Circuit Court, and Jeffrey A. Kremers, Milwaukee County Circuit Court, discussed the implementation of evidence-based practices in their jurisdictions. Other topics included concealed carry, municipal courts, court finances, and judicial independence.

RETIREMENTS *continued from page 21*

county for 19 years.

Olsen said she would miss her coworkers most of all, including Kirk, who started working for the county, as assistant district attorney, the same year as Olsen.

Over the years, Olsen said she has enjoyed all of the challenges, including moving the courthouse (and all of the

records) into a new building in 1990.

"There's always something new," Olsen said. "I learned something new every day."

Olsen said she plans to spend her retirement relaxing, spending time at her cottage up north, and helping out at her grandchildren's school. ■

OBITUARIES *continued from page 2*

early years, and I always knew I had to plan an extra half hour for family catch-up when scheduling a meeting with him.”

A graduate of Marquette University Law School and John Marshall Law School, he worked in private practice prior to his election to the court.

He served as president of the State Bar of Wisconsin from 1974-75. According to the State Bar, Sheedy called his time there a “traumatic and exhausting experience” in his closing President’s Message.

“I wouldn’t have missed it for anything but I wouldn’t want to do it again,” Sheedy said of his position at the State Bar.

Sheedy served six terms on the Board of Governors. He also served as a state delegate to the American Bar Association, attorney chair to the Medical Malpractice Panel, and chair of the Board of Attorneys Professional Responsibility.

Sheedy was preceded in death by his wife, Margaret. He is survived by six children and 17 grandchildren.

Gary D. Gibson Consolidated Court Automation Programs (CCAP)

Gary D. Gibson, a software engineer for CCAP, passed away on Feb. 15, following a long battle with cancer. He was 32.

Gibson came to CCAP in 2008 to develop software applications for the circuit courts. Over the years he contributed significantly to the development of many important software features, including the recent electronic signatures for court documents project and software changes necessary to support the new concealed carry legislation.

Gibson presented a cheerful, easy-going, and friendly demeanor to all he came into contact with, even as his disease progressed. His presence made CCAP a better place to work and the loss of

such a special person has affected many, said Chief Information Officer Jean Bousquet.

“He was extremely well-liked and a genuine pleasure to have on our CCAP team,” Bousquet said. A lifelong learner, Gibson actively pursued a bachelor’s degree in information science and technology from UW-Milwaukee and graduated with honors on Dec. 18, 2011.

He is survived by his wife, Emily, a business process analyst at CCAP, as well as family and friends.

Lois A. Groeschel La Crosse County Register in Probate

Former La Crosse County Register in Probate Lois A. Groeschel passed away on Dec. 6, 2011, just a week before her 80th birthday.

Groeschel worked as register in probate for 41 years, starting in 1970.

Groeschel is survived by her sister, Juanita McGinnis, and many friends and family. ■

Sheedy fondly recalled

By Michael Neimon, District Court Administrator

I first met Judge Patrick T. Sheedy when I was a 23-year-old volunteer at the Milwaukee County Courthouse. I was with District Court Administrator Ron Witkowiak when all of a sudden *he* came walking straight towards us, hand extended, big smile and booming “How R Ya.” What was so impressive about a person saying hi? Well, if you have ever been with Judge Sheedy you just know he was not just another person. He was unique. He was special. He was kind. He was concerned. He cared. In this situation, I was a nobody. I was of no value to him, I was of no value to anyone to speak of in “the system,” I was an obscure volunteer. In a few short minutes he made me feel like I was the most important person in the courthouse.

He left as fast as he came and Ron turned and said “He is going to be our next chief judge.” I thought how lucky Milwaukee County was going to be. In reality it turned out to be how lucky I was because in the next six years he became my chief, my mentor and my friend. As his employee, I was never made to feel anything short of his equal. The title “chief judge” made him boss, but he never treated you that way. I was 46 years younger than he. He had plaques, awards, job title, experience and credentials that I could only dream of, which for most people significantly affects the view of their importance. Judge Sheedy simply dismissed that, and you were his colleague. That is why he was a great leader and a great chief judge.

Judge Sheedy was a genius with a cunning wit. He had a thirst for knowledge, and I often left our personal meetings thinking that most people would be lucky to learn as much as he might forget in the area of law. He was fascinated with the law, but equally fascinated with people and the dynamics of interaction. His Irish wit and jokes were plentiful, and yes, sometimes repetitious.

He was good to his core, rarely at a loss for words and “a straight shooter.” A key reason for his success as chief judge was that he often met informally with key players so they were never surprised at what he was doing, and he knew what they wanted. This promoted mutual respect and an ability for him to develop trust in an environment where such a commodity rarely existed.

His work ethic was legendary. His last day as chief judge was also his last day on the bench. He was leaving with 25 days of vacation still on the books. In true Judge Sheedy fashion, he had two divorces that he was presiding over simultaneously. He no longer had a regular calendar, but nonetheless was going to finish these two cases.

I waited in my office as I did not want to leave before him. I needed to have that last special moment with my friend. In the six years we worked together in the chief judge’s office, I was fortunate that he also allowed me into his personal life. We shared a lot of special moments together, talking about the system and things outside of work. Then it came. He walked in as fast as he did the first time I met him six years prior and the moment was upon us. The words were not what I was expecting, but it was classic Judge Sheedy. “How R Ya Mike, may I use your office, I need it for one of the parties in order to finalize this divorce.” A request, not a demand, respectful and not demeaning.

Naturally I said yes, and I as I left my office he was back, tending to the litigants, engrossed in his next task, never slowing down. On his last day on the bench, he was the last to leave the courthouse that night. ■



Michael Neimon



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www.wicourts.gov/courts/committees/ppac.htm.

Effective Justice Strategies Subcommittee

The past several months have been very busy for members of the PPAC Effective Justice Strategies (EJS) subcommittee. In addition to working on the EJS report with the National Center for State Courts, (*see related article, front page*), here are a few highlights of the group's other activities during the past quarter:

AIM Lessons Learned: On March 28, the EJS subcommittee will be sponsoring an *AIM: Lessons Learned* meeting at the State Bar of Wisconsin in Madison. Participants from the eight pilot sites will gather to share their lessons learned from the AIM project, develop ideas for moving forward and provide feedback to be used in developing future projects. Among the topics to be discussed are the future of the AIM database and the data contained within it; ideas for integrating AIM with COMPAS (*see related article, page 8*); continuing access to existing data; and other topics. Mary Kay Sergo and Jared Hoy of the Wisconsin Department of Corrections will join the meeting to

give an overview of the COMPAS initiative and discuss future collaboration between pilot site participants and the Wisconsin Department of Corrections.

Specialty Courts Record-Keeping Committee:

The Specialty Courts Record-Keeping Committee has worked for the last year to develop best practices for record-keeping, confidentiality and *ex parte* information in Wisconsin treatment courts. The final version of the Committee's report was approved and adapted by PPAC on November 10, 2011. A link to the Report can be found on the Court system website at <http://wicourts.gov/courts/programs/docs/treatmentbestpractices.pdf>. ■

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

Questions about the EJS subcommittee may be directed to Shelly Fox in the Office of Court Operations at (608) 261-0684.

LEADERSHIP continued from page 3

- allows the courts to communicate directly with the public on important justice issues.

In order to bring this to fruition, the editors of the five local newspapers in the county were contacted. I was pleased when our request to publish the monthly articles was warmly received by all five papers.

The articles are informative and non-political, and the court system's neutrality is strictly maintained. The articles are limited to about 500 words and we have assigned a year's worth of topics to court officials.

The article is submitted to each newspaper on the first of each month for publication (along with a photo of the official who wrote the article). All three circuit court judges, along with the clerk of court and register in probate, write the articles.

The first article authored by Millermon, published in January 2012, was based upon on how jurors are selected from Department of Transportation records. The next article by Barron County Circuit Court Judge James D. Babbitt focuses on the topic of a criminal defendant's right to an attorney and the right to remain silent.

Court systems in a democracy depend upon public trust and confidence to sustain them. I am convinced that this type of communication will help to positively shape the image of the court system. We, the courts, need to work diligently to inform our citizenry. We must continue to demonstrate the importance of the court system and why we are an independent branch of government. ■