

- 3 Leadership
- 6 Retirements
- 8 Obituaries
- 9 EBDM Grants
- 10 Justice on Wheels
- 12 PPAC Update
- 15 People
- 24 Wisconsin Connects

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The Third Branch



Sarah Day, the daughter of the late Supreme Court Chief Justice Roland B. Day, presented her father's portrait to the Supreme Court in the Hearing Room on Oct. 26. From left to right: Justice Annette Kingsland Ziegler, Justice Patience Drake Roggensack, Justice Michael J. Gableman, Sarah Day, Justice David T. Prosser, Justice N. Patrick Crooks, Chief Justice Shirley S. Abrahamson, and Justice Ann Walsh Bradley. The Supreme Court also received and dedicated a photo of the late Chief Justice Nathan S. Heffernan in September. See story, page 7.

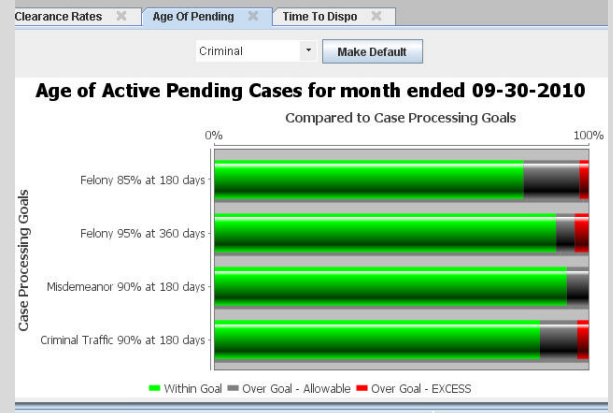
New Judicial Dashboard provides judges easier access to key information

By Jean Bousquet, Chief Information Officer

Consolidated Court Automation Programs (CCAP) recently completed statewide installation and training for a new software tool designed specifically for judges – the Judicial Dashboard. Conceptually, Judicial Dashboard is similar to an automobile dashboard, providing judges with quick, easy access to essential tools and important information from multiple online sources in one place.

The dashboard's purpose is two-fold. First, like other performance dashboards, it provides the judge with information to gauge performance and progress toward case-processing goals. Unscheduled cases and cases failing to meet case-processing goals are highlighted on the dashboard, allowing the judge to take corrective action if needed.

Second, the dashboard contains quick access to CCAP case management information, as well as various files, Web sites and applications to make navigating these tools easier and



A portion of the screen judges see in the new Judicial Dashboard.

see **Dashboard** on page 10

Six new circuit court judges appointed

Gov. Jim Doyle has appointed six new circuit court judges to fill vacancies created by retirements or resignations in five Wisconsin counties:

Judge Pedro A. Colón Milwaukee County Circuit Court

On Sept. 20, Gov. Jim Doyle appointed Pedro A. Colón to fill the vacancy on the Milwaukee County Circuit Court Branch 18 bench created by the retirement of Judge Patricia

D. McMahon (see Retirements on page 5).

"Pedro Colón is a dedicated public servant that will serve the people of Milwaukee County well on the bench," Doyle said in a press release. "I know he will work really hard to uphold fairness and justice in Milwaukee."

Colón has served six in the Assembly District and has worked in private practice since 1994.

"I appreciate the Governor's confidence in my ability to serve the people of Milwaukee County," Colón said in the

see **New judges** on page 2



Director's column: Justice system benefits from problem-solvers

by A. John Voelker, Director of State Courts

As I stated in my State of the Director's Office speech in Appleton, author Ernie Schenck in his book entitled *The Houdini Solution* described how Houdini didn't allow his mind to be consumed with a problem. Rather, Houdini directed all of his energy toward solving it.

As I look back at 2010, and some of my experiences this year, I realized that there are a number of individuals throughout the court system, who rather than becoming consumed with budget problems or other challenges, direct their energy toward solving problems.

During the year, I visited, along with Chief Justice



A. John Voelker

Abrahamson, Milwaukee County multiple times to better understand the unique challenges of a metropolitan area struggling with effects of a deep recession and diminishing resources. During these visits, I observed criminal proceedings; watched volunteer mediators conduct a foreclosure mediation; met with individuals completing AIM evaluations for Milwaukee judges; and I attended an executive committee meeting of

the Milwaukee County Community Justice Council as well as a full meeting of the council;

met with Chief Judge Jeffrey A. Kremers, County Executive Scott Walker and others to discuss issues affecting the justice system there.

During my most recent visit, I attended an open house for the Community Justice Resource Center, which provides programming to help inmates make the transition from jail to jobs.

During this open house, I had the opportunity to visit with

AODA counselors, instructors from Milwaukee Area Technical College, and sheriff deputies who staff the center. It was clear from my short visit at the center that these individuals were very committed to giving their clients the tools necessary to be a positive contributor to society. They were rooting for them to succeed. At the end of the program a couple of clients made presentations about what the center meant to them. It was clear that they were thankful for the opportunity and went so far to point out and thank individual judges for assigning them to the center. It was clear the center was making a difference for some of the clients, and it was the result of a number of individuals working hard and together to make the center work.

In addition to Milwaukee, I also had the opportunity to sit in on a team meeting and court proceedings for the juvenile drug court in St. Croix County. I witnessed a number of committed individuals discussing what they could do to help the kids find a positive direction for their lives. During the proceeding, you could see that the court's involvement was making a difference.

I even witnessed an Air National Guard air refueling team during a training mission. While not court related, it was a great experience and again demonstrated to me how very difficult things can be accomplished when working together as a team.

I don't know exactly what 2011 will bring for the court system. Unfortunately, I do know that we are not done dealing with the fallout from the downturn in the economy and state budget difficulties. There are nights that I wake up concerned about various problems facing the courts. The one thing that allows me get back to sleep is that I know, and my personal experiences this year reinforce, that the Wisconsin court system has a number of individuals that have the energy, talent and commitment to making a difference, and looking for solutions. ■

New judges *continued from front page*

governor's press release. "I look forward to continuing in my role as a public servant and to make sure that all the citizens of the County of Milwaukee get a fair hearing while I preside over Branch 18."

Colón received his bachelor's degree from Marquette University and his law degree from UW Law School. He lives in the south side of Milwaukee with his wife and two daughters.



Judge Pedro A. Colon

Judge Robert A. Hawley Winnebago County Circuit Court

Judge Robert A. Hawley was appointed by Doyle to replace Judge Bruce K. Schmidt on the Winnebago County Circuit Court. Schmidt retired in September (*see Retirements on page 6*).

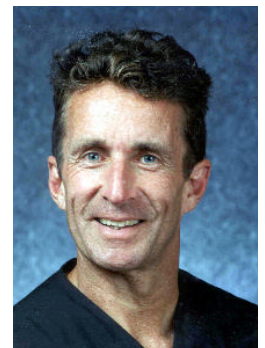
Hawley had previously served on the Winnebago County Circuit Court bench, but retired in 2006. He has since served

as a reserve judge.

"I want to thank Governor Doyle for this appointment," Hawley said in a press release from the governor's office. "I am humbled and honored to return to the bench and serve the citizens of Winnebago County, and I'm excited to bring back new ideas from the eight counties that I served as a reserve judge over the last few years."

Hawley, who lives in Sturgeon Bay, is a graduate of Lawrence University and Villanova Law School. He is a member of the Wisconsin Trial Judges Association, Winnebago County Bar Association, and Door County Bar Association. He was originally elected to the Winnebago County Circuit Court in 1982. He had previously served as district attorney and assistant district attorney for Winnebago County.

"Robert Hawley has



Judge Robert A. Hawley

see New judges on page 25

LEADERSHIP

Walking together on common ground:**How the state and tribal courts in Bayfield County do it**

by Judge John P. Anderson, Bayfield County Circuit Court

On Friday, Oct. 29, the circuit court for Bayfield County and the Red Cliff tribal court celebrated the fifth anniversary of their unique relationship. Chief Judge Donald Gurnoe presented Bayfield Circuit Court Judge John P. Anderson with flag of the Red Cliff nation and Anderson presented Gurnoe with a Wisconsin state flag. For the first time in Wisconsin's history, a tribal flag will be displayed permanently in a state circuit courtroom.

When you live on the outer rim of Wisconsin, you get used to doing things your own way. Madison and Bayfield are about as far apart as you can get without leaving the boundaries of Wisconsin, and the Red Cliff Band of Lake Superior Chippewa occupies the most northern piece of the Wisconsin mainland. We are as isolated as one can be in Wisconsin. To illustrate our location, guess which city with a population greater than 100,000 is closest to Bayfield? Guess again. The answer is Thunder Bay, Ontario, Canada! This regional isolation from the power centers of Wisconsin has bred a unique spirit of self reliance. This individualistic outlook has even impacted how the local circuit court and tribal court interact.

Native American Tribes in Wisconsin have increasingly exercised their sovereign right to adjudicate, through their own court systems, civil regulatory issues, family law, traffic, juvenile and other non-criminal cases. The Red Cliff Band of Lake Superior Chippewa have embarked on this path, with their own tribal court, chief judge and associate judges, tribal prosecutor and practicing attorneys. The tribal court in Bayfield County and tribal courts throughout Wisconsin are now handling numerous cases that used to be heard in the circuit court system, and that means many people are now able to more freely access the justice system. It has not always been this way. In Bayfield County, with the county seat in Washburn, many tribal

members had to travel upwards of 30 miles just to get to court. In a county of generational poverty, hard and long winters, a large geographical area and little public transportation, getting to the courthouse on time is no small task for many people

Even with tribal courts taking a larger percentage of the judicial caseload, there still remained the problem of tribal members who were charged with a crime or juvenile delinquency finding a way to the courthouse.

As a judge, I became frustrated with issuing warrants for people who did not show up for court only because they couldn't find transportation. Unfortunately, many of these individuals lived on the Red Cliff Reservation. The solution? If tribal members couldn't make it to my court, I decided I would bring the court to the reservation. Judge James Mohr had started a similar program in Vilas County, and it appeared to be to have real merit.

In 2005, I appeared with Red Cliff Chief Judge Robert W. Buffalo before the Tribal Council in Red Cliff to ask permission to utilize the tribal court facilities every other month to hold criminal and juvenile court. The main reason for this venture was based on a very practical problem: helping people get to court. But the concept is far more important: you can't have equal justice under the law if you don't have equal access to the law.

Unfortunately, Native Americans have rarely been afforded the same access to justice that most Americans have enjoyed, and by bringing the justice system closer to tribal members, the hope was to afford an easier path to the



Judge John P. Anderson

courthouse steps. The Red Cliff judges and Tribal Council recognized the problem and graciously granted permission for the circuit court to use the tribal court building for criminal and juvenile intake court. In fact, the Red Cliff community was honored to even be asked!

What started out as a simple solution to a real problem has had its share of positive, and unintended consequences. One



Attending the Bayfield County celebration were, front row, left to right: Bayfield County Circuit Court Judge John P. Anderson; Red Cliff Chief Tribal Judge Donald Gurnoe; Bayfield County Circuit Court Clerk Kay Cederberg. Middle row, left to right: Red Cliff Tribal Court Deputy Clerk Tina Butterfield; Red Cliff Tribal Court Clerk Heather Defoe; Red Cliff Tribal Chairwoman Rose Gurnoe-Soulier; Red Cliff Associate Tribal Judge Robert Buffalo; Onieda Tribal Judge Leland Ninham; Bayfield County Sheriff-Elect Paul Susienka. Back row, left to right: Chief Judge Benjamin D. Proctor, Eau Claire County Circuit Court; Sawyer County Circuit Court Judge Gerald L. Wright; Bad River Tribal Judge Richard Ackley; Vilas County Circuit Court Judge Neal A. Nielsen; District IV Court of Appeals Judge Gary Sherman; District III Court of Appeals Judge Edward R. Brunner; and Sen. Bob Jauch (D-Poplar).

see **Leadership** on page 4

LEADERSHIP *continued from page 3*

such consequence is how the simple act of sharing facilities opened the door to regular communication between the two courts, law enforcement agencies, attorneys and court staff. Chief Judge Donald Gurnoe and I now meet when circuit court is in session in Red Cliff and discuss issues of concurrent jurisdiction and court administration. We have discussed joint grant efforts, joint treatment court efforts, and judicial efficiencies, and talk about noticeable trends in the caseload. The clerks of both courts also have an opportunity to meet and discuss court processing and information sharing between the tribal and state courts. The level of cooperation and respect that has grown between the Red Cliff Tribal Court and the circuit court over the last five years is proof that a little effort to bridge the gap between the state and tribal courts can result in a better justice system for everyone.

When tribal and state courts talk about walking on common ground, it's more than just a legal concept of concurrent jurisdiction. Every case involves individual people and the circuit courts and tribal courts see many of the same people and make decisions affecting their lives. When the two courts share information and experiences, the common ground becomes very real and apparent. The two courts in Bayfield County have made a commitment to help their citizens with access to the justice system, and in the mean time, we have each learned much from each other. More importantly, we are reminded that we are in this together. ■



Red Cliff Tribal Chairwoman Rose Gurnoe-Soulier shakes hands with Judge John P. Anderson, Bayfield County Circuit Court, during a flag exchange and plaque presentation ceremony in Bayfield on Oct. 29. Also pictured is Red Cliff Chief Tribal Judge Donald Gurnoe.

Judge John P. Anderson, Bayfield County Circuit Court, has been the circuit judge for Bayfield County since 2003 and is a member of the State/Tribal Judges Forum. He has called Bayfield County his home for his entire life.

Symposium promotes common ground

by Bridget Bauman, Children's Court Improvement Program

Circuit court and tribal court representatives from Wisconsin attended the regional Walking on Common Ground Symposium in Michigan on Oct. 12-13, 2010. This event was preceded by the national Walking on Common Ground gatherings that were held in 2005 and 2008 in an effort to foster tribal-federal-state court relations. In addition to promoting state and tribal collaboration, participants at the symposium from Wisconsin, Michigan, and Minnesota were able to share ideas, experiences, resources, and success stories. Examples of collaboration and innovation from Wisconsin were highlighted at the symposium, which included the codification of the federal Indian Child Welfare Act (ICWA) into state statutes, the Teague Protocol, and the State-Tribal Justice Forum.

"Wisconsin leads the Midwest in codifying ICWA and developing appropriate protocols to address concurrent jurisdictional issues. I was impressed and gratified to see the interest and desire shared by state and tribal judges in pursuing cooperative and collaborative efforts to form a more efficient, integrated and culturally sensitive judicial system," said Thomas Lister, Jackson County Circuit Court judge and member of the State-Tribal Justice Forum. ■



Participating in the Common Ground symposium were, from left to right: Judge David Raasch, Stockbridge-Munsee Community; James Botsford, Wisconsin Judicare; Judge Eugene White-Fish, Forest County Potawatomi Community; Judge Leon Stenz, Forest and Florence County Circuit Courts; Judge Jeryl Perenich, Forest County Potawatomi Community; Mark Mitchell, Department of Children and Families; Judge Thomas Lister, Jackson County Circuit Court; Judge Bruce Wilber, Menominee Indian Tribe; Bridget Bauman, Director of State Courts Office; Judge Garold Smith, Lac du Flambeau Tribe; and Kris Goodwill, Ho-Chunk Nation. Not pictured: Carolyn Grzelak, St. Croix Chippewa Indians.

RETIREMENTS

Judge Patricia D. McMahon Milwaukee County Circuit Court



Judge Patricia D.
McMahon

After almost 25 years on the Milwaukee County Circuit Court Branch 18 bench, Judge Patricia D. McMahon retired at the end of August.

McMahon was first appointed to the bench in 1986. She had previously worked in private practice and for Legal Action of Wisconsin. She is a graduate of the College of William and Mary and Emory University Law School.

She has served on the board of directors of the Wisconsin Trust

Account Foundation, Milwaukee Bar Association, and Milwaukee Bar Foundation. She is a member of the Serjeants' Inn, Thomas Fairchild Inns of Court, National Association of Women Judges, Wisconsin Trial Judges Association, and Milwaukee Trial Judges Association.

McMahon said she has enjoyed working with the jurors in Milwaukee. She said they often came into her courtroom with concerns about the judicial system, but the vast majority found the experience worthwhile in the end, and understood the need for people to serve on juries. She said she appreciated the opportunity to get to know the people who served on the juries.

She said what she misses most are the people she worked with, both the support staff in the courthouse and the lawyers in the community. She also found it an interesting experience to work with the police, the district attorney's office and the defense attorneys.

"It's interesting, important, challenging work but it doesn't stop. It keeps coming – though we've seen some reduction in crime," she told the *Milwaukee Journal Sentinel* in an interview.

In her retirement, she plans to travel. She has already spent three weeks in Italy, and next year plans to visit Spain.

"I've been able to spend time on one place and enjoy it," she said of her travels since retiring.

Gov. Jim Doyle appointed Judge Pedro A. Colón to fill the vacancy in Branch 18 (*see separate story, front page*).

Judge James O. Miller Columbia County Circuit Court

Columbia County Circuit Court Judge James O. Miller has held a job since he first worked as a paper boy at the age of 12. In February, he will celebrate 40 years in law. How will Miller deal with his upcoming retirement at the end of his current term in July?

"I'm not sure how to handle having a few months off, but I look forward to trying," Miller said.

Miller was first elected to the Branch 2 bench in 1999, and reelected in 2005. He had previously worked in private

see Retirements on page 6

Retirements, elections bring new clerks of circuit court to nine counties

Nine new clerks of circuit court will take office in January as a result of retirements and the Nov. 2 general election. Here's a rundown on some of the outgoing clerks.

Kristine Deiss Washington County Clerk of Court

Kristine Deiss may be retiring after serving nearly 30 years in Washington County government, including the last 14 years as clerk of circuit court, but don't expect to find her idly passing time after her term expires on Jan. 2, 2011.

"In her spare time," Deiss will continue to serve as mayor of West Bend – a position she has held since June 2007. She said she also hopes to volunteer on court-related committees as she has done throughout her career.

Deiss currently serves on the Supreme Court Planning and Policy Advisory Committee (PPAC) and has served 18 years on the Records Management Committee, among other committees over the years.

Deiss is recognized by her peers, judges and court staff as an effective, innovative and professional clerk. She has served as president of state associations representing clerks of court, registers in probate and juvenile court clerks.

"She was always wonderful to work with and always interested in new and innovative pilot programs," said

Supreme Court Justice Annette Kingsland Ziegler, a former Washington County judge. "Kris ran a tight ship, and she served the public well as clerk of circuit court and always had an eye toward 'how we can do this better, and serve the people better,'" Ziegler said.

Deiss' court career started in 1981, when she became senior court assistant to the late Judge J. Tom Merriam, Washington County Circuit Court. She then served as an assistant to now-retired Judge Richard T. Becker before becoming the county's register in probate and then clerk of juvenile court in 1989. She was elected clerk of circuit court in 1996 and has served four two-year terms and one four-year term in the post. She credits Becker with being a great teacher. "I always felt like I was working with him, not for him," Deiss said of Becker.

Deiss said she relishes her experience in the court system and has enjoyed administration and the challenges of providing services to citizens in a cost-efficient manner. "It was the best education I could have hoped for.... Every day I woke up, and I never felt like I didn't want to come to work," Deiss said.

Throughout her career as clerk, she has often allowed Washington County to serve as a test site for new CCAP pilot programs, such as e-filing, because she said CCAP "is a blessing to court clerks statewide." Deiss said one of the

see Clerks on page 26

RETIREMENTS *continued from page 5*

practice, as a certified mediator, and as court commissioner and assistant court commissioner for Columbia County.

A graduate of Lawrence University and UW Law School, Miller has served on the 2000 Judicial Education Family Law Seminar Planning Committee and as chair of the District IV OAS/OAR Guidelines Formulation Committee.

Miller said he has had some wonderful moments and some sad moments while on the bench. One moment that comes to mind is a video shot from a police car he viewed while hearing an obstruction of justice case. A man had been attacked by a group, and was attempting to chase the group so he could hold them and identify them when the police arrived. The police did not understand this, and were pursuing the man as the man chased his attackers.

Miller's career has also been met with challenges, most recently as his county has faced budget cuts and has had to cut staff and reduce some remaining staff's hours.

"From the perspective of a circuit court judge, doing the job has been extremely rewarding," Miller said. "From the perspective of an administrator, it has been frustrating."

He is very thankful for the respectful and positive people he has worked with and has had in his courtroom.

When looking back over his career, Miller said he is left with the question, "How did I get here so fast?"



Judge James O. Miller

who were generally good people but had made some mistakes, he said. He will also miss the other judges, the court staff and the attorneys. "I have had the opportunity to deal with thousands of good people," Rasmussen said.

Not all of his time has been positive, and he said he has recently been troubled by what he perceives as a shift of focus from the quality of justice to quantity of justice. He said he does not believe that judges should base their success solely on the number of cases they handle. "It's a sad change," he said.

Now that he's retired, Rasmussen said he plans to "travel more, exercise more and eat less," as well as spend more time with his wife, children and grandchildren.

Judge Bruce K. Schmidt **Winnebago County** **Circuit Court**

The legacy of Winnebago County Circuit Court Judge Bruce K. Schmidt can be seen in the teenagers who have been able to turn their lives around before heading for serious trouble. In 1996, Schmidt founded the state's first teen court, a program that has since been recreated in many other counties around the state.

"Much of what teens do is to impress their peer groups," Schmidt told *Wisconsin Lawyer* in 2002. "But if their peers tell them they're not impressed, that has much more of an impact than hearing the same message from adults."

Schmidt, who retired in September, was first elected to the Winnebago County Circuit Court in 1991, and reelected in 1997, 2003, and 2009. A graduate of UW-Madison, he had previously served as a circuit court commissioner, family court commissioner and assistant corporation counsel for Winnebago County.

Schmidt said he notices an increase in the cases, particularly criminal cases, during his time on the bench. He said the dockets became more crowded and they were much busier than when he first started. But he felt all the cases he heard were interesting in their own way.

Now that he's retired, Schmidt said he misses the staff at the courthouse most of all.

"I had a great staff that was with me the entire time. They became like a family," Schmidt said.

Schmidt and his fiancée plan to spend time in Wisconsin, as well as her home in Savannah, Ga., and his condo in Hilton Head, S.C. In addition to traveling and relaxing, Schmidt said he is doing mediation and arbitration work part time in Wisconsin and down south.

"I want to still keep my hand in it a little bit," he said.



Judge Bruce K. Schmidt

Judge Robert H. Rasmussen **Polk County Circuit** **Court**

Polk County Circuit Court Judge Robert H. Rasmussen prefers to focus on the success stories that have unfolded in his courtroom.

"I believe during the 19-plus years, I have made substantial positive changes in lives," Rasmussen said, particularly for those with drug and alcohol problems.



Judge Robert H. Rasmussen

He said he has received letters from people whom he has sentenced, thanking him for sending them to prison because it turned out to be a wake-up call, or "epiphany moment" as Rasmussen calls them.

Rasmussen retired from the Polk County bench on Nov. 30. He was first elected to the circuit court in 1991, and reelected in 1997, 2003, and 2009. Prior to his election, he worked as district attorney and assistant district attorney for Polk County, and in private practice. A graduate of UW-River Falls and UW Law School, he has served on the Juvenile Jury Instruction Committee.

The people are what Rasmussen said he will miss the most. Not just the people who have appeared before him,

Kathleen Munro **Dodge County Register in Probate**

Dodge County Register in Probate Kathleen Munro –

see Retirements on page 16

Court accepts Heffernan, Day portraits

The Wisconsin Supreme Court on separate occasions this fall accepted official portraits of two late chief justices – Nathan S. Heffernan and Roland B. Day.

Heffernan's portrait was presented to the Court by State Bar of Wisconsin President James C. Boll during a ceremony Sept. 16. It was unveiled by Heffernan's children, Michael and Tom Heffernan and Katie Thomas. About 40 people attended the Supreme Court Hearing Room ceremony, including current and former justices, family members, friends and former clerks of Heffernan.

Heffernan served on the Supreme Court from 1964 to 1995 and as chief justice from 1983 to 1995. His 31-year tenure on the Court makes him the fourth longest-serving justice in Wisconsin history. Heffernan died April 13, 2007 at the age of 86.

During the ceremony, Chief Justice Shirley S. Abrahamson said Heffernan had a profound impact, not only on the law, but also on the operation of the statewide court system.

"This portrait is a tribute not only to Nathan Heffernan, who served the people of Wisconsin long and well, but also to the bench and the bar and the court administrators, who



The children of the late Supreme Court Chief Justice Nathan S. Heffernan, Tom Heffernan (left), Katie Thomas, and Michael Heffernan, unveiled their father's portrait during a ceremony in the Supreme Court Hearing Room Sept. 16.

joined together to honor 'Nat' in this way," Abrahamson said.

Heffernan was appointed to the Court at age 43 by Gov. John W. Reynolds in 1964. Before that, he served two years as U.S. attorney for the Western District of Wisconsin – a position to which he was appointed by President John F. Kennedy.

Day's portrait was presented to the Court by his daughter Sarah Day during a brief ceremony in the hearing room on Oct. 26. All sitting justices attended the ceremony.

Day is remembered by Court colleagues for fostering collegiality and working toward more prompt release of opinions. Day is remembered by friends and family for his good sense of humor, commitment to public service and dedication to family. He died July 26, 2008 at the age of 89.

Day served just one year as chief justice before retiring, but he used that time wisely to help improve the administration of justice and to encourage better public understanding of the courts, Abrahamson said.

"He used his sense of humor, foresight and administrative skills to move the court forward," Abrahamson said.

Day reinstated the practice of having justices eat lunch together at least once a month. He made one rule about the lunches: justices were not allowed to discuss any court business. The result was a friendly, conversational atmosphere that carried back into the conference room, where differences can become confrontational, Abrahamson said.

Day was elected in 1976 and was reelected in 1986, after first being appointed by then-Gov. Patrick J. Lucey in 1974. Day became chief justice on Aug. 1, 1995, and retired a year later, at the end of his second term.

Day was born June 11, 1919, in Oshkosh, Wisconsin, and was raised in Eau Claire. He received a bachelor's degree in 1942 and a law degree in 1947, both from the University of Wisconsin. He served overseas in the U.S. Army during World War II.

The portraits of Heffernan and Day are hung in the Supreme Court vestibule along with portraits of each past chief justice who has died. ■



Justice David T. Prosser, left, takes a moment to chat with former Justice William A. Bablitch during the dedication ceremony for the portrait of the late Chief Justice Nathan S. Heffernan.



Retired Wisconsin Supreme Court Justices, from left to right, Jon P. Wilcox (seated next to his wife, Jane Ann), William G. Callow and William A. Bablitch observe the dedication ceremony for the portrait of late Chief Justice Nathan S. Heffernan.

OBITUARIES

Judge Mark J. Farnum Rock County Circuit Court



Judge Mark J. Farnum

Mark J. Farnum, former Rock County Circuit Court judge, passed away on Nov. 5 at the age of 84.

Prior to serving on the bench, Farnum served in the Navy during WWII, as a radioman and on a minesweeper in Southeast Asia. After receiving his law degree from UW-Madison in 1952, he worked in private practice until 1954, when he became an assistant district attorney for

Rock County. In 1958, he became the Rock County district attorney, a position he held until he took the Rock County bench in 1962.

Throughout his career, Farnum was an active member of many boards and committees, including the Wisconsin Judicial Commission, Civil Jury Instruction Committee, Wisconsin Board of Criminal Court Judges and Wisconsin Board of County Judges, Wisconsin Judicial Council, Judicial Council Evidence Committee, and the Wisconsin Criminal Procedure Code Revision Committee. He also served as deputy chief judge for the Fifth Judicial District.

Farnum's reputation and dedication to the judicial system were well known through out the courthouse.

"He trained a whole generation of lawyers about what

see Obituaries on page 20

La Crosse County Veterans Court launched

Veterans in La Crosse County have a new place to turn for help with their legal problems. The county's Veterans Court, which will operate like a drug or alcohol court, debuted on Veterans Day, Nov. 11.

The program is possible thanks to the efforts of the La Crosse County Circuit Court, the La Crosse County Veterans Office and local law enforcement.

"What we're doing right now is we have the City of La Crosse Police Department and the Onalaska Police Department identifying veterans at the time of contact," La Crosse County Circuit Court Judge Todd W. Bjerke, who has served as a judge advocate in the U.S. Army Reserves since 1989, told WEAU-TV.

Once they have been identified as veterans by law enforcement, they are offered a mentor, a fellow veteran who can offer them advice and help them find resources.

"The veterans court mentors are not lawyers and they are not social workers," Thomas Downer, La Crosse area senior veterans' mentor coordinator told the *La Crosse Tribune*. "They help the veterans find those resources and are there to lend a helping hand and a listening ear."

In June 2009, judges, prosecutors, public defenders, treatment providers and county veteran services officers from around the state gathered at the *Leave No One Behind: Veterans in the Criminal Justice System* conference to discuss strategies for establishing veterans courts in Wisconsin. The conference was sponsored by the Wisconsin Public Defender, Department of Corrections, Department of Justice, Veterans Administration, Department of Veterans Affairs, and the Wisconsin court system.

La Crosse joins Rock and Iron counties in operating veterans courts. Other Wisconsin counties are in the process of planning veterans courts.

The La Crosse program is designed to assist veterans who enter the criminal justice system find the help that is available for them through federal, state and local programs, and address the issues that may be leading them to criminal activity to help them readjust to civilian life.

"Veterans have some unique issues," Bjerke told WEAU.



La Crosse County Circuit Court Judge Todd W. Bjerke swears in veterans court mentors on Veterans Day. The mentors will act as advocates for veterans who face legal problems in the county's new Veterans Court.

"They self-medicate with drugs and alcohol."

AS in other specialty courts offered around the state, veterans who choose to participate and receive treatment will receive consideration by the court for any progress they make while in the program.

"If we can save a handful of veterans, get them help instead of jailing them, it's certainly worth it," La Crosse Veterans Service Officer Jim Gausmann told the *La Crosse Tribune*.

Counties without veterans courts can reach out to their local county veteran service officers to find services to assist veterans appearing in their court.

More information on the La Crosse County Veterans Court can be found at: www.co.la-crosse.wi.us/Departments/Veterans/docs/MentorProgram.htm

For more information on resources for veterans in Wisconsin, visit county veterans service officers: dva.state.wi.us/CVSO.asp, tribal veterans service officers: dva.state.wi.us/cvso_tvso.asp, or the County Veterans Service Officers Association of Wisconsin: www.wicvso.org. ■

Grants help Eau Claire, Milwaukee counties develop evidence-based strategies

By Judge Richard J. Sankovitz, Milwaukee County Circuit Court

Two Wisconsin counties are among just seven jurisdictions nationwide selected for a federal grant to assist in the development of evidence-based practices in the criminal justice system.

Teams from Eau Claire and Milwaukee counties began working at the beginning of October on a year-long effort to develop plans to improve the local criminal justice system, based on some of the best programs and research from across the country.



Judge Richard J. Sankovitz

Each community will be competing to demonstrate how big a difference can be made when a community implements a rigorous, highly collaborative commitment to evidence-based practices in criminal justice. At the end of the year, the list of seven will be pared down to two. The lucky duo will continue to receive federal assistance in putting their plans into practice. Can Wisconsin be fortunate enough to win both slots?

The grants, funded by the National Institute of Corrections, are designed to encourage courts, prosecutors, public defenders, law enforcement, corrections officials and local governments to think fundamentally about how they decide which offenders to incarcerate, which to detain, which to treat, which to train and which to leave alone.

Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, who spearheaded Milwaukee County's effort to win the grant, explained, "We tend to assume that we know that what we are doing at any given time is the most cost-effective way to do it. But EBDM (evidence-based decision making) forces you to prove it, and if the evidence



Criminal justice system stakeholders from Eau Claire County traveled to Maryland earlier this year for a workshop on evidence-based decision making. Among them, left to right, Reserve Judge and former Eau Claire County Circuit Court Judge Thomas H. Barland; G. Richard White, Eau Claire County District Attorney; Mary Liedtke, state public defender, Eau Claire Trial Office; J. Thomas McCarty, Eau Claire County administrator, Tiana Glenna, administrator, criminal justice collaborating council; Judge Michael Schumacher, Eau Claire County Circuit Court; Gena Jarr, regional chief, community corrections.

shows that it isn't working, or that there is a better way to work it, then you change."

All seven teams were flown to Washington early in October for two days to begin EBDM training and begin planning improvements in their local systems.

In addition to the Eau Claire and Milwaukee teams, there were teams from Charlottesville, Virginia; Grand Junction, Colorado; Marion, Indiana (near Fort Wayne); St. Paul, Minnesota; and Yamhill County, Oregon (near Portland). Each team included most or all of the following officials: a judge, a prosecutor, a public defender, the head of local law enforcement, a Criminal Justice Council coordinator, a corrections official, a pretrial services supervisor, and a representative of the local government. All seven teams trained collaboratively with each other.

Collaboration is the key focus of the initial plan developed by the Eau Claire team. Different units within Eau Claire's criminal justice system have implemented EBDM in one form or another, but the team sensed that even greater gains might be accomplished if the various plans were integrated.

Tiana Glenna, the administrator of Eau Claire's Community Justice Council, explained that the team is working on a "cohesive EBDM strategy throughout the justice system. We have different entities that are each implementing evidence-based practices. We want to link each decision with each other decision and know that the series of decisions as a whole is justified by the evidence and is a best practice."

Eau Claire County's efforts to implement evidence-based decision making practices were featured in a WEAU-TV news story broadcast Nov. 18. The story featured interviews with Eau Claire County Circuit Court Judge Michael A. Schumacher, Eau Claire Police Chief Jerry Matysik and Becki Nay, Principal of The Center for Effective Public

see **Grants** on page 28



Criminal justice system stakeholders from Milwaukee County traveled to Maryland earlier this year for a workshop on evidence-based decision making. Among them, left to right, Judge Richard J. Sankovitz, Milwaukee County Circuit Court; Nick Sayner, Director, Justice 2000 Pretrial Services; Thomas Reed, First Assistant State Public Defender; James Hiller, Milwaukee Criminal Justice Council Coordinator; John Chisolm, Milwaukee County district attorney; Roberta Gaither, regional chief, state Department of Corrections Division of Community Corrections; and Holly Szablewski, Milwaukee County Judicial Review Coordinator.

Justice on Wheels pulls into West Bend

The Supreme Court took its show on the road to West Bend in October, hearing three cases in the Washington County Courthouse, conducting an essay contest for local fifth grade students, and participating in a luncheon with the local bar association.

An estimated 300 people turned out to watch the oral arguments, which were shuffled at the last minute when one of the attorneys slated to argue the first case mistakenly showed up at the Supreme Court Hearing Room in the state Capitol.

The Supreme Court began taking its proceedings on the road as a public outreach effort in 1993. The justices now travel once per year. The outreach program started as part of an effort to make the Court's work more accessible to



Chief Justice Shirley S. Abrahamson presents a plaque to Collin Meyer of Jackson Elementary School in West Bend. Meyer favors amending the U.S. Constitution to ensure that any person, no matter how small, may ride on a rollercoaster – specifically, the “cool rollercoaster” at Six Flags. Meyer won third place in the contest.

people in all areas of the state.

Prior to commencing oral argument at the Washington County Courthouse, the Court honored three local fifth graders who wrote essays about rights that children have – or perhaps should have – under the state and federal constitutions.

The first-place winner was Carson Stingle of Jackson Elementary School in West Bend. Stingle wrote about voting rights, and argued for lowering the voting age. In second place was Julia R. Brazeau of Barton Elementary School in West

Bend. Brazeau wrote about Title IX, the law enacted in 1972 that barred gender discrimination in education programs. Justice Ann Walsh Bradley served as this year's essay contest judge. ■

Dashboard *continued from front page*

more manageable. The dashboard arranges and consolidates onto a single screen some of the most important computing tools used by judges. Tools are arranged into small windows or “docklets,” which can be maximized for easy viewing of information.

CCAP case management information – cases, calendars and documents

The Judicial Dashboard has simplified case and document searches. While the CCAP case management search screen includes 40 different search criteria, the dashboard has been streamlined to provide only two types of search criteria for cases – case number and party name. Search results can also be filtered by key words for further refinement. Case details include party names, attorneys, charges, court record and sentence information, all on a single screen. Using the new dashboard, judges no longer need navigate through many “layers” to view this information. Electronic documents, including those that have been scanned, electronically filed, or imported from law enforcement or district attorneys, can be viewed using a case number search. While searches default to the judge's home county, judges can perform out-of-county searches for cases and documents.

The court official calendar has also been updated for the judicial dashboard. While day, week and month views of the judge's calendar are still accessible, the dashboard includes a new statewide calendar so that out-of-county assignments and out-of-court activities can also be considered when scheduling additional court activities. Judges can review any of their scheduled cases by double-clicking on a calendar record associated with a case. For the

first time ever, judges have easy and convenient viewing of out-of-county documents and case information from a single site. And access to electronic documents will continue to grow as more documents are scanned and electronic filing is expanded across the state.

Electronic signatures

Although the ability to electronically sign circuit court documents has been available for nearly two years, judges and clerks have found using this feature in the CCAP case management system to be inconvenient. The new dashboard improves the electronic signing process by calling attention to pending documents awaiting the judge's electronic signature in the Documents to Sign docklet. It also expands the use of electronic signatures to out-of-county documents. Using the dashboard, judges can electronically sign or reject documents and include notes or instructions to judicial assistants and clerk staff.

Statistical information

Performance dashboards are commonly-used management tools for measuring, monitoring and managing business processes and progress toward goals. The judicial dashboard provides judges with a statistics docklet containing three statistical reports: age of pending, clearance rates, and time to disposition. These reports differ from the traditional statistical reports in that they provide visual, day-at-a-glance perspective into case processing performance. Each report has visible case processing goals, and “drill-down” functionality allows judges to review and analyze the specific case data comprising the reports. The age of

Training promotes safe family interactions

by Amber Peterson, Office of Court Operations

In the fall of 2010, the Director of State Courts office held six day-long training sessions entitled *Avoiding Tragedy: Keeping Kids and Victims Safe in Family Interaction*. The training, which reached about 200 judges, reserve judges, and circuit court commissioners statewide, focused on safe exchanges and visitation in cases involving domestic violence. Sessions were held in the First and Tenth Judicial Districts and jointly in Districts Two and Three; Four and Eight; Five and Seven; and Six and Nine.

The training was funded by the Children's Court Improvement Program and the Violence Against Women Act STOP Grant. The faculty was comprised of Judge Christopher R. Foley, Milwaukee County Circuit Court; Judge Dale T. Pasell, La Crosse County Circuit Court; Sandy Stetzer, a visitation center supervisor with the Children's Service Society of Wisconsin; and Norma Ginther, a former social worker and nationally renowned expert on child development and attachment.

Topics included a basic introduction to child development and attachment, the legal principles of child protection and safe family interaction, the interplay of domestic violence and child custody and visitation in family law cases, and resources for safe exchange and visitation.

The faculty used a combination of teaching techniques to



Faculty for Avoiding Tragedy: Keeping Kids and Victims Safe in Family Interaction included, from left to right, Sandy Stetzer, Judge Dale T. Pasell, La Crosse County Circuit Court, Norma Ginther, and Judge Christopher R. Foley, Milwaukee County Circuit Court.

actively engage audiences. Participants were asked to complete a pre- and post-assessment to demonstrate what they learned throughout the day. In addition to lecturing, the faculty led large- and small-group discussions and presented case scenarios that provided participants the opportunity to apply what they learned to hypothetical situations that replicated what they might see in court.

Overall, the feedback from participants was very positive. Eighty-seven percent of respondents

rated the training as either "very good" or "excellent" in their evaluations. Several participants commented that they thought the faculty was "great" and that they enjoyed the interactive nature of the training.

Judge Foley said safe family interaction is critical to the healthy development of children who appear in our courts.

"To assure safe family interaction in both child welfare and family law cases, it is imperative that judges, in particular, and all other involved professionals recognize the signs of and potential for domestic violence and utilize effective strategies to protect children and domestic violence victims," Foley said.

"The training was intended to assist all of our judges in both those regards and, given the investment and input of all

see [Domestic violence training](#) on page 29

Districts host joint meeting, training sessions

by Patrick Brummond and Gail Richardson, District Court Administrators

Judicial Administrative Districts 5 and 7 joined forces in Spring Green, Wis. for a day-and-a-half-long judges' meeting that featured two special programs.

On Sept. 30, the Director of State Courts Office presented *Avoiding Tragedy: Keeping Kids and Victims Safe in Family Interaction* to the judges and guests (see story above). In attendance were 37 circuit judges, nine reserve judges and 10 court commissioners, along with Director of State Courts A. John Voelker, the district court administrators and two representatives of the Department of Children and Families.

On Friday, Oct. 1, after a round table discussion on such topics of current and common concern as the new provisions governing interlock ignition devices and Consolidated Court Automation Program's (CCAP's) new Judicial Dashboard application, Judge Scott W. Horne, La Crosse County Circuit Court and Judge John C. Albert, Dane County Circuit Court, led a session on the La Crosse experience with a unified family court and the proposals being explored by Dane County. Dane County District

Attorney Ismael Ozanne and Assistant Corporation Counsel Eve Dorman were in attendance.

For the majority of the morning, 38 judges took part in the interactive program presented by the State Public Defender (SPD) Training Division entitled, *People in Crisis*. Gina Pruski, SPD Training Director, and her team led judges through the exercise designed to help participants better understand what it might feel like to live in a low-income family trying to meet basic needs. As noted in the SPD materials, the goal is to have participants experience some of the emotional stresses and frustrations created by having limited resources and needing to make difficult choices in order to survive.

In this program, participants were assigned to families and provided with a set of problems to overcome and assets to use in doing so. The process required participants to prioritize and be creative with the resources they had to address unemployment, arrest, eviction, or lack of

see [District training](#) on page 27

PPAC sets priorities, welcomes new members

by Shelly Cyrulik, PPAC Policy Analyst

PPAC welcomes new members

The Supreme Court Planning and Policy Advisory Committee (PPAC) welcomed four new members since July 2010: Chief Judge Darryl W. Deets, Manitowoc County Circuit Court; Judge William W. Brash III, Milwaukee County Circuit Court; Atty. Kelli Thompson, Wisconsin State Public Defender; and Atty. John Walsh, Wisconsin Housing and Economic Development Authority.

Joint meeting with the Supreme Court

In November, PPAC held a joint meeting with the Supreme Court. PPAC is to meet annually with the Supreme Court to engage in a full discussion of matters of mutual concern. PPAC took this as an opportunity to update members of the Court about what has changed since the prior joint meeting in April 2009, specifically, the creation of the Limited Scope Representation Subcommittee, Effective Justice Strategies Subcommittee initiatives, and the work of the Planning Subcommittee on the Wisconsin court system Critical Issues and enhanced planning processes.

Planning Subcommittee

In the coming months, the PPAC Planning Subcommittee will be saying good-bye to its chair, welcoming a new chair, and welcoming two new members. The subcommittee is saying good-bye to current Chair Judge Barbara A. Kluka, Kenosha County Circuit Court. Kluka led the subcommittee through some uncharted waters and into the development of a long-range or enhanced planning process that the subcommittee is embarking upon for the first time this fall. Judge Michael J. Rosborough, Vernon County Circuit Court, and a current subcommittee member, has been appointed to succeed Kluka. Rosborough's term as chair begins in January 2011. Judge J.D. McKay, Brown County Circuit Court, will also be leaving the subcommittee at the end of this year.

During the development of the *Critical Issues 2010 - 2012* report, the Planning Subcommittee gathered the views of judges, chief judges, family and circuit court commissioners, clerks of court, registers in probate, district court administrators, PPAC, and the State Bar Board of Governors. The Planning Subcommittee completed the feedback loop by furnishing each stakeholder group with a summary of the information that was collected. Each summary provides feedback about one issue each particular

stakeholder group felt should be the top priorities of the court system for the 2010 - 2012 biennium, how their priorities compared to the priorities of the court system as adopted by PPAC, as well as the suggestions they provided as to specific ways the court system might address each priority.

In early 2011, the Planning Subcommittee will again engage PPAC in a facilitated session to begin the development of objectives and detailed action steps. The objectives will be then be prioritized and submitted to the Director of State Court for consideration.

The subcommittee recently began working on an enhanced or long-range strategic plan that will include a review of the court system's mission and vision statements and strategic goals. Information will be gathered from internal and external stakeholders, including the state public defender, district attorneys association, the Wisconsin Counties Association and the public.

Court Security Subcommittee

The PPAC Subcommittee on Court Security submitted its final report and recommendations to PPAC in March. PPAC made a number of suggestions and comments which were

taken back to the subcommittee for consideration. The subcommittee resubmitted the report and recommendations to PPAC for approval in August, including the following recommendations:

- Revise SCR 70.38 – 70.39 and create a new and separate chapter on Court Security and Facilities
- Revise security and facility data collection process
- Encourage each member of the judiciary to complete a judicial profile and file it with local law enforcement
- Encourage every county to implement the minimum standards included in the revision of SCR 70.38 and



Justices Annette Kingsland Ziegler, Patience Drake Roggensack and David T. Prosser (seated closest from right to left), listen to discussion during a Nov. 4 joint meeting of the Supreme Court and its Planning and Policy Advisory Committee.

70.39

- Create an online presence for security and facility committees to network and share ideas
- Encourage a security audit of every courthouse in Wisconsin

The subcommittee is currently drafting a rule petition to be submitted to the Supreme Court to create a new chapter on court security and facilities.

In partnership with Fox Valley Technical College Criminal Justice Center for Innovation, the Director of State Courts hosted the second annual Court Safety and Security Conference entitled *Maintaining a Safe Courthouse*

Mental health task force issues report

by Theresa Owens, Assistant to the Chief Justice

The Chief Justice's Task Force on Criminal Justice and Mental Health has issued a comprehensive assessment and report of recommendations for improving the criminal justice system's response to persons with mental illness.

The report is the result of efforts by an 80-member task force appointed by Supreme Court Chief Justice Shirley S. Abrahamson to document existing programs, challenges, gaps and opportunities for improvement in systemic responses to people with mental illness.

The mental health initiative is part of a national project designed to encourage collaborative efforts and assist state supreme court chief justices in guiding efforts in their state. Wisconsin was selected to participate through a competitive process overseen by the Council of State Governments' Justice Center.

The task force has disseminated the report statewide to organizations, governmental units, and interested people as well as nationally through the National Center for State Courts and the Justice Center. A copy of the report is available on the [task force's web page](http://www.wicourts.gov/about/organization/programs/altmentalhealth.htm): www.wicourts.gov/about/organization/programs/altmentalhealth.htm

The report served as a current example of a comprehensive statewide strategic criminal justice/mental health plan at a recent meeting of state court leaders in Salt Lake. Abrahamson attended the meeting hosted by the Council of State Governments Justice Center to discuss task force strategies and programs to determine how the national organizations could collaborate to support the efforts of similar task forces throughout the country.

Responses to the report have thanked Abrahamson for her leadership and the task force for its efforts, acknowledging the comprehensive compilation of statewide programs and initiatives, and commending the ongoing nature of the project.

"Mental illness is on one of the most significant underlying issues faced by many individuals who become involved with the court system. This report provides valuable insight and direction on how to improve our responses, not only for the individuals involved, but for the entire criminal justice system," Abrahamson said when the report was released.

The task force identifies more than one dozen innovative programs that could be expanded or replicated in communities throughout the state, and recommends almost two dozen initiatives for future implementation.

The task force recommendations include: sharing information by creating a listserve for local law enforcement and community providers; giving mental health providers access to jail booking lists; establishing mobile crisis teams to help assess crisis situations that may include mental health concerns; determining the service that is needed; and developing universal screening of incarcerated persons.

The report also cites possible barriers to implementation of these initiatives, such as patient confidentiality, housing, funding and the struggle amongst mental health care providers, law enforcement, and hospital staff over who is responsible for the care of a person with a mental illness. The task force recommends that courts, law enforcement, service providers, and community leaders leverage existing

resources and diversion alternatives and collaborate in overcoming these barriers and implementing processes that will improve responses to persons with mental illnesses.

Chief Justice Abrahamson will convene a small committee of interested persons to focus on the implementation of some of the initiatives highlighted in the report.

Task force members included law enforcement, county board members, county executives, legislators, judges, district attorneys, public defenders, Department of Corrections and Department of Health Services staff, jail administrators, state mental health directors, local mental health providers, lawyers, non-profit organizations, consumers, hospital administrators and counsel, and mental health advocates.

The Chief Justice's Criminal Justice Mental Health Leadership Initiative was established with support from the Council of State Governments Justice Center and the Center for Mental Health Services' National GAINS Center, with funding from the JEHT and Conrad Hilton foundations, as well as the U.S. Bureau of Justice Assistance.

Current Initiatives:

The Task Force recommends expansion and replication of current programs that are working, consolidation of efforts to fill in the gaps in both the criminal justice and mental health systems, and collaboration to undertake new initiatives. Many existing services and programs are models for replication and others offer the potential for expansion on a regional basis.

- Mobile Crisis Response Teams
- Crisis Intervention Programs and Care Facilities
- Crisis Intervention Team Training
- Crisis Intervention Partners
- eMail listserv
- Continuity of Care Programs
- Collaboration of Mental Health and Criminal Justice Systems
- Problem Solving Courts, Including Mental Health Courts
- Memorandum of Understanding
- Consent or Release Forms
- Release Planning and Reentry
- Tools – Screening, Assessment, Jail Standards
- Audit and Reports

Future Initiatives:

The Task Force recommends that courts, law enforcement, service providers, and community leaders collaborate to identify at an early stage in criminal proceedings persons with mental illnesses and create new programs wherever possible, monitoring the results, and communicating to others.

- Mobile Crisis Response Teams and Regional Health Hubs
- Ride-alongs
- Develop rapport with patients
- Educate 911 dispatchers
- Cross Training

Team attends conference on reducing number of children in foster care

by Michelle Jensen Goodwin, Director, Children's Court Improvement Program

The *Institute on Safely Reducing the Number of Children in Foster Care*, sponsored by the National Governors Association, National Conference of State Legislatures and the Casey Foundation, was held Sept. 22-24 in St. Paul.

Wisconsin was one of nine states invited to participate in the conference to learn about Minnesota's success in reducing the number of children in foster care by 14 percent over a four-year period. Several strategies were highlighted, including the use of: 1) the differential response program to provide in-home supports to families when the safety of the children is not at risk; 2) subsidized guardianship to pay relative caregivers at the same rate as licensed foster homes; and 3) county leadership teams chaired by local judges to address practice issues.

Wisconsin attendees included: Rep. Tamara Grigsby, D-Milwaukee; Judge Marshall Murray, Milwaukee County Circuit Court; Cyrus Behrooz, division administrator, Department of Children and Families (DCF); John Elliott, senior policy advisor, DCF; Michelle Jensen Goodwin,

Children's Court Improvement Program director; and Dondieneita Fleary-Simmons, bureau director, DCF.

"The information that I and my fellow team members were able to gather from the meeting in St. Paul was both informative and eye-opening. The team is committed to bring back to Wisconsin some of the 'best practices' that the other jurisdictions are using to reduce the number of children in foster care and reduce the amount of time the children spend in foster care before reaching permanency," Murray said.

As a result of attending the institute, Wisconsin is receiving financial assistance from the Casey Foundation to learn more about a process currently used in Hennepin County District Court (Minneapolis, Minn.) where judges facilitate administrative meetings to target cases that have been in the system the longest. The program is being evaluated to determine its effectiveness and whether it could be adapted for implementation in Wisconsin. ■

AWARDS

Deputy clerk's achievements honored

Linda O'Dell, assistant deputy clerk for the Wisconsin Court of Appeals' District IV office in Madison, received the lifetime achievement award from the *Wisconsin Law Journal* during a luncheon award ceremony in Milwaukee on Nov. 12.

In nominating O'Dell for an award, staff attorney Deborah Moritz indicated O'Dell is better than a computer because she does all that and has a wonderful sense of humor, too.

"She's able to handle an incredible amount of work and keep track of everything," Moritz explained to the *Law Journal*.



Assistant Deputy Clerk of the Court of Appeals Linda O'Dell received the Wisconsin Law Journal's Lifetime Achievement Award from the Journal's publisher, Ann Richmond.

helped courts dispense justice with greater speed and efficiency.

"When I started in the late 1970s, we were typing our minutes in the bound court volumes that were stored nightly in the vault. Now we have online dockets and e-filing of briefs — with more changes ahead," O'Dell said. ■

"In District IV, we have one of the heavier caseloads," Moritz said. "Yet, at any given time, Linda can tell you where any case is at in the process. She processes motions, answers questions, and reminds us when things need to get done."

O'Dell has been an employee of the Wisconsin court system for the last 30 years, starting in Adams County. She's been in her current job for the last 13 years.

She has witnessed an amazing transformation over the years as technology has

Former Waukesha judge roasted and toasted



Judges from throughout Wisconsin joined to roast and toast Judge Robert G. Mawdsley, former Waukesha County Circuit Court judge, who served as dean of the Wisconsin Judicial College since 1998. Mawdsley was replaced as Dean by Judge Lisa K. Stark, Eau Claire County Circuit Court, who will head the 2011 Judicial College. Mawdsley will continue as an instructor at the annual event.

PEOPLE

Supreme Court Justice **Ann Walsh Bradley** recently appeared as the keynote speaker for the Wisconsin Chiefs of Police Annual Conference, which drew approximately 150 police chiefs from around Wisconsin. Giving a historical perspective, she spoke of the struggle for independence from outside political forces for both chiefs of police and the court system.



Justice Patience Drake Roggensack

Supreme Court Justice **Patience Drake Roggensack** attended the graduation ceremony of the 40th graduate of the Eau Claire County Drug Court on Sept. 29.

She was introduced during a meeting of the drug court treatment team before the ceremony and discussed aspects of the program with the team. After the ceremony, she met and spoke informally with participants, team members and the graduate.

The justice said she was impressed by prepared remarks presented at the ceremony by the graduate, who had been charged as a seventh offense operating a motor vehicle while intoxicated. The graduate explained how she had been in denial and had blamed others for her problems and behavior. Graduating from the drug court program gave her a great sense of accomplishment and “another chance at life,” the graduate said.

“It’s an honor and a blessing to be able to stand before you today. Graduating is an accomplishment that I’m very proud of. But it’s also a realization of what brought me here in the first place. Never forgetting it! The groundwork has been laid, and with my constant building on it, I’m leaving here feeling good about myself. My foundation is solid, and it’s up to me to keep laying the block,” the graduate said.

The Eau Claire County Drug Court’s mission is to “increase community safety and restore sober, productive, and law-abiding citizens to the community by breaking the cycle of drug and alcohol addiction through effective, long-term treatment with intensive court supervision. The court accepted its first participants in October 2004.



Chief Justice Shirley S. Abrahamson

Supreme Court Chief Justice **Shirley S. Abrahamson** was Parade Marshal for the 2010 Middleton Good Neighbor Festival parade held on Aug. 29. The theme of this year’s parade was Endless Summer. The annual festival takes place on University Avenue, and includes floats, bands and local organizations.

Chief Judge **Richard S. Brown**, District II Court of Appeals, was the subject of a feature article in the Oct. 11, 2010 *National Law Journal*. The *Journal* outlined the struggles and challenges Brown has faced over the years due to hearing loss, and how assistive technology has helped him.

Reporter Karen Sloan wrote: “The worst-case scenario

flashed through Richard Brown’s mind in 1970, when a doctor informed him that he was going deaf in his left ear... Brown worried that the diagnosis would derail his fledgling legal career and keep him out of the courtroom. He lost all hearing in his right ear after a childhood bout with the measles, and the prospect of complete deafness was terrifying.”

The article describes how a hearing aid helped him with classroom discussions and in his early career as an assistant district attorney and in private practice in Racine before he was elected to the Court of Appeals in 1978.

Brown recounted for the *Law Journal* that he feared needed surgery would likely eliminate all the remaining hearing in his left ear. He had a cochlear implant put in his long unused right ear in 1980, and took lip-reading classes in preparation.

Brown realized after the surgery in 1983 that the implant and his lip-reading skills were effective enough to allow him to follow conversations.

Technology continues to improve and help Brown, who now uses a system called Computer Assisted Realtime Technology (CART), which converts spoken words into text on a computer screen. “He also has a judicial assistant who was originally trained as a court reporter and is proficient in providing CART services,” Sloan wrote.

Brown told the *Law Journal* that CART technology actually has made him a better judge because he follows oral arguments in detail on screen.

In the Aug. 28 edition of the *Milwaukee Journal Sentinel*, columnist Jim Stingl highlighted the courtroom team of Milwaukee County Circuit Judge **John J. DiMotto**, Clerk **Lucy Listinsky**, and Court Reporter **Mary Hermann**.

The trio has served together since DiMotto was first elected 20 years ago in a relationship that Stingl dubbed, “rare if not unprecedented in Milwaukee County.”

“In baseball parlance, they now have hit for the cycle by working together in every division of the court - misdemeanor, felony, small claims, large-claim civil, family, probate and children’s,” Stingl wrote. The team recently rotated into children’s court.

DiMotto praised Listinsky and Hermann, noting that the working relationship has lasted longer than many marriages.

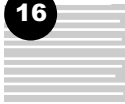
“I like coming in to work. A large part of that is the fact that I work with Mary and I work with Lucy. They’re wonderful people, and they’re excellent at what they do. In a sense, we’re kind of like a shoulder for each other, given



Chief Judge Richard S. Brown



Judge John J. DiMotto



Legislative Council Committees narrowing work on court-related issues

Five Legislative Council study committees assigned topics related to the courts last spring are wrapping up work and narrowing down possible recommendations for legislation. The committees' work and a host of related documents and correspondence can be found at <http://legis.wisconsin.gov/lc/index.htm>

The **Special Committee on Criminal Justice Funding Strategies**, headed by Sen. Lena Taylor, D-Milwaukee, is directed to study funding of the criminal justice system and strategies to adequately and sustainably fund the criminal justice system. The study includes consideration of funding for prosecutors, defense attorneys, and courts and collection of fees and surcharges imposed on criminal defendants. Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, Deputy Chief Judge Scott Needham, St. Croix County Circuit Court, and Milwaukee County Clerk of Courts John Barrett are committee members.

Taylor divided the Special Committee into three subcommittees to provide more in-depth consideration to the broad topical scope of the committee. The subcommittees cover the following areas: Justice System



Chief Justice Shirley S. Abrahamson testified about the Wisconsin court system before the Joint Legislative Council's Special Committee on Criminal Justice Funding Strategies during a meeting in August.

Funding, Organization and Strategies; Funding Components; and Courts and Effective Justice Strategies. The three subcommittees met during October and are scheduled to report to the full committee at its next meeting in early

see **Legislative Council** on page 27

RETIREMENTS *continued from page 6*

currently the county's longest serving court official – retired Dec. 1 after nearly 24 years in office.

Munro was originally appointed in 1986 by the late Judges Joseph Schultz and Tom Wells and now-retired judge Daniel W. Klossner. Before joining the court, she worked 24 years at the Rasmussen Law Office in Beaver Dam where she was a legal assistant and learned about the probate system.

Over the years, Munro has earned praise and respect from the people and judges she has served. Her extensive knowledge has helped Dodge County become one of the most efficient register in probate offices in the state, said Chief Judge John R. Storck, Dodge County Circuit Court.

"I believe that Kathy is the best register in probate in the State of Wisconsin. She is very knowledgeable on probate law. She has a wonderful ability to assist and encourage lawyers and *pro se* litigants to process probate matters appropriately and timely," Storck said.

Munro said she plans to take some time to assess her next move after working full time for 45 years. Activities will include travel to warmer climates, fishing on Beaver Dam Lake and playing cards, she said.

Assistant Register in Probate Lynn Steger will become register in probate. Steger started as assistant register in probate in 1999 and has worked with Munro for 11 years after 20 years as a legal assistant in private practice. ■



Judge Charles P. Dykman, who retired from the District IV Court of Appeals on July 31 (see The Third Branch, spring 2010) addresses friends, family and colleagues at his retirement party July 22 in Madison. Speakers at the event included Chief Justice Shirley S. Abrahamson, Justice David T. Prosser and District IV Court of Appeals Judge Paul Lundsten, among others.

Report *continued from page 13*

Release Planning
Free Calls
Video Links
Human Services' Web sites and technical assistance
Liaison Programs
Universal screening
Deferred Prosecution Agreements
Consider Special Plea

Increase Number of Mental Health Court
Consolidated Court Calendars
Accessibility of County Jail Booking Lists
Provide Services for Persons with Co-Occurring Disorders
Information about Legal System
Increase Funding
Develop Peer Support Network
Medication Formularies ■

White House meeting focuses on sexual violence

by Judge Mel Flanagan, Milwaukee County Circuit Court

On Oct. 27-28, at the invitation of Judge Susan B. Carbon, the director of the Office of Violence Against Women (OVW), I attended a two-day roundtable discussion held at the White House. The group included representatives from a wide range of disciplines from around the country drawn together to discuss what OVW and the federal government can do about the problem of sexual assault in our country.

The meeting, and other recent activity discussed below, suggests a new awareness of this pervasive, costly and wildly misunderstood crime. When the Violence Against Women Act was passed in 1994, sexual assault was included as one of the crimes to be addressed. There is a general consensus, even in OVW, that for variety of reasons, sexual assault has not received the same level of attention or funding as domestic violence. The effect has been that sexual assault remains tragically prevalent throughout the country and resources are scarce. It will take the

commitment of vast resources to impact the occurrence rate and the impact of this very serious crime.

Other activities which hopefully indicate a new awareness and willingness to address the impact of sexual assault are:

This September, the Senate Judiciary Subcommittee on Crime and Drugs held a hearing entitled *Rape in the United States: The Chronic Failure to Report and Investigate Rape Cases*. Chairman Sen. Arlen Specter (R-Pa.) stated "This is a subject of enormous importance" and concluded the hearing with a call to action.



Judge Mel Flanagan

see **White House** on page 29

PPAC continued from page 12

Community in August. Over 120 attendees representing judges, law enforcement, clerks of court, tribal court judges, and court and county administrators participated in this year's conference. Work has already begun planning for the next conference scheduled to be held in March 2012. For information on this year's conference and more details about the 2012 conference please visit the conference Web site: www.fvtc.edu/CSS

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

Where to find out more

Additional information on PPAC initiatives and the court system's critical issues is available in the following sources:

1. The Third Branch

(www.wicourts.gov/news/thirdbranch/index.htm)

For the past 11 years, our quarterly newsletter *The Third Branch* has run a regular article on PPAC activities. In addition, numerous other articles explore initiatives that touch upon PPAC critical issues.

2. Press releases

(www.wicourts.gov/news/headlines.jsp)

When the court information officers are told of projects that relate to PPAC critical issues and that seem like they could capture media attention, they issue an electronic press release and feature it on the courts' Web page.

3. State of the Judiciary Address

(www.wicourts.gov/about/pubs/index.htm)

The Chief Justice gives this address at the annual Judicial

Conference. She discusses PPAC's work in tracking trends and developing initiatives. Over the past 14 years, she has given updates on the Effective Justice Strategies project, assistance to *pro se* litigants, courthouse safety, AODA, court interpreters, court funding and so on.

4. PPAC minutes

The minutes from each PPAC meeting, including each of the PPAC-Supreme Court meetings, are available to judges and staff on our Intranet site, CourtNet. This archive is invaluable to understanding issues, trends, what's being done and what is planned for the future. The minutes show the development of PPAC issues.

5. Meetings

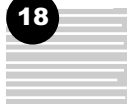
PPAC initiatives are discussed at many meetings that involve both judges and court staff, such as district meetings. The PPAC stakeholder summaries were distributed at the recent Judicial Conference in conjunction with the PPAC update. Shelly Cyrulik and Erin Slattengren give updates on AIM and other initiatives at their annual luncheon meeting with the Office of Court Operations and the justices.

6. Judicial Conference

Several years ago, PPAC requested and received a regular timeslot every other year on the Judicial Conference agenda. The 2011 conference is a "PPAC year" so this should be a good opportunity to share PPAC news in an engaging way.

Next steps

In the future, we are also planning an update of the PPAC Web site, and a new, quarterly "micro-newsletter" that will provide a very brief look at one PPAC hot topic. ■



Wisconsin celebrates juror appreciation month

Several Wisconsin counties held events during September to recognize jurors for their invaluable service. During 2009, 70,820 people reported to Wisconsin courthouses for jury duty, and 20,322 of them served as a juror in one of 2,355 trials statewide.

Supreme Court Chief Justice Shirley S. Abrahamson and Justice Ann Walsh Bradley appeared at events in Milwaukee and Madison respectively to thank jurors, their families and employers. Among other counties that organized Juror Appreciation Month activities were: Calumet, Eau Claire, Green, Jefferson, Lafayette, Manitowoc, Rock, Sheboygan, Washington and Waukesha.

“Wisconsin jurors are appreciated throughout the year for the role they play in protecting the constitutional rights of all the people of Wisconsin and in keeping our system of justice fair and

impartial,” Abrahamson said.

“September has been set aside to formally recognize jurors – one of the cornerstones of our democracy,” added Abrahamson, who has twice served on Dane County juries.

The theme of statewide Juror Appreciation Month, which is co-sponsored by the Wisconsin court system and the State Bar of Wisconsin, was **Jurors Serve Justice; Justice Serves Us All.**



Justice Ann Walsh Bradley holds a proclamation declaring September as Juror Appreciation Month in Wisconsin. Bradley spoke at a Juror Appreciation Month celebration at the Dane County Courthouse on Sept. 13.



Supreme Court Chief Justice Shirley S. Abrahamson thanks jurors for their service during a Juror Appreciation Month celebration in the Milwaukee County Courthouse Rotunda on Sept. 1. Also pictured are (left to right) Pat Schoen, chair of the Milwaukee Bar courts committee; Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court; County Supervisor Willie Johnson, Jr; and Clerk of Circuit Court John Barrett.

Statewide Juror Appreciation Month was launched in 2008, when Gov. Jim Doyle signed a proclamation, Abrahamson signed a declaration, and the Senate and Assembly each approved citations designating the occasion. The statewide program builds on the success of a Milwaukee County juror appreciation program that was established in 2007. Each Wisconsin county marks the occasion in its own way. Some county boards approved supporting resolutions, and local court or county officials may make appearances to personally thank jurors for their service. Past celebrations also have featured special guest speakers and even a mock trial held by students to demonstrate the critical role of a juror. Other counties may hang banners or posters on courthouse walls or offer free coffee and treats for jurors.

The statewide juror appreciation program was initiated by the Chief Judges Subcommittee on Juror Treatment and Selection. ■

Drug courts receive boost

Attorney General J.B. Van Hollen has distributed \$260,000 from Wisconsin's share of a \$570,000 class-action settlement to help fund adult drug treatment court programs in 23 Wisconsin counties.

Wisconsin is one of 22 states receiving part of a larger settlement with several vitamin manufacturers accused of a price-fixing conspiracy for vitamins sold between 1988 and 2000.

Twenty-one Wisconsin counties each received approximately \$10,000 to help support drug court operations. (see list below). Drug treatment courts in Milwaukee County and Dane County each received approximately \$25,000 to continue to expand drug treatment options and to provide for testing support and community-based options for drug offenders.

Van Hollen announced that nearly \$300,000 of the state's

total distribution from the settlement will go toward *Badgers for Baseball* and its *Healthy Choices, Healthy Children Program*. That program includes lessons on good nutrition and the value of physical exercise.

Counties each receiving approximately \$10,000:

Barron	Pierce
Brown	Polk
Burnett	Racine
Chippewa	Rock
Douglas	Sawyer
Dunn	St. Croix
Eau Claire	Trempealeau
Jackson	Washburn
Kenosha	Winnebago
La Crosse	Wood ■
Outagamie	

Marquette University opens new law school

U.S. Supreme Court Justice Antonin Scalia gave the keynote address at the Sept. 8 dedication ceremony of the new \$85 million Ray and Kay Eckstein Hall, the new home of the Marquette University Law School. All seven Wisconsin Supreme Court justices attended the ceremony at which Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson also spoke.

The state-of-the-art law school was made possible by a \$51 million gift from the Ecksteins, Marquette alumni from Cassville, Wis. The law school features its own cafeteria, a fitness center, theater-style classroom seating and a chapel. ■



Marquette University Law School's new Ray and Kay Eckstein Hall.



Archbishop Timothy Dolan of New York, left, blessed Marquette University's new building during a dedication ceremony on Sept. 8. Pictured with Dolan, left to right are Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson, U.S. Supreme Court Justice Antonin Scalia, and Marquette University Law School Dean Joseph D. Kearney.

Teachers become students at institute

Twenty-two middle school and high school teachers from 10 Wisconsin counties participated in the 2010 Justice Teaching Institute Oct. 28-29 in Madison. The two-day workshop gave the educators a variety of new tools for teaching about the courts and the justice system. Teachers examined methods for teaching constitutional principles on issues being debated in society, voted on by the people and legislatures, and argued in court cases. The conference stressed innovative teaching methods teachers can use immediately in the classroom.

Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson and Justice N. Patrick Crooks presented at the institute. Other faculty included UW Law School Professor Linda Greene, UW-Madison School of Education Professor Diana Hess, Assistant State Public Defender Ellen Henak, and Assistant Attorney General Thomas J. Balistreri.

The institute is a joint effort by the State Bar of Wisconsin's Law-Related Education Committee, the Wisconsin Supreme Court, the UW Department of Curriculum and Instruction, the Wisconsin Law Foundation, and the Wisconsin Municipal Judges Association. Eight UW-Madison School of Education students also participated in this year's institute. ■

More information can be found at: Law-related Education | State Bar of Wisconsin
www.wisbar.org/AM/Template.cfm?Section=Law_related_education



With encouragement from a group of UW-Madison School of Education students, Justice Ann Walsh Bradley plays one of the online interactive games on iCivics.org. Bradley demonstrated the games for teachers during a reception for teachers at the Justice Teaching Institute in Madison Oct. 28. Wisconsin is one of many states promoting the use of iCivics.org to help reinvigorate civics education.



Supreme Court Justice N. Patrick Crooks speaks to educators and education students at the Justice Teaching Institute.

OBITUARIES *continued from page 8*

right looks like,” Rock County Circuit Court Judge James P. Daley told the *Janesville Gazette*.

Daley shared a piece of advice Farnum once gave him after Daley was appointed to the bench:

“Understand that people sentence themselves. They sentence themselves with their body of history, and especially with the latest crime they committed. It isn’t you that sentences them.”

Farnum retired in 1988, but continued to serve as a reserve judge in the Fifth Judicial District.

Dane County Circuit Court Judge Daniel R. Moeser knew Farnum as a circuit court judge, and later as a reserve judge.

“There wasn’t a better judge in the state of Wisconsin during my years. He combines intelligence, common sense and grace,” Moeser told the *Gazette*.

According to the *Gazette*, when Moeser asked him about his plans to slow down after retirement, Farnum told him, “If you don’t do this a lot, you lose your touch, and I don’t want to lose my touch. This is all too important.”

Farnum is survived by his wife, Barbara; eight children; 22 grandchildren; and 12 great-grandchildren.

Judge Gerald “Jerry” W. Jaeckle Rock County Circuit Court

Former Rock County Circuit Court Judge Gerald “Jerry” W. Jaeckle passed away on Aug. 9. He was 82.

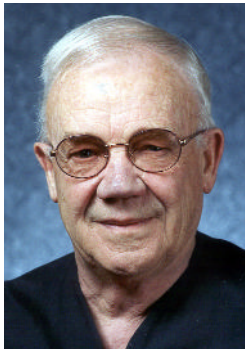
Jaeckle was elected to the Rock County bench in 1976, and served until his retirement in 1992. He then served as a reserve judge until 2002. While on the circuit court bench, Jaeckle served as deputy chief judge of the Fifth Judicial District and on the Civil Jury Instruction Committee and the Uniform Bond Committee. He taught law courses at UW-Madison and with the Wisconsin Judicial Education program.

A graduate of UW Law School, Jaeckle served in the Korean War after receiving his law degree. According to his obituary in the *Janesville Gazette*, after serving in the 207th Military Police Company and as assistant Provost Marshal, he worked in private practice in Beloit. In 2003, he was recognized as a 50 year member of the State Bar of Wisconsin.

“He was very intelligent,” former Rock County Circuit Court Judge Michael Byron told the *Gazette*. “He also was very good at working with people.”

Stan Milam, who was news director at WCLO in 1976 and covered the courthouse, remembers Jaeckle presiding over a murder trial soon after he took the bench. In a story he wrote for the *Gazette*, Milam recounted the Solles-Drenning trial, where two Janesville residents were charged with shooting a gas station attendant.

“I don’t care how long this takes, but I’m not going to miss my daughter’s wedding” Jaeckle said at one point during the trial, according to Milam’s *Gazette* article.



Judge Gerald “Jerry” W. Jaeckle

According to an obituary, he was a devoted husband, father and grandfather who also loved golf and Badger football.

Jaeckle is survived by his wife, Joanne; three daughters; 11 grandchildren; and one great-grandchild.

Judge David V. Jennings Milwaukee County Circuit Court

Judge David V. Jennings, who served on the Milwaukee County Circuit Court from 1966 until 1992, passed away on Aug. 3 at the age of 89.

“It can be said without contradiction that Jennings is the only judge in Milwaukee County who starts three mornings a week on the back of a horse leaping over split-rail fences,” writer William Janz wrote in the *Milwaukee Sentinel* in 1971, according to Jennings’ obituary.

A member of the Mill Creek Hunt Club in Illinois, Jennings had a life-long love of horseback riding, and continued to ride until he was 80.

Jennings enlisted the day after the attack on Pearl Harbor, and served in the Pacific. He served with the Naval Reserve Judge Advocate General’s Corps until 1981. After receiving his law degree from Marquette University in 1948, Jennings worked in private practice until his appointment to the circuit court bench by Gov. Warren Knowles. After his retirement, he served as a reserve judge until 2002.

Jennings was known for his sense of humor and story telling, in and out of the courtroom.

“He was probably one of the biggest, if not the biggest, character in the courthouse,” Milwaukee County Circuit Court Judge Dennis P. Moroney told the *Milwaukee Journal Sentinel*. “He walked to his own drum.”

Jennings is survived by his wife, Margaret; 11 children; grandchildren and great-grandchildren.



Judge David V. Jennings

Judge John E. McCormick Milwaukee County Circuit Court



Judge John E. McCormick

Former Milwaukee County Circuit Court Judge John E. McCormick passed away on Nov. 26 at the age of 86.

McCormick’s 32 years on the Branch 19 bench made him the longest-serving circuit court judge in Wisconsin. First appointed by then-Gov. Patrick Lucey in 1972, McCormick won six elections to the bench, including a 1999 defeat of James T. Flynn, a former lieutenant governor. According to an

PEOPLE *continued from page 15*

what we see on a daily basis,” the newspaper quoted DiMotto as saying.

Likewise, Listinski and Hermann heaped praise on DiMotto: “He’s a nice guy, and I really don’t think anyone else would put up with me,” Listinsky laughed.

Social media in the courtroom was the focus of a story on WQOW in Eau Claire. “In this day of social interactions, so many people can put their two cents in and it’s really unfair to the parties because when somebody is a juror, they take an oath that they’re going to decide the case solely on the evidence and based solely upon them the law that’s been given to them,” Eau Claire County Circuit court Judge **William M. Gabler** told the station.



Judge William M. Gabler

In Eau Claire County, jurors are instructed to turn in their cell phones before the beginning of the trial to avoid these problems. Gabler told the station that he is not aware of any problems in his county with social media in the juror box, but has heard the reports of other incidents around the country.

Gabler told the station that he does believe some technology has been beneficial to the courts, such as the ability to live stream trials, which allows more people to view the process.

Milwaukee County Circuit Court judges **Marshall Bertram Murray** and **Mary Triggiano** sat down to discuss the handling of child welfare cases involving neglect or abuse with *the Milwaukee Journal Sentinel’s* editorial board Nov. 3.



Judge Marshall Bertram Murray

Excerpts from their comments were featured in a Q & A-format article published online Nov. 13 and run on the front of the “Crossroads” section Nov. 14. Murray is the presiding judge of the childrens court; Triggiano is its former presiding judge.

The article is part of the newspaper’s ongoing coverage of child welfare issues since the beating death of a 13-month-old boy in foster care in 2008. The case and subsequent coverage raised questions about the effectiveness of Milwaukee County’s child welfare system and its ability to protect children.

Murray discussed parental rights and the process by which children who were detained for their own safety are reunified with parents. Many cases involve parents with mental health issues or drug and alcohol abuse, and poverty can be a factor, Murray told the newspaper.



Judge Mary Triggiano

Triggiano said in deciding cases, the court focuses on the safety of the children, permanency and well-being.

The *Milwaukee Journal Sentinel* reported that the Waukesha County Alcohol Treatment Court has been awarded a \$1.2 million, three-year federal grant from the Department of Justice and U.S. Department of Health and Human Services. The grant will help the program pay for two more case managers, as well as provide substance abuse and mental health treatment for participants who cannot afford it.

The program, which was the first in the state when it began in 2006, has had 115 graduates to date. Of these, the *Journal Sentinel* reports that only 10 have reoffended.

Previously only offenders facing their third OWI offense have been eligible for the program. The grant will allow the program to expand to those facing their fourth offense.

“We will be working with 50 additional fourth-OWI’s per year over three years,” **Rebecca Luczaj**, coordinator for the Criminal Justice Coordinating Council told the *Journal Sentinel*.

Dodge County Circuit Court Judge **Brian Pfitzinger** was able to fulfill a campaign promise when his county’s alcohol court began in September.

“One concern I have, and had made it an issue when running for office in 2008, was to get to the heart of the operating while under the influence of an intoxicant,” Pfitzinger told the *Watertown Daily Times*. “And what part of the sentence will go towards solving the problem.”



Judge Brian Pfitzinger

The new specialty court, based on the alcohol court run in Waukesha County, was possible thanks to the new OWI legislation and a coordinator who has volunteered to oversee the program. As of October, there were six alcohol courts in Wisconsin.

The new laws, which took effect in July, allow courts to offer the option of treatment instead of a harsher sentence for individuals convicted of second and third offense OWI. The possibility of a harsher sentence gives offenders an incentive to choose the alcohol court option.

“If you don’t choose Alcohol Court, you’re going to see significantly higher jail time and other enhancer penalties,” Pfitzinger told the *Fond du Lac Reporter*. “The courts in this county have made a commitment to this, and we’ve put a lot more teeth into the price of not participating.”

While the county board approved the program, they were not able to approve the funding Pfitzinger requested. A large portion of the budget he requested would have gone towards hiring a coordinator to run the program. Fortunately, Reeseville resident Ken Lindegarde has agree to coordinate the program free of charge. Lindegarde has also applied for a grant from the Bureau of Justice Assistance that would help fund the court over a three-year period.

Lindegarde, who will work with various agencies and provide participant progress updates to the court, is committed to the program because of the adverse effects he

see **People** on page 22

PEOPLE *continued from page 21*

has seen alcohol abuse have on youth.

"If we can have a successful outcome with our court like they do in Waukesha County, Alcohol Court might have a shot at reducing some of the problems we have with our youths due to alcohol," Lindegarde told the *Fond du Lac Reporter*.

District I Court of Appeals Judge **Kitty K. Brennan** and Waukesha County Circuit Court Judge **William J. Domina**



Judge Kitty K. Brennan



Judge William J. Domina

both recently found themselves in the hot seat while being questioned for the *Wisconsin Law Journal's* *Asked and Answered*.

Brennan spoke about her appreciation for having the time and resources as an appellate judge to do "proper legal analysis." She also had advice for attorneys to build their reputations and relationships, learn the business of legal practice and not be arrogant. When asked who she would like to trade places with for a day, Brennan answered: "Rather than world leaders or movie stars or astronauts, I would like to trade places with an ordinary woman my age in a totally different culture. I'd like to see what the world looks like from the perspective of a woman in Kigali, Sydney, Lima or Rome."

Domina told the *Law Journal* that he could see Drew Carey or John Houseman playing him in a movie of his life. But he admits

his children might think Chris Farley was a better choice. He said he believes attorneys need to have a sense of humor, civility in the courtroom, and a proper dress code. He said one of his pet peeves is people thinking it's okay to wear shorts in the courtroom. Domina replied, "Watching my kids participate in school activities," when asked what made him most happy.

Milwaukee Circuit Court Judge **Carl Ashley** received praise from a former juror in a letter submitted to the *Milwaukee Journal Sentinel*.

"I need to express how impressed I was with how thorough, caring and concerned Ashley was for everyone present in that court – from the court reporter to the defendant to the witnesses to the lawyers and to we the jurors," Gloria Jean Becker wrote.

Although she was not initially excited about being called to serve on a jury, Becker wrote that she was proud to have done her duty, and appreciated the gratitude Ashley showed the jurors by personally taking time to thank each one after



Judge Carl Ashley

the trial, and later sending a thank you letter in the mail.

"Thanks to Ashley for being the conscientious and dedicated public servant that he is," Becker wrote.

Jared Hassin, son of Waukesha County Circuit Court Judge **Donald J. Hassin Jr.**, is making headlines and highlight reels as a standout fullback for Army's Black Knights football team.

The 6-foot-3, 235-pound younger Hassin's accomplishments were highlighted in the Nov. 5 *New York Times'* College Football section and in a recent CBS College Sports Network special on military academy cadets.

Although his military career started at the Air Force Academy, Jared Hassin switched academies, and now is carrying on a family tradition at Army, *The Times* reported. Jared's grandfather was among those who landed on Omaha Beach on D-Day as a second lieutenant with the 29th Infantry. Jared's father was an Army Ranger and a captain who served in Vietnam before becoming a colonel in the Army National Guard.

Jared Hassin is credited in part for Army's success this year and leading the team toward a winning season, which hadn't happened since 1996. At the time the article was published, Hassin averaged 6.1 per carry and had run for 8 touchdowns. He also was listed as Army's second-leading receiver with nine catches for 127 yards.

Hassin's number 7 jersey also has family significance. The jersey number dates to when he was eight years old and growing up in Wisconsin, *The Times* reported.

Christine J. Willette, a Wisconsin freelance court reporter and owner of Willette Court Reporting, LLC in Rothschild, Wis., has been appointed director of the National Court Reporters Association (NCRA). Willette has been a member of NCRA, which represents court reporters throughout the U.S., since 1984. She is a past president of the Wisconsin Court Reporters Association and is a Registered Professional Reporter (RPR), Certified Realtime Reporter (CRR) and Certified CART Provider (CCP).

Eau Claire County Circuit Court Judge **Paul J. Lenz** co-authored an article in the July-August edition of the American Bar Association's *Mental Health and Physical Disability Law Reporter*.

The article examines the extent to which persons with serious mental illness are in jail or prison rather than in mental health hospitals.

Lenz wrote extensively on the development and processes used by the Eau Claire County Mental Health Court and how it has been cost-effective and reduced recidivism. Lenz



Judge Donald J. Hassin Jr.



Judge Paul J. Lenz

PEOPLE *continued from page 22*

estimates that, if not for the program, the participants would have been incarcerated 3,010 days more than they were actually incarcerated over the past two years, equating to 8.25 years or about \$235,000 (8.25 years X \$28,500 annual cost). By contrast, the cost to operate the mental health court program is about \$92,000 annually.

Lenz wrote that without the program, Eau Claire County's first participant would have been sent to prison for two years, which would have cost about \$57,000.

"Instead, approximately \$4,000 of in kind and actual services was provided to him, and he completed the program in 14 months. He was reunited with his family, his mental condition has stabilized with medications, and he has had no criminal convictions since his admission to and completion of the program. During the three years prior to his admission to the program, he had 17 convictions..."

In the three years prior to admission into the mental health court program, the participants had a total of 83 arrests. In the two years following admission, those same participants had a total of 12 arrests, according to Lenz.

On Sept. 26, the *Beaver Dam Daily Citizen* newspaper published a feature article highlighting an unusual social event sponsored by the Dodge County Bar Association — "Schuetzenfest," a friendly shooting competition at the Columbus Sportsmans Association.

Correspondent Paul Marose led his story with this: *Schuetzenfest: German for "shooting match." Rechtsanwalt: German for "lawyer."*



Shooting instructor Steve Allermann, of the Dodge County Sheriff's Department, helps Dodge County Circuit Judge Andrew P. Bissonnette adjust his aim Sept. 15 at the eighth annual Dodge County Bar Association Schuetzenfest in Columbus, Wis.

Dodge County Circuit Court Judges **Andrew P. Bissonnette** and **Brian A. Pfitzinger**, and Chief Judge **John**



Juneau Attorney Joe Sciascia, organizer of the eighth annual Dodge County Bar Association Schuetzenfest, stands by as Dodge County Circuit Judge Brian A. Pfitzinger takes aim through the sights of Sciascia's antique Sharps rifle Sept. 15 in Columbus.

Storck participated. Bissonnette managed at least one hole in the three-quarter-inch center circle from 200 yards, Marose wrote.

Sciascia provided his antique rifle for the Billy Dixon Buffalo Rifle Shoot, a portion of the fest that put competitors behind the sights of his Sharps 1874, caliber 45-70 rifle as competitors took aim at a buffalo-silhouette target located 200 yards downrange.

Other events included:

- The "Annie Oakley," which featured .22-caliber, rimfire rifle shots at metal animal silhouettes;
- A "William Tell" shoot, in which rifles were trained on the face of Mad Magazine's Alfred E. Neuman posing with an apple atop his head.

Shooters got one point for each of their five shots that struck the apple and were penalized one point for every shot that hit Alfred.

Al Spiegel, a former Waupun attorney, won the match with three apple shots.

The *Wisconsin Law Journal* reported in late August that repair work on the Milwaukee County Courthouse was being accelerated due to concerns about public safety.

Milwaukee County Executive and Governor-Elect **Scott Walker** announced that Milwaukee County will shift \$350,000 in courthouse maintenance money from the 2011 budget to get the work done this fall.

The change to the project timeline stems from an insurance company's concern about freeze-thaw damage to the courthouse. The insurance company began investigating the courthouse at the county's request after a piece of cornice fell from the building in March. No one was injured.

Chris Wetzel, Judicial District 10 job-share court reporter, participated in the Highground Veteran's Memorial Bicycle Ride Fundraiser Aug. 6-8. The 170-mile ride from Hayward to Neillsville was held to raise money for a memorial for Wisconsin veterans who died in Iraq, Afghanistan and Desert Storm, including Wetzel's son, Paul Sturino. The Highground memorial is located in Neillsville. ■

Put them together and you get Gemuetlichkeit: a good time had by all.

On Sept. 15, for the eighth year in a row, Dodge County lawyers, judges and friends of the court gathered to take pot shots at targets - instead of each other - at the annual Dodge County Bar Association Schuetzenfest."

Dodge County Family Court Commissioner **Joe Sciascia** organizes the event, which has grown from three participants during its first year to 33 participants this year.

WISCONSIN CONNECTS**Four Wisconsin judges selected for conference at The Hague**

Judges from Milwaukee and St. Croix counties were selected to travel to The Hague this fall to participate in an international judicial conference. The group included Deputy Chief Judge Scott R. Needham, St. Croix County Circuit Court; and Judges David L. Borowski and Jeffrey A. Conen, Milwaukee County Circuit Court; along with Court of Appeals Judge Joan F. Kessler of Milwaukee.

The judges took part in the Sir Richard May International Courts Conference, named for a judge who presided in several high-profile war crimes trials at the International Criminal Tribunal at The Hague. The event was held Sept. 26-Oct. 1.

The program gave the Wisconsin judges an international perspective on civil and criminal procedure and sentencing. The group also learned about the unique challenges facing the world court, where war crimes tribunals are held. These challenges include witness protection and relocation, the need to have proceedings translated into at least three different languages (English, French and the native tongue of the witness), and the blending of legal systems from around the world.

The judges observed proceedings at the Yugoslav War Crimes Tribunal, the Sierra Leone War Crimes Court, and the Iran-United States Claims Tribunal, and met with prosecutors, defense attorneys and judges from a number of different courts. The seminar included tours of the

International Peace Palace, Europol, the Organization for the Prevention of Chemical Weapons and the International Court of Arbitration. The group attended a reception hosted by U.S. Ambassador to the Netherlands Fay Hartog Levin at the Ambassador's home. ■



Four Wisconsin judges met with the U.S. Ambassador to the Netherlands during a recent judicial conference at The Hague. Pictured (left to right): Milwaukee County Circuit Court Judge Jeffrey A. Conen; guests Leanne Walker and Jean Needham; St. Croix County Circuit Court Judge Scott R. Needham, Ambassador Fay Hartog Levin; Court of Appeals Judge Joan F. Kessler; and Milwaukee County Circuit Court Judge David L. Borowski.

Milwaukee County launches self-help Web site

The Milwaukee Justice Center (MJC) celebrated the launch of their self-help Web site on Oct. 4. The Web site extends the services the center has offered to self-represented litigants since 2009.

"By centralizing this information online, county residents who are unable to come to the MJC during operational hours will still be able to access the vital information, forms and step-by-step checklists from a home computer or local library," Milwaukee County Clerk of Circuit Court John Barrett said in a press release. "Every year, thousands of people receive help at the Milwaukee Justice Center and

now, with this website, we are able to expand this essential service beyond the walls of the courthouse."

The Web site offers information and resources on divorce, child support, custody, small claims, foreclosure, landlord-tenant issues, Chapter 128, and name changes. Information on the MJC, annual reports, testimonials and volunteer opportunities can also be found on the Web site.

The MJC is a combined effort of the Milwaukee Bar Association, Milwaukee County, and Marquette University Law School. More information can be found at: www.milwaukeejusticecenter.com. ■

Judge Storck elected 'chief of chiefs'

Chief Judge John R. Storck

Chief Judge John R. Storck, Dodge County Circuit Court, was elected in August to serve as "chief of the chiefs," or chair of the committee of 10 chief judges. Each chief judge is selected by the Wisconsin Supreme Court to help oversee administrative issues in each of the state's 10 judicial districts.

Storck replaces as chair, Chief Judge J. Mac Davis, Waukesha County Circuit Court, who completed his one-year term heading the committee.

Storck was first elected to the Dodge County Circuit Court in 1995, and re-elected in 2001 and 2007. He has served as Chief Judge for the Sixth Judicial District since 2006.

"I am honored to have been selected by my colleagues to lead this committee, which plays a key role in keeping Wisconsin courts running smoothly," Storck said. "We'll continue to work towards making our courts more effective, given the resources available."

Storck has served as an associate dean for the Wisconsin Judicial College and on the Judicial Education Committee. He has helped create a digital audio recording program in Dodge County to produce court records when the county does not have access to a court reporter. ■

New judges *continued from page 2*

demonstrated that he has what it takes to be an excellent judge,” Doyle said in a press release. “His commitment, experience and sense of fairness will serve the people of Winnebago County well.”

Judge Todd K. Martens Washington County Circuit Court

Former Washington County District Atty. Todd Martens was appointed to fill the vacancy of Washington County Circuit Court Judge David C. Resheske, who retired from the bench (*see The Third Branch, summer 2010*).

“Todd Martens has been serving the citizens of Washington County for years, and I am confident he will continue to serve with distinction,” Doyle said in a press release. “He has the intellect and temperament to be a great addition to the bench.”



Judge Todd K. Martens

Martens, whose term began on Aug. 17, graduated from UW-Madison and Harvard Law School. Prior to being elected district attorney, he worked as deputy district attorney and assistant district attorney for Washington County, and in private practice.

“I thank Governor Doyle for appointing me to this position,” Martens said in a press release from the governor’s office. “I promise to serve Washington County as a hardworking, fair and ethical judge.”

Martens lives in Germantown with his wife and daughter.

Judge James Poulos Washington County Circuit Court



Judge James Poulos

“Jim Poulos’ experience and qualifications will make him an excellent judge,” Doyle said in a press release about the newly appointed Washington County Circuit Court judge. “He is prepared for this challenge, and I believe he will serve Washington County well.”

Poulos was appointed on Aug. 16 to fill the vacancy created by the retirement of Judge Patrick J. Faragher (*see The Third Branch, summer 2010*).

“I am honored and humbled to be appointed by the governor,” Poulos said in the press release. “I look forward to working hard for the people of Washington County.”

Poulos received his bachelor’s degree from UW-Milwaukee and his law degree from Marquette University Law School.

Poulos, who served in the U.S. Army, worked in private practice before his appointment to the bench. He and his wife have two sons and live in West Bend.

Judge Kathleen Stilling Waukesha County Circuit Court

Doyle has appointed Kathleen Stilling to fill the vacancy on the Waukesha County Circuit Court Branch 4 bench. The vacancy was created by Judge Paul F. Reilly’s election to the Court of Appeals (*see The Third Branch, spring 2010*).

Stilling has worked in private practice and in the State Public Defender’s Office since graduating from UW-Madison and UW Law School. She is a member of the Waukesha County Bar Association, the State Bar Association, and the Association for Women Lawyers.

“I have tremendous confidence in Kathy Stilling,” Doyle said in a press release. “Her commitment to justice, fairness and respect is unparalleled.”

“I thank Governor Doyle for this opportunity,” Stilling said in the governor’s press release. “I feel privileged to serve the wonderful people of Waukesha County as a circuit court judge.”

Stilling lives in Brookfield with her husband and their two children.



Judge Kathleen Stilling

Judge Angela W. Sutkiewicz Sheboygan County Circuit Court

Judge Angela Sutkiewicz’s appointment to the Branch 3 bench made her the first woman on the Sheboygan County Circuit Court. She filled the vacancy created by Judge Gary J. Langhoff’s retirement (*see The Third Branch, summer 2010*).

Sutkiewicz is a graduate of Barnard College at Columbia University and Marquette University Law School. She has previously served as assistant district attorney in Walworth County and in private practice.

“Angela Sutkiewicz is a committed member of the Sheboygan County community,” Doyle said in a press release. “She is experienced, thoughtful and fair, and I expect her to be an outstanding addition to the judiciary.”

Sutkiewicz is a member of the Wisconsin Crime Victims Rights Board and City of Sheboygan Police and Fire Commission. She has volunteered with the Mock Trial Tournament and Law Day.

“It is an honor and a privilege to accept this appointment from Governor Doyle,” she said in the governor’s press release. “I look forward to serving the people of Sheboygan County and judging each matter before me with respect, integrity and fairness.”

Sutkiewicz lives in Sheboygan with her husband and their three children. ■

Clerks *continued from page 5*

highlights of her career was testifying before the Supreme Court while rules were being proposed to allow for e-filing of court documents.

Deiss played a key role in the planning and construction of the new Washington County justice facility, which opened about four years ago. Ziegler said Deiss was critical in helping guide the process and keeping judges informed during planning and construction.

Theresa Russell, a Republican with 20 years' experience in the clerk's office, was elected to replace Deiss.

Claudia Singleton Jackson County Clerk of Court

After almost 36 years of working for Jackson County, Clerk of Court Claudia Singleton decided not to seek another term.

Singleton first served as register in probate under Judge Louis Drecktrah from 1974 to 1981, when she became clerk.

"This has been one of the most difficult decisions I have ever made. I can't express in words what an honor it has been for me to serve as your clerk of court for the past 29 years. I'd like to thank all of the voters for continuing to elect me," Singleton said in announcing her retirement.

Singleton said she still loves her job but feels ready for some new and different challenges. She also has worked with many wonderful people over the years, Singleton said.

The most challenging part of the job is the continual change, especially technology. However, it's also the most fascinating part of the job. When she first started, the clerk's office still used a manual typewriter. We now have computers, electronic filing, scanning and video conferencing, Singleton said.

Singleton was a past secretary for the Clerk of Court's Association and a member of the Executive Committee and Legislative Committee for the Clerk of Court's Association. She was appointed to serve on the OAR/OWI Task Force and Public Trust and Confidence in the Court System Committee. She attended training for court security and assisted in training county employees in this area. She has also been a member of the CCAP Steering Committee since its implementation.

Living through two complete office moves and one complete office renovation were among the greatest challenges since taking office, Singleton said in her announcement.

Singleton is a member of the State Bar of Wisconsin's Public Trust and Confidence Committee and a member of the Coordinated Community Response Team for Domestic Abuse.

She plans to travel, take some interesting classes, exercise more, spend more time with friends and family, and make a really big "to-do list" for her husband John, Singleton said.

Deputy Clerk of Court Jan Moennig ran unopposed in the general election after defeating Terri Goettl in the Democratic primary. Moennig has worked as the deputy clerk of court for more than 10 years.

Diane Perkins Grant County Clerk of Circuit Court

Grant County Clerk of Circuit Court Diane Perkins did

not seek re-election and will retire in January after 39 years in office, including eight years as deputy clerk and 31 as chief clerk.

Perkins was featured earlier this year in the *Dubuque Telegraph-Herald*, which noted she began her career in the clerk of courts office at the age of 19 in 1971.

"I decided it was time to hang it up, get some new blood in here and enjoy retirement while I still had my health," Perkins told the *Telegraph-Herald*.

Perkins will be living the leisurely life, according to the *Telegraph-Herald*: "Everybody asks me what I'm going to do," she said. "I want to get bored. I want to see what it feels like to be bored."

Perkins was appointed clerk in 1978 to finish the term of Ruth Irwin, who died in office. In addition to her other duties, Perkins helped oversee the county's transition to CCAP that was initiated in 1993.

Kimberly Kohn, a Republican of Platteville and a deputy clerk, ran unopposed in November and will become clerk. Kohn has worked in the clerk of courts office since May of 1998.

In Trempealeau County, Democrat Michelle Weisenberger defeated incumbent Clerk of Circuit Court Angeline Sylla, a Republican. Sylla served 20 years as clerk of circuit court.

Sylla noted some of her office's recent accomplishments during the campaign, including the implementation of online fee payment through CCAP and the acceptance of online filing for some documents. Sylla said she also improved access to interpreters and improved a financial accounting system that tracks more than \$1.2 million in fees collected by the clerk's office.

In Barron County, Judith Wells Espeseth, who served as the Barron County clerk of circuit court for 17 years, did not seek re-election. Espeseth had sought to represent the 75th State Assembly District but was defeated in a primary by Roger Rivard, who won the seat during the general election Nov. 2. Sharon Millermon, who now serves as deputy chief clerk of circuit court, was elected to replace Espeseth as clerk.

Jeffrey Schmidt was defeated by Mary Lou Mueller for the **Ozaukee County** clerk of courts position. Schmidt had held the position since 1998. Mueller previously served as the Ozaukee County register in probate.

In Waushara County, Melissa Zamzow replaces Jane Putskey as clerk of circuit court. Putskey had been in the position for 14 years.

In Brown County, incumbent Clerk Lisa Wilson, a Democrat, was defeated by Jason Beck, a Republican. Wilson will have served one term in the post when Beck takes over in January.

Brenda Behrle, who defeated challenger Deb Shawl, is the new **Oneida County** clerk of courts. Behrle had defeated incumbent Clerk of Court Gina Olson in the primary election. Olson had held the position for two years. Behrle worked as an administrative assistant with Ministry Medical Group in Rhinelander prior to her election. ■

Legislative Council *continued from page 16*

December. Sen. Taylor has informed committee members they are likely to wrap up their work in January or early February.

Four other Legislative Council Committees are examining issues related to the courts.

The **Special Committee on Judicial Discipline and Recusal**, headed by Rep. Gary Hebl, D-Sun Prairie, recently completed its work and recommended two legislative proposals. The committee was directed to: (a) review the current method by which justices and judges are disciplined; (b) examine alternative methods of judicial discipline, including methods of judicial discipline in other states and in the federal court system; and (c) recommend a method by which justices and judges should be disciplined. The Special Committee was also directed to review the current system of judicial recusal and to recommend an objective standard for judicial recusal. Chief Justice Abrahamson and Justices Ann Walsh Bradley, N. Patrick Crooks and Patience Drake Roggensack have testified before the committee.

At its final meeting on November 18, the committee considered eight possible legislative proposals, but only two received a majority vote. They are: (1) a proposed constitutional amendment that would allow temporary service by a court of appeals judge in the supreme court in judicial disciplinary proceedings; and (2) a proposed amendment to s. 757.19 (5), Stats., that would require a judge to file a statement of reasons when he or she denies a motion for disqualification. Either proposal must be approved by the full Legislative Council in 2011 before introduction in the Legislature.

The **Special Committee on Review of Records Access of Circuit Court Documents**, headed by Rep. Kelda Roys, D-Madison, is directed to review how, and by whom, circuit court civil and criminal records may be accessed through the Wisconsin Circuit Court Automation (WCCA) Program. The issues to be considered by the committee include: (a) the length of time a record remains accessible through WCCA; (b) whether accessibility of a record through WCCA should depend on how far a civil or criminal proceeding has progressed; and (c) whether records of proceedings that have: (1) been vacated or dismissed; or (2) resulted in acquittal or other form of exoneration should continue to be accessible through WCCA.

Director of State Courts John Voelker has appeared before the committee twice, and was joined at the first meeting by

Jean Bousquet, Chief Information Officer for the court system. Copies of their testimony are available on the committee's website. The committee is scheduled to meet next on Dec. 15.

The **Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51**, headed by Rep. Sandy Pasch, D-Whitefish Bay, will meet for the fourth time in December. It is directed to review the following provisions in ch. 51, Stats.: (a) the appropriateness of, and inconsistencies in, the utilization of emergency detention procedures under s. 51.15, Stats., across this state, and the availability and cost of emergency detention facilities; (b) the inconsistent statutory approaches to emergency detention between Milwaukee County and other counties in the state; and (c) the inconsistent application of procedures relating to admission of minors under s. 51.13, Stats., as modified by 2005 Wisconsin Act 444.

The committee expects to finalize its recommendations about emergency detention and admission of minors during December, then vote on possible legislative proposals during January or February. Any proposals it recommends must be approved by the full Legislative Council.

The final committee affecting court procedures and practices is the **Special Committee on Review of Spousal Maintenance Awards in Divorce Proceedings**, chaired by Rep. Tony Staskunas, D-West Allis. The Special Committee is directed to study: (a) the purpose and goals of awarding maintenance; (b) making application of the maintenance considerations given in s. 767.56, Stats., more uniform and predictable; (c) whether the statutes should provide guidance to the courts relating to amount and duration of a maintenance award; (d) whether cohabitation should be considered when revising maintenance orders under s. 767.59, Stats.; and (e) whether marital fault should be considered when determining a maintenance award.

The committee met in August and again in October to receive testimony and discuss possible future actions. At the first meeting, committee member and Reserve Judge Robert G. Mawdsley of Waukesha, explained current law relating to maintenance awards. At the committee's second meeting, Mawdsley gave the committee a demonstration of how judges utilize the spreadsheet developed by Chief Judge J. Mac Davis, Waukesha County Circuit Court. The committee was scheduled to meet again Dec. 8. ■

District training *continued from page 11*

transportation to even go apply for benefits. A variety of community resources were provided for families to use during the exercise, including employers, a pawn broker, a food pantry, schools, a loan company, and social service agencies. Pruski said that various groups react differently to the scenarios. When the program was given to social workers the participants tended to band together in networks to assist each other. Judges were the first group, she noted, to hold bail hearings on those "arrested."

Community resource persons were played by volunteers including Judge Thomas J. Vale, Green County Circuit Court, as the police; Judge Elliott M. Levine, La Crosse County

Circuit Court, as the employer; Judge John A. Damon, Trempealeau County Circuit Court, as the banker and store clerk; and Judge James E. Welker, Rock County Circuit Court, as the local criminal element. Welker had a busy morning conning and stealing assets from the "families" and Vale certainly enjoyed making the "collar" of miscreants. Also playing roles were volunteers Linda Albert of WisLap, Marla Stephens of the appellate division of the State Public Defender, District Court Administrators Gail Richardson and Patrick Brummond and District 5 Assistant District Court Administrator Patricia Kroetz. ■

Dashboard *continued from page 10*

pending report provides information in real time so when case updates are made in CCAP case management they are reflected on the statistical report the next morning. A new docket, unscheduled cases, has also recently been released. This docket contains the list of cases that are active or pending and do not have a future court activity scheduled.

Access to other files, applications and Web sites

Finally, many tools used by judges are not part of the CCAP case management system, so the convenient quick links docket was designed to provide quick access to other frequently used Web sites, applications and files. Using the

“quick links” judges can access GroupWise, Messenger, legal research tools, various calculators and MS Word directly from the dashboard. Judges can also personalize the docket by adding additional Web sites, files or applications.

Early indications show significant interest in the Judicial Dashboard, and future refinements, enhancements and bug fixes are underway. CCAP will continue to commit resources and effort to improve this valuable tool for judges. As the dashboard matures, CCAP will make more docklets available that provide additional business intelligence, efficiencies and convenience to judges. ■

OBITUARIES *continued from page 20*

obituary in the *Milwaukee Journal Sentinel*, when Flynn questioned whether he was still capable of doing the job, McCormick told a reporter: “Retirement is out, as far as I’m concerned.”

McCormick did retire in 2005 and enjoyed his retirement after so many years of working because, the obituary quoted him as saying, “every day is Saturday.”

McCormick served as an Army Air Corps B-24 navigator during World War II. After receiving his bachelor and law degrees from Marquette University, McCormick worked in private practice and served in the Wisconsin Assembly from 1960-72, along with Anthony S. Earl, who later became Wisconsin governor, Jon P. Wilcox, who became a Wisconsin Supreme Court justice, and John C. Shabaz, who later became a federal district court judge.

“We’ve lost a man who was a tireless public servant, he was always known as the plaintiff’s judge,” his son, Tom McCormick told the *Journal Sentinel*. “Even the people who lost in his court loved him.”

While on the bench, he served as a District I delegate to the Administrative Committee of the Courts and as an appointee to the Legislative Council Special Committee on Sexual Assault and Abuse.

McCormick was preceded in death by his wife, Mary Jo.

He is survived by his nine children, 17 grandchildren, and seven great-grandchildren.

**Jerome “Jerry” Ledermann
Juneau County Court Reporter**

Jerome “Jerry” Ledermann, former court reporter for the Juneau County Circuit Court, passed away on July 23, following a courageous battle with cancer.

Ledermann served in the U.S. Army in Germany as a medic before completing his degree in court reporting. After moving to Mauston, he began working as a court reporter for the Juneau County Circuit Court in 1963. During his 38 years of service, he worked with Judge Paul S. Curran, Judge Paul P. Roemer, Judge Wallace A. Brady and Judge John W. Brady.

After his retirement in 2002, he continued to work as a substitute court reporter in surrounding areas.

According to an obituary, Ledermann enjoyed playing cribbage with friends and attending his children’s sporting events.

Ledermann is survived by his wife, Joyce; three children; four grandchildren; and many other friends and family. ■

Grants *continued from page 9*

Policy, each of whom discussed the process of trying to improve the effectiveness of the criminal justice system.

Schumacher said evidence-based decision making involves implementation of techniques that the research shows are effective and eliminating things that the research shows don’t work.

The story can be found at:

http://www.weau.com/home/headlines/Team_works_to_make_justice_system_more_efficient_109042639.html

In Milwaukee, initial planning is focused on using EBDM tools to make smarter use of limited pretrial supervision and sentencing resources. Holly Szablewski, who coordinates pretrial services for Milwaukee’s nineteen criminal branches, says, “Our hunch is that there is a large number of offenders who present no more than a low risk to reoffend but are regularly drug tested and monitored and even detained. If the evidence supports our hunch, think of the many ways that money could be better spent.”

Screening all defendants to determine just what risk they

present is a big undertaking, but the monetary savings and the increased effectiveness of the system might easily justify the additional costs of such a program.

In the summer of 2011, the National Institute of Corrections will decide which two of the seven teams – we know which two we are pulling for – will advance to the final phase of the program.

The *Evidence-Based Decision Making in Local Criminal Justice Systems Initiative* is funded by the [National Institute of Corrections](#) (NIC) with support from the U.S. Department of Justice’s [Office of Justice Programs](#).

The local framework will be based on a [national model](#) developed on the “belief that risk and harm reduction are fundamental goals of the justice system, and that these can be achieved without sacrificing offender accountability or other important justice system outcomes,” according to the NIC. Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson served on an advisory committee that helped develop the national model. ■

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Domestic violence training *continued from page 11*

the participants, we believe the system will better serve our children and families," he added.

The majority of attendees indicated that the information contained in Ginther's presentation on child development and attachment was new and valuable. In evaluating the presentations, one judge wrote that it was the "best [presentation] in 25 years on [the] bench." Consistent with the message Ginther wanted participants to come away with, one DCA noted that several judges expressed "a willingness to work toward a more regular, more frequent, and earlier contact after removal."

With respect to Foley's and Pasell's presentations, participants also rated the substantive legal information related to child welfare and family law cases as valuable. Furthermore, many participants reported that the

information will be useful in their jobs.

Finally, several participants said they also enjoyed learning about different resources that can be used to support safe exchange and visitation with families where domestic violence is an issue. One circuit court commissioner noted that it would be helpful to have a multi-disciplinary workshop, led by individuals from counties with visitation centers, to help other counties get a program started.

On the whole, the feedback received from the program evaluations indicates that participants came away from the training with a better understanding of how to promote strong family contact while still maintaining the safety of children and victims in cases where domestic violence is present. ■

White House *continued from page 17*

Also, as part of the observance of Domestic Violence Awareness Month, President Barack Obama highlighted our meeting in his comments: "The Department of Justice Office on Violence Against Women is launching a new national campaign to reduce sexual violence in the United States by improving the criminal justice system response, increasing services for victims, and changing attitudes. Today, the White House Council on Women and Girls and the Department of Justice held the first ever national roundtable on sexual violence at the White House." The President also announced that he will seek to double the funding for sexual assault programming in the 2011 budget.

The roundtable discussed where we want to be on this issue nationally five years from now and came to some basic conclusions:

- A comprehensive national strategy is needed to adequately address sexual violence adopting a public health model from other successful campaigns, e.g. smoking and drunk driving, and emphasizing that it is a community problem.

- The strategy should focus on ending sexual violence and changing the attitudes, culture, and myths that condone and allow sexual assault to continue.
- The data collection and reporting of sexual assaults by FBI & BJS that understate or mischaracterize the crime should be reformed.
- A national protocol for sexual assault forensic medical exams available in every community should be developed, and exams should be made. The backlog of untested sexual assault forensic examination kits should be eliminated.

To move forward on this agenda, OVW plans to organize discipline and topic specific meetings where detailed action plans will be developed. They hope to begin a national awareness campaign in conjunction with Sexual Assault Awareness Month in April of 2011. I applaud the goals and truly hope that the energy and willingness of OVW and the many groups represented in the roundtable survive the long road ahead. ■