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## Biennial budget bill passes Joint Finance

by Deborah Salm, budget officer

The Legislature's Joint Committee on Finance completed its action on Senate Bill 44, the 2003-05 biennial budget bill, on June 4. The bill now will go to the Senate and Assembly for final action; it is anticipated that few changes will be made in either house. From there, the bill goes to the governor, who may partially veto it. The Legislature may override any veto with a two-thirds vote in both houses. The budget act covers state expenditures from July 1, 2003 through June 30, 2005.

The committee made the following changes to court-related portions of the bill that was introduced on behalf of the governor on Feb. 20:

- ❑ removed the proposed statutory changes to the sentencing guideline provisions under the Truth-in-Sentencing law (these now may be introduced as a separate bill);
- ❑ deleted the proposal to transfer the Sentencing Commission from the Department of Administration to the Department of Corrections, but included the provision to reduce Sentencing Commission staff from six positions to two;
- ❑ deleted the proposed expansion of the court interpreter statutes that would have required appointment of interpreters in all types of cases regardless of indigency, and deleted related funding to reimburse counties for these additional interpreter costs;
- ❑ retained the proposal to increase the court support services fee and appellate filing fees by 30 percent;
- ❑ retained the requirement that \$750,000 in each fiscal year be lapsed to the state's general fund from any of the courts' general fund state operations appropriations (these include the three levels of court, the Director of State Courts Office, and the Wisconsin State Law Library).

Court employees will receive a more detailed summary of the amended bill as an informational bulletin. ■

## New policy governs public info on courts' Web site

A four-year project to develop a policy on disclosure of public information over the Internet is now complete, and the court system – for the first time – has a roadmap for determining what will be posted online.

Most court information is public; however, it never was as readily available as it is today through the Wisconsin Circuit Court Access (WCCA) Web site. Through WCCA, anyone with an Internet connection can, with a few keystrokes, conduct a statewide search of circuit court records to learn about an individual's contacts with the courts. WCCA data is updated continuously as courts in most counties around the state enter information into the Consolidated Court Automation Programs (CCAP) case management systems.

The WCCA site receives an average of 750,000 hits per day; at peak, the number has reached 925,000. This page is by far the most popular spot on the court system Web site. The courts' Web

site was visited 1.7 million times in April.

WCCA has served as a model for courts around the nation and has been recognized in the national media for making public information so accessible. But this cutting-edge use of case management technology also has sparked a debate about how much information should be available online. In response to these concerns, then-Director of State Courts J. Denis Moran appointed the WCCA Oversight Committee in fall 1999. The committee made policy recommendations with the assistance of people who use the courts and use court data. These included: litigants, law enforcement, the American Civil Liberties Union, the media, the State Bar of Wisconsin, district attorneys, public defenders, and legislators.

Interim Director of State Courts John Voelker formalized and released the policy in early May. The goal, he

see WCCA on page 5

## Wisconsin judges are tapped for boards, commissions

This spring, several Wisconsin judges have been tapped for key spots on state boards and commissions. Some of the most recent appointments follow.

### Sentencing Commission is taking shape

The new, 21-person Wisconsin Sentencing Commission is not yet complete, but appears to be taking shape. While he has not made a formal announcement, Gov. Jim Doyle has appointed a commission chair and is in the process of filling other seats. He is replacing the people whom former Gov. Scott McCallum appointed prior to leaving office.

The Supreme Court made its appointments – Judges Patrick J. Fiedler and Elsa C. Lamelas – in September 2002.

### Judge Gordon Myse to serve on State Elections Board

Chief Justice Shirley S. Abrahamson nominated Reserve Judge Gordon Myse to the State Elections Board, which administers and enforces the state's election and campaign finance laws.

Myse, who served on the District III Court of Appeals from 1986-99 and as an Outagamie County Circuit Court judge from 1972-83, replaces Professor Daniel Blinka of Marquette Law School.

see Appoint on page 5



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## Director offers thanks to court employees

*Editor's note: Starting in this issue, Interim Director of State Courts John Voelker will write a regular column in The Third Branch to share his thoughts and ideas on the challenges and opportunities facing the court system.*

In late February, I was appointed as interim director of state courts. I received a number of e-mails, phone calls, and notes offering congratulations. The sentiments had a recurrent theme: "Congratulations, I think." While it is true that the court system is facing a number of challenges in the current fiscal environment, I believe the opportunity to guide an organization with good people and an important mission far outweighs the challenges.

When I say good people, I mean the colleagues you see every day who keep smiles on their faces despite the fact we have asked them to travel to three counties in one week to save money.

I mean the judges who continue to help out in difficult situations even though their calendars have become more crowded.



John Voelker

I mean the reserve judges and freelance court reporters, who, despite having reduced opportunities to use their skills within the system, are always willing to help when the phone does ring.

I mean frontline court staff who continue to provide first-rate customer service on a daily basis.

I mean court personnel throughout the system who have maintained a positive outlook despite being asked to take on additional responsibilities due to extended vacancies.

I understand the sacrifices that many of you have made during this period of funding cuts. Without the level of commitment that has been demonstrated over the past few years by court employees, our ability to provide services to every individual who comes to the courthouse would have suffered.

Gov. Jim Doyle proclaimed May 5-9 Public Employee Recognition Week. I cannot think of a group more deserving of recognition than the individuals who, together, make the Wisconsin court system work. I thank you, and offer you an unconditional "congratulations on a job well done." It is my honor and privilege to lead this organization. ■

## AWARDS

### Marquette honors DiMotto

Judge Jean W. DiMotto, who has served on the bench in Milwaukee County Circuit Court since 1997, was awarded Marquette University's 'All-University Alumni Merit Award for Professional Achievement' in April.

A former member of the Marquette University College of Nursing faculty, DiMotto was cited for her successful integration of the professions of law and nursing. She teaches and publishes in both professions, lecturing regularly to groups in Wisconsin and around the nation. She especially enjoys teaching nurses and nursing educators about the courts and the law.

The award also recognized her commitment as an oblate to the Benedictine Women's Monastery in Madison.



Deputy Director of State Courts Pamela J. Radloff, left, looks on as Chief Justice Shirley S. Abrahamson and Interim Director of State Courts John Voelker describe her accomplishments during an awards ceremony at the Capitol. Justice Ann Walsh Bradley and Lieutenant Gov. Barbara Lawton also participated in the ceremony.

### Radloff is honored for service to the state

Deputy Director of State Courts Pamela J. Radloff, a certified public accountant who directs the Office of Management Services, was awarded an honorable mention in the 'Virginia Hart Special Recognition Award' competition on May 7.

Named for Virginia Hart, who served as secretary of the Department of Regulation and Licensing, chair of the Commission for the Department of Industry, Labor, and Human Relations (now Department of Workforce Development), and chair of the Labor and Industry Review Commission, the award recognizes outstanding women in state government.

Chief Justice Shirley S. Abrahamson presented Radloff with the honorable mention, noting her consistent high achievement, esteem from colleagues, willingness to take on new and different assignments – such as chairing the Web Site Oversight Committee – and general good humor.

Radloff was officially named deputy director in October 2002 after serving in the position on an interim basis for seven months. Prior to taking on this management role, she worked for 10 years as the court system's fiscal officer, automating the courts' accounting and financial reporting systems while managing fiscal and payroll operations.

The winner of the award, Karen Morgan, has worked for the executive branch for 32 years. She was credited with revamping the delivery system for unemployment insurance.

This was the second time that a court system employee

see Awards on page 18

## Milwaukee courts reach out to MATC

There are 65,000 students at Milwaukee Area Technical College (MATC) studying everything from culinary arts to police science to welding. Many will have their choice of jobs when they graduate, but a few will be surprised to learn that they are unemployable. The reason? They have failed an important subject: meeting court obligations.

Now, the Milwaukee County Circuit Court is planning an intensive outreach program to help these students understand what they need to do in order to bring pending court matters to a close. Beginning in September, a team of court personnel will spend two hours per week on campus meeting with students to examine their records on the Wisconsin Circuit Court Access system and explain what they need to do to meet their obligations. Most of the cases are traffic matters or child support.

The project is the idea of MATC President Darnell Cole, who contacted the District Court Administrator's Office to see what role the courts might play in helping his students eliminate this barrier to employment. Deputy District Court Administrator Beth Bishop Perrigo brought Cole's idea to Chief Judge Michael J. Skwierawski and Deputy Chief Judge Michael P. Sullivan, who agreed that a court team could provide on-campus information services to the students.

The team will consist of Municipal Judge Vincent J. Bobot; Child Support Enforcement Specialist Lisa Marks; Perrigo; Pretrial Services Coordinator Holly Szablewski; and Legal Action Managing Atty. Mary Triggiano. In May, they made a presentation at MATC and are now developing a plan for the on-site visits in fall.

The services are no different than what the court would provide to any caller or visitor who wanted to clear his/her cases, Perrigo said. "We're answering questions, giving information, and trying to allay fears," she said. "Many people prolong their cases because they fear what will happen when they come to court, so they put it off and, of course, there are consequences to that. For these students, those consequences are quite dire. But I think we can help change that." ■

## Dane County courts educate staff about abusive relationships

Staffers who work on the front lines of the court system assisting people who are often stressed, angry, and scared, sometimes find that the skills they need most are not the ones they learned in school. What these challenging jobs require is the ability to listen, to diffuse anger, to be firm but kind. In short, it's akin to the job of a diplomat or a parent.



Judge Sarah O'Brien

And like parents, the clerks, secretaries, and receptionists who serve as the court system's gatekeepers often have ample reserves of patience. But it wears thin on occasion, and especially in situations involving victims and perpetrators of domestic violence.

In Dane County this spring, Judge Sarah O'Brien organized a training session to help court staff understand the dynamics of power and control in relationships and the psychology of victims and perpetrators of domestic violence. "Especially why victims may act in particular ways in court," she said, "such as recanting and dismissing injunctions." O'Brien set up the training after attending a seminar in New York called *Enhancing Judicial Skills in Domestic Violence Cases*. Her attendance at that event was paid by Milwaukee's Violence Against Women grant.

O'Brien expected about 35 frontline staff to attend a May workshop that she organized around these issues; 50 people turned out for event, which was held in a courtroom. Attendees came from the Dane County Clerk of Circuit Courts Office, the judges' offices, the offices of the family court commissioner, family court counseling services, child support, and the sheriff's department.

Presenters included Cheri Maples from the Madison Police Department; Assistant District Atty. Judy Munaker; and Domestic Violence Coordinator Jill Sweeney of the District Attorney's Office. Their goal was to educate, problem solve, and make court staff aware of resources that can help them. The presenters also emphasized the critical role of frontline staff: "At times these situations can confuse everyone who is involved, but it is critical for you, as court support staff, to be aware how the system in which we all work can either help keep victims safe and hold abusers accountable or create even more dangers for victims of domestic abuse," Sweeney told the group.

Clerk of Circuit Court Judy Coleman, O'Brien, and others provided coffee, donuts, and juice for the 90-minute training. It was scheduled to coincide with a judges' meeting to increase the likelihood that staff would be able to attend.

O'Brien was encouraged by the result. "The purpose of the training was to improve customer service by giving staff insight into sometimes frustrating and hard to understand behavior," she said. "Education about the dynamics of abusive relationships makes it easier for staff to continue to provide professional service in these situations." ■



Photo credit: Pat Kroetz

A training session for frontline court staff in Dane County focused on improving understanding of the actions of victims and perpetrators in domestic violence cases.



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## Dodge County puts court reporting technology to the test

by Dan Wassink, senior policy analyst



Judge John R. Storck

The state's first pilot project to assess the advantages and drawbacks of a digital audio recording system to supplement traditional court reporting has yielded mixed results, according to a report by Judge John R. Storck, who ran the project in Dodge County Circuit Court.

The technology has been steadily improving over the years and has been used in many other states. In 2000, the Supreme Court's Planning and Policy Advisory Committee (PPAC) recommended its use in all Wisconsin counties as a backup to court reporters. Dodge County began using digital audio recorders in limited circumstances in 2001; other counties – notably, Milwaukee – also have used the technology, but this was the first attempt to analyze and document its pros and cons.

Dodge County installed the digital audio recording system in one courtroom and generally uses it for high-volume, low-transcript cases.

Courtroom sound is recorded on four separate tracks corresponding to microphones for the witness, judge and clerk, plaintiff and defendant. The equipment is currently being used approximately 10 to 20 hours per week; when a transcript is needed, a court reporter prepares it by listening to the archived recording on CD-ROM. Each CD holds approximately eight hours of sound, backing up the

recording that is saved in the computer's hard drive. As Storck pointed out in his report, "a digital recording on a CD is much better than a cassette or other tape-type recording. A hearing can be easily located on a CD by going to the specific time and date of the hearing. The sound quality is better. Copies of a CD can be easily made."

Documented problems ranged from technical (location of sound jacks, system components compatibility) to human (operations errors). "During the last two years, we have worked on resolving numerous issues with the recording system," Storck noted. "Issues varied from assuring microphones were on to dealing with CD discs that were defective." In addition, Dodge County encountered some resistance to the technology among staff members and uneven support from vendors.

Project benefits included a savings in court reporter hours and increased flexibility and efficiency in scheduling court proceedings without the need for traditional court reporters. Storck said digital recording permitted the judges in Dodge County to transfer hearings to the family court commissioner without incurring the cost of a court reporter.

The Wisconsin court system has been dealing with a shortage of traditional court reporters for a long time. As college-level court reporting courses dwindle and reporters are lured

away by more lucrative careers in closed captioning and other fields, many courts continue to struggle to provide adequate court reporter coverage. ■

For a copy of the final report on the Dodge County pilot, contact Wassink at (608) 266-8861 or e-mail [dan.wassink@courts.state.wi.us](mailto:dan.wassink@courts.state.wi.us).

### Tips for digital audio success

Judge John R. Storck's January 2003 report on the use of digital audio recording technology contains many recommendations designed to help others avoid the problems encountered in Dodge County. His recommendations include:

- Establish systems for taking minutes and storing the discs;
- use internal, rather than external, CD-RW drives;
- use microphones that cannot be turned off;
- recognize the limitations of the system: the recording is only as good as the interaction between the microphone, audio, and recording systems; and
- designate one in-house support professional.

## Minnesota judge inspires his Wisconsin counterparts

by Gail Richardson, district court administrator

Thirty-six judges from 14 counties in the Fifth and Sixth Judicial Districts tried something new this spring: a joint meeting focused not only on communicating problems and concerns, but also on developing innovative ways to improve how the courts operate.

Chief Judge Kevin S. Burke, an internationally known speaker on case management, came from Hennepin County, Minn., to facilitate the discussion. The costs associated with Burke's visit were paid by a grant to the Dane County judges from the University of Wisconsin Law School.

After the meeting, Chief Judge Michael N. Nowakowski characterized Burke as an inspiration. "I sincerely doubt that there will be a single judge who attended that will not return

to their own court with an idea (or several) that will improve the manner in which we perform our constitutional responsibilities in a more effective and fair way," he said.

To structure the discussion, Burke gave the judges a few questions to answer, including:

- Should a judge be concerned with case management (speed v. justice)?
- What are your greatest frustrations in calendaring?
- What would you change about your court's case management system if you could?
- If you had one piece of advice for a new judge what would it be?

see District meeting on page 14

## LEADERSHIP

**Jackson County judge leads effort to build programs for families**

by Kathy Powell, register in probate/judicial assistant  
Jackson County Circuit Court

Judge Gerald W. Laabs, who took the bench in Jackson County Circuit Court less than one year ago, has accomplished a great deal in a short amount of time.

Laabs practiced law in Jackson County for 32 years and served as a court commissioner before voters selected him to replace Judge Robert W. Radcliffe, who stepped down after 18 years on the bench.

On Aug. 1, 2002, his first day as judge, Laabs instituted the "Children in the Middle" program for parents who are divorcing and have children under age 16. All parents are required to attend the program, where a certified social worker educates about the effects of divorce on children and gives parents tools and techniques to protect their children from conflicts. Laabs modeled Jackson County's program after one that Judge John A. Damon implemented in Trempealeau County; other Wisconsin counties also use Children in the Middle.

To further improve the court's responsiveness to families, Laabs created the Family Mediation Program and CAT (Custody Assessment Team). Before a contested family matter is brought before the judge, all parties must participate in the Family Mediation Program and if the dispute cannot be resolved there it is referred to the CAT team which consists of a guardian *ad litem*, a mediator, and a child development specialist.

Laabs also is focusing on juvenile crime. He expanded

the Jackson County Teen Court program to include more offenses, and extended a program to combat underage drinking to include offenders who are 18-20 years old. In addition, he implemented electronic monitoring for juvenile delinquents.

Now in the planning stage is a small claims mediation program. Like similar programs around the state, it will provide trained volunteers to mediate small claims disputes. Laabs hopes to begin offering this option to litigants in the near future.

All of the programs that the judge has implemented in Jackson County are either self-supporting or are run on grant funds. ■



Photo credit: Kathy Powell

Judge Gerald W. Laabs prepares to record a public service announcement at WWIS Radio in Black River Falls to promote Law Day 2003. Public outreach is one of many initiatives that Laabs has undertaken in his first year on the bench.

To learn more about the court improvement programs in Jackson County Circuit Court, contact Powell at (715) 284-0213 or [kathy.powell@jackson.courts.state.wi.us](mailto:kathy.powell@jackson.courts.state.wi.us).

**WCCA**

continued from front page

said, is to "address the concern that the proper balance is maintained among public access, personal privacy, and public safety, while maintaining the integrity of the judicial process." Voelker also noted that the policy is consistent with the Conference of Chief Justices' and Conference of State Court Administrators' *Guidelines for Public Access to Court Records*.

The new policy also provides for correcting information that appears on WCCA; individuals who spot inaccuracies are asked to bring them to the clerk of circuit court where the original case is filed and the clerk will confirm the information and then correct it in the CCAP system for re-posting. ■

Wisconsin Circuit Court Access is at [wcca.wicourts.gov](http://wcca.wicourts.gov).

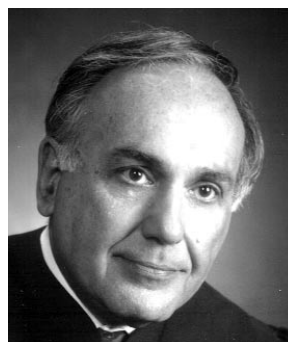
**Appoint**

continued from front page

The board is comprised of eight citizen members who serve two-year terms beginning on May 1 of odd-numbered years. In addition to the governor, the following individuals each make one nomination to the board: the chief justice, the speaker of the Assembly, the Senate majority leader, the minority leader in each house of the Legislature, and the chief officer of each political party whose candidate for governor received at least 10 percent of the vote cast in the most recent gubernatorial election.

Other members of the State Elections Board are: Adam Dick, Fitchburg (designated by the chair of

the Libertarian Party); David Halbrooks, Milwaukee (designated by the Senate majority leader); Patrick J.



Reserve Judge Gordon Myse

Hodan, Milwaukee (designated by the speaker of the Assembly); Brenda Lewison, Milwaukee (designated by the Assembly minority leader); Steven V. Ponto, Brookfield (designated by the governor); John P. Savage, Milwaukee (designated by the chair of the Republican Party); John C. Schober, New Berlin (designated by the Senate minority leader); and Jeralyn Wendelberger, Milwaukee (designated by the chair of the Democratic Party). ■

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2003**2003 ELECTION****Courts welcome eight new judges**

The April election brought new faces to the bench in Adams, Bayfield, Dane, Milwaukee, Sheboygan, and Waukesha counties and gave Wisconsin a new Supreme Court justice.

Seven incumbent circuit court judges faced challenges, two of which were successful. Bayfield County Court Commissioner John P. Anderson defeated Judge John H. Priebe, who was seeking election after being appointed by former Gov. Scott McCallum, and Waukesha County Atty. Linda Van De Water was elected after Judge Marianne "Teddy" Becker tragically died during the campaign (*see separate story*). Here is the rundown:

**Supreme Court of Wisconsin  
Patience D. Roggensack**

Justice Patience D. Roggensack

Court of Appeals Judge Patience D. Roggensack prevailed in a close race against Barron County Circuit Court Judge Edward R. Brunner for a 10-year-term on the Wisconsin Supreme Court. Roggensack is now planning her investiture, which is tentatively scheduled for September 12 in the State Capitol's Assembly Chamber.

Roggensack replaces Justice William A. Bablitch, who will retire this summer after 20 years on the Supreme Court. Looking back on his long political career, Bablitch told the *Milwaukee Journal Sentinel* that he has grave concerns about the role of money in Wisconsin politics and is interested in serving as a member of a state ethics board. "I know where a lot of bodies are buried, and I've got some very definite ideas," the newspaper quoted him as saying. "They couldn't fool me like they fool some people."

Gov. Jim Doyle will appoint a Court of Appeals judge to replace Roggensack; his appointments office reported that 21 people had applied for the position as of the June 2 deadline (*see sidebar*). The new Court of Appeals judge will need to run for election in July 2005.

Roggensack will be the first Court of Appeals judge to sit on the Supreme Court. In her campaign, she called for the Supreme Court to double its output and issue clearer, shorter opinions.

**Court of Appeals candidates announced**

By the June 2 deadline, Gov. Jim Doyle had received applications from 21 lawyers and judges seeking appointment to the seat that Judge Patience D. Roggensack is vacating on the Wisconsin Court of Appeals. The appointee will need to run for election in April 2005. The applicants are:

Judges Ramona A. Gonzalez, La Crosse County Circuit Court; Paul B. Higginbotham, Dane County Circuit Court; and Edward W. Leineweber, Richland County Circuit Court.

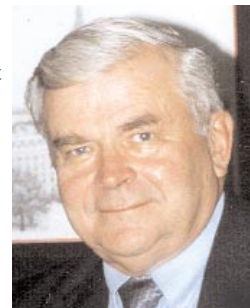
Attys. Peter C. Anderson, Madison; Phillip D. Ferris,

**Adams County Circuit Court  
Charles A. Pollex**

In spite of his first-place win in the primary, Adams County District Atty. Mark Thibodeau lost to Atty. Charles A. Pollex in the race for Adams County's judgeship. Pollex will replace Judge Duane H. Polivka, who is retiring after 12 years on the bench.

Pollex is a partner in Hollman and Pollex Law Offices, LLP, in Friendship. He has been an attorney for nearly 35 years and has served as city attorney for Adams for 23 years. He also served three terms as district attorney for Adams County and is presently the county's court commissioner, a position he has held for 11 years.

Pollex was raised on his family's farm in the town of Quincy and lives on that farm now with his wife, Sharon. They have four adult children and have been active in sports and civic organizations for many years.



Judge Charles A. Pollex

**Bayfield County Circuit Court  
John P. Anderson**

In the contest for Bayfield County's single judgeship, incumbent Judge John H. Priebe lost to Atty. John P. Anderson, a Bayfield County court commissioner who is president of the Ashland-Bayfield County Bar Association.

Gov. Scott McCallum had appointed Priebe to replace Judge Thomas T. Lindsey, who died last June at age 48 after a two-year battle with cancer. At the time of his appointment, Priebe was practicing law in Rhinelander, about 130 miles away from Washburn, the Bayfield County seat.



Judge John P. Anderson

see **Election** on page 19

Madison; Maureen McGlynn Flanagan, Madison; Kenneth W. Forbeck, Beloit; Thomas W. Harnisch, Neillsville; Edwin J. Hughes, Madison; Richard B. Jacobson, Madison; Janet A. Jenkins, La Crosse; Robert J. Kaiser, Madison; Jeffrey J. Kassel, Madison; JoAnne F. Kloppenburg, Madison; Steven A. Levine, Madison; Michael P. May, Madison; Krista M. Ralston, Madison; Gene Rankin, Madison; John N. Schweitzer, Madison; Robert E. Shumaker, Madison; and Dennis J. Verhaagh, Green Bay. ■



## OBITUARIES

### Judge Marianne Therese Esposito Becker Waukesha County Circuit Court



Judge Marianne T. Becker

Judge Marianne Becker, known to her friends as Teddy, passed away March 10 at a Waukesha-area hospital. She died two days after suffering a stroke that left her in a coma. She was 61.

Becker took the bench in Waukesha County 18 years ago, becoming the county's first woman judge. At the time of her death, she was presiding judge in Waukesha County's Juvenile

Division. Becker loved working with children, and had in the past opened her home to pregnant teenagers with nowhere to turn. Her colleague, Judge Patrick Snyder, called her the best social worker ever to wear a black robe.

Becker had been re-elected twice without opposition, but was involved in a contested election at the time of her death.

Her husband, Atty. John L. Becker, and her five sons survive her.

### Judge John W. Brady Juneau County Circuit Court



Judge John W. Brady

Judge John W. Brady, who took the bench in Juneau County Circuit Court in 1992 after a 20-year career in private practice, died March 9 after suffering a heart attack while shoveling snow. He was 58.

Brady grew up in Wonewoc, graduated from the University of Wisconsin Law School, and then served in the Army from 1968 to 1970, during the Vietnam War. He

married and lived in Hawaii for several years before returning to Wonewoc and joining the law firm of Brady & Brady, where he practiced for 20 years before taking the bench.

Brady was the busiest judge in the state, according to weighted caseload figures. Reserve Judges Robert W. Radcliffe and Virginia A. Wolfe helped out until the governor appointed District Atty. Dennis C. Schuh as judge.

Surviving Brady are his wife, Kim Hue Nguyen Brady, and three grown children. One son, Marine Captain James H. Brady, was stationed in Kuwait at the time of his father's death; he was able to return for the funeral.

### Judge John G. Buchen Sheboygan County Circuit Court

Judge John G. Buchen, who served as a judge in

Sheboygan County from 1963 through 1989 and continued serving as a reserve judge until 2000, died at a Sheboygan retirement home on April 19. He was 82.

In a 1997 interview with the Wisconsin Court System Oral History Project, Buchen recalled one of his more interesting cases, which stemmed from a gambling arrest. Police in Sheboygan had visited a neighborhood tavern and arrested four elderly Sheepshead players for gambling. "The issue was whether Sheepshead is a game of skill or a game of chance," Buchen recalled. "That was one of the most popular decisions I ever wrote. I wrote that it was a game of skill. Even the police liked it, because they didn't like to go to the taverns and bother these old guys that were spending their afternoons playing Sheepshead. It's been reprinted in books on how to play Sheepshead."

A Sheboygan native, Buchen moved to Madison to attend the university, where he received his bachelor's degree in 1942. After serving two years in the Army, Buchen returned to Madison and earned his law degree in 1947. Three years later, he was elected as Sheboygan County district attorney, a post he held for three terms.

Buchen was appointed to the Branch 2 judgeship in 1963, elected the following year, and reelected five times without opposition. He served as a full-time judge for 26 years. In retirement, Buchen devoted his time to supporting the Mead Public Library, the Kohler Arts Center, and the Sheboygan County Historical Society. He also was active in the local yacht club.

Buchen's wife, Anne E. Armstrong, preceded him in death on August 2, 1990. At the time of his death he was engaged to Martha E. Millen. She survives him, along with two sons and two daughters. Buchen also had 10 grandchildren and one great-grandchild.

### Judge William R. Moser Wisconsin Court of Appeals

Judge William R. Moser, who served on District I of the Wisconsin Court of Appeals from 1978 through 1992, died April 11. He was 75.

A Chicago native, Moser earned his bachelor's degree from St. Norbert College and his law degree from Marquette Law School. He was elected to the Wisconsin Senate in 1956, when he was just 29 years old. He soon made a name for himself, and was written up as one of the youngest floor leaders in the Legislature's history.

Moser became a Milwaukee County judge in 1962 and he served as a circuit court judge from 1966 until he joined the appellate court in 1978.

Moser's wife, Mary Bernadette, son and daughter, and six grandchildren survive him.



Judge John G. Buchen



Judge William R. Moser

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## Work group on jury issues focuses on communication

Seven years ago this month, the Wisconsin Supreme Court passed a rule designed to improve the treatment and selection of jurors. The rule requires that each county monitor its jury pool to ensure that it is representative of the population and that procedures be analyzed to guard against wasted time and money.

As counties have worked to meet these requirements, efforts to implement another section of the rule – one that deals with improving communication between the courts and jurors – have been less visible. That is changing now, thanks to a group of judges, clerks of circuit court, and court administrators who are focusing on helping jurors navigate the system.

### New jury Web site under construction

A new page on the court system Web site will provide much of the practical information that potential jurors and their employers need. Currently under construction, the page will be proposed to the Web Site Oversight Committee in July. The goal of the new site is to make jury information easier to locate and navigate, and to offer direct links to individual circuit court Web sites for county-specific information. A template will be provided to each clerk of court to assist in the design of a local Web page that will coordinate with the information provided on the state site. The template will allow the clerk to provide directions to the courthouse, parking information, specifics about orientation, rules regarding the use of cell phones and laptop computers, and more.

The new site will permit online viewing of the juror orientation video, and will provide links to the *Wisconsin Jury Handbook* and jury-related statutes. Also included will be general information, a glossary, an outline of the trial process, a section for employers, and frequently asked questions. The 29 questions that the group has gathered so far range from “What are the qualifications for jury service?” to “What should I wear?” to “Is there an age restriction?” and “How will I be paid?” The site will open with a greeting from Chief Justice Shirley S. Abrahamson, who discusses her own experience serving on a Dane County jury.

The work group is exploring ways to maintain the overall design of the court Web site while adding color and graphics to the jury pages to create a vibrant, interesting site for anyone seeking information on jury duty.

Taking part in this effort are Clerks of Circuit Court Carolyn Evenson, Waukesha County; Jane Putskey, Waushara County; Diane Fremgen, Winnebago County; District Court Administrators Gail Richardson and Patrick Brummond; Deputy Director Sheryl Gervasi; Dane County Jury Clerk Debra Rochon; Court Information Officer Amanda Todd; and intern Anna Thackeray. ■

*Suggestions are welcome and should be directed to one of the work group members.*

## Upcoming conferences announced

The Executive Committee of the Judicial Conference has announced that the Wisconsin judiciary and the State Bar of Wisconsin will meet jointly in May 2005 in Milwaukee.

The joint meeting will occur during the Annual Meeting of the Judicial Conference and the Annual Convention of the State Bar in May 2005.

Judges are asked to reserve these important dates:

### Meeting of the Judicial Conference

Oct. 15-17, 2003

Chula Vista Resort and Conference Center, Wisconsin Dells

### Cancelled: Meeting of the Judicial Conference

November 2004

Note: this meeting was cut in an effort to reduce costs.

### Meeting of the Judicial Conference

May 3-4, 2005

Four Points by Sheraton, Milwaukee

### Joint Bench & Bar Meeting

May 5, 2005

Midwest Airline Center, Milwaukee

## Committee develops list of thank-you ideas

A subcommittee led by Chief Judge Michael J. Rosborough and District Court Administrator Gail Richardson is compiling a list of simple but effective ways to improve how the courts treat jurors. They offer these suggestions and invite readers to submit additional ideas:

- **Juror comments:** Hand out comment cards at the conclusion of jury service soliciting the jurors' ideas for improving the system.
- **'Juror Employer of the Year' award:** Give an award – perhaps in the form of a plaque – to a local business that has made jury duty easier on its employees by permitting shift changes, giving paid time off, or promoting jury duty in the personnel policy. The award might be given either at the courthouse or at the business' headquarters. Alert the local media to the award ceremony and contact the company's newsletter, if one exists.
- **Jury debriefing:** After the jury delivers its verdict and court is adjourned, many judges meet with the jurors to thank them, answer their questions as appropriate, and hear their concerns.
- **Thank-you letters:** Some courts send thank-you cards and/or certificates of appreciation to jurors to acknowledge their service and reiterate the importance of jury service in a democracy.



## RETIREMENTS

### Court improvement program director steps down



*Cheryl Calder*

Cheryl Calder, who joined the Wisconsin court system on Sept. 10, 2001, stepped down on May 1.

Calder managed the Court Improvement Program, a federal grant program that has allowed the Wisconsin court system to assess its strengths and weaknesses in handling cases involving abused and neglected children. She also

was responsible for a training and communication effort designed to help ensure the courts' compliance with the federal Adoption and Safe Families Act (ASFA), which was enacted in November 1997 to promote safety and permanence for children.

Interim Deputy Director Sheryl A. Gervasi anticipates filling the position in the near future.

### Research analyst retires

Meg Ford retired from the Office of Court Operations on April 18, after nearly 14 years on the job.

As a court operations research analyst, Ford provided technical assistance to the circuit courts on caseload management. She studied caseload data to track changes in the numbers and types of cases handled in Wisconsin's trial courts.

### Haase to retire in January



*Judge Robert A. Haase*

Judge Robert A. Haase, an Eagle Scout, barbershop quartet singer, and master punner, will retire in January 2004 after more than 21 years on the bench in Winnebago County. Because his term runs through July 2006, the governor will appoint a replacement.

In his years on the bench, Haase has earned a reputation as a hard worker who delights

in sharing jokes and sometimes painful puns. His strong interest in court administration led the Supreme Court to appoint him as chief judge of the Fourth Judicial Administrative District, a post he held for six years. He also served for 10 years on the Records Management Committee, which recommends guidelines for the retention of court records and necessary statutory or rule changes relating to records management, devises new forms, reviews new and existing forms for their legal sufficiency, and establishes standards and guidelines for effective management of court

records.

Haase described his administrative work – especially his service on the Records Management Committee – as “a lot of fun.” He said the work helped him to keep current on trends in the law and improved his understanding of court management issues.

In retirement, Haase, 64, looks forward to doing “whatever I feel like.” He anticipates that this will include “a lot of barbershopping” and making “doo-dads” in his basement workshop. He also intends to convince his wife, Vernice, to join him in retirement. She is deputy director of the Department of Financial Aids at the University of Wisconsin-Oshkosh.

### Thums will step down this summer

Judge Raymond F. Thums, who has presided in Branch 2 of the Marathon County Circuit Court since 1988, has announced that he will retire effective July 31, 2003.

Thums, 63, informed the governor of his decision in a letter dated March 19. Because Thums is stepping down in the middle of his term, which runs through July 31, 2007, the governor will appoint a successor.

Like his four colleagues – Judges Dorothy L. Bain, Patrick M. Brady, Gregory E. Grau, and Vincent K. Howard – Thums handles a general jurisdiction calendar, hearing a wide variety of cases. Of the current judges, only Howard – who took the bench in 1983 – has served longer than Thums.

Prior to becoming a judge, Thums spent 24 years in private practice. He earned his law degree from the University of Wisconsin Law School in 1964.

Thums is married with three children.

### Schellinger not returning to bench

Judge Jacqueline D. Schellinger, on the bench in Milwaukee County Circuit Court since 1992, has announced her decision to resign effective August 8. Schellinger formalized her decision in a letter dated May 29 to Chief Justice Shirley S. Abrahamson and Gov. Jim Doyle. Schellinger has been off on medical leave since December 2002.

In May 2002, Schellinger's court was the site of a shootout after a just-convicted defendant grabbed a deputy's gun and attempted to escape. The defendant was killed and a deputy was shot.

Schellinger's term runs through July 31, 2005. The governor will appoint a replacement for her; that person will need to seek election to the post in April 2004. ■



*Judge Raymond F. Thums*



*Judge Jacqueline D. Schellinger*

## Wisconsin courts celebrate Law Day in many ways

The Wisconsin courts began an organized, statewide effort to celebrate Law Day in 1997. Since then, the celebrations have grown in number and variety. Here is a small sample of what went on in our courthouses on Law Day 2003:

**Bayfield County** held a mock jury trial based on a criminal case. Students from the county's high schools were invited to participate as jurors. Judge John H. Priebe presided and local attorneys acted as prosecutor and defense counsel. Clerk of Circuit Court Kay Cederberg also took part. After a question-and-answer session, the students were given tours of the jail. The Bayfield County Bar Association offered free legal advice to the general public throughout the day.

In **Buffalo County**, fifth graders were invited to observe traffic and probate court. They also were given tours of the courthouse before participating in an assortment of mock trials. Court staff organized a poster contest for fourth graders and an essay contest for fifth graders throughout the county.



Chief Judge Michael N. Nowakowski presides in Dane County's Emperor's New Clothes mock trial.

In **Dane County**, the judges and bar teamed up to offer an array of activities. Chief Judge Michael N. Nowakowski presided over a mock trial based on *The Emperor's New Clothes* for an audience of local second graders. The emperor sued tailors Swin and Del for fraud, but the jury of students found the tailors not liable, noting that they had, indeed, followed through on their promise to produce a suit of clothes that "could not be seen anywhere else." The cast included featured local attorneys and court staff.

Dane County lawyers also staffed an all-day free legal assistance table in the courthouse lobby, gave tours of the building, and worked on mock trials for middle school students.

Also in Madison, librarians Paula Seeger, Dane County Law Library, and Connie Von Der Heide, Wisconsin State Law Library, presented a two-hour program for the public on basic legal research on Saturday, May 3, at the Madison Public Library. Eighteen people of all ages, including court employees and representatives of community agencies, turned out for the event. Seeger and Von Der Heide reprised the session on May 17 at another branch of the public library.

In **Dunn County**, Judges Rod W. Smeltzer and William C. Stewart Jr. spent the day visiting four local schools to talk with the students.

In **Manitowoc County**, more than 700 second graders participated in six mock trials held over two days. Judge Patrick L. Willis presided in the trials of the three little pigs for the fourth year in a row. Members of the Manitowoc County Bar Association played the roles of prosecutor and defense counsel while local actors took the parts of the Big Bad Wolf and the Three Little Pigs. A script developed by Waukesha Judge Robert G. Mawdsley is used each year, but the attorneys and actors take creative license. One attorney this year introduced evidence from Little Red Riding Hood as a prior bad act on the part of the Wolf, but the strategy backfired when defense counsel pointed out in closing argument that that particular wolf was terminated at the end of the story and could not be his client.



Manitowoc County held a mock trial based on the Three Little Pigs. Sue Schmitt, Mary Mellberg, and Fauna Logan played the three little pigs. The rest of the cast are Judge Patrick Willis, Atty. David Pawlowski, R. J. Skrepenski (Big Bad Wolf), Atty. Joseph Thuermer, District Atty. Mark Rohrer, and Bailiff Mike Riddle.



Winners of the first essay and poster contests in Racine County. Pictured are: Judge Dennis J. Barry; Carley Brownlee, 6th grade, Raymond School (1st place essay); Meghan Wallner, 4th grade, Prairie School (1st place poster); Trisha Gopa, 4th grade, Prairie School (2nd place poster); Lakshmi Varanasi, 4th grade, Prairie School, (3rd place poster); and Judge Faye M. Flancher.

**Racine County** held a mock trial for students from five high schools. Judge Dennis J. Barry presided, and the students were jurors and witnesses. New this year was a poster contest for middle school students and an essay contest for elementary students. Judge Faye M. Flancher presented \$75 and \$50 savings bonds to the winners, and all entries were displayed at the courthouse for the week. The Racine County Bar Association organized the event, which included a bar-sponsored luncheon for the students, teachers, and court staff.

In **Washington County**, the bar association celebrated Law Day with a dinner dance for 100 local attorneys and guests. Justice Diane S. Sykes spoke on the processes for selecting judges from an historical perspective.

**Winnebago County** Bar President Karen Seifert reported that 600 kids from 10 elementary schools came to the courthouse for a tour that included a variety of possible stops. In the courtrooms, visitors could watch demonstrations of Teen Court

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## Celebrating National Law Library Week

The week of April 6-12, 2003 was National Library Week and the Wisconsin State Law Library, Dane County Law Library, and Milwaukee County Law Library celebrated with contests, prizes, displays, and open houses. Even Lady Justice was dressed as a librarian for the week.

Participants were invited to test their knowledge of legal trivia in the following quiz:

### Unscramble these legal terms:

1. ENLEIGNGCE
2. EMADSGA
3. PAOBEUSN
4. BTTRARIANOI
5. FNETMIRNIGNE
6. INOTACTI

### Match these actors with their movies or TV shows

- |                     |                            |
|---------------------|----------------------------|
| 1. Dustin Hoffman   | a. The Music Man           |
| 2. Julia Roberts    | b. Love Story              |
| 3. Bradley Whitford | c. Law & Order             |
| 4. Ali McGraw       | d. Erin Brockovich         |
| 5. Shirley Jones    | e. West Wing               |
| 6. Fred Thompson    | f. All the President's Men |

### Answer these trivia questions

1. On what date is Law Day celebrated?
2. What does the acronym RICO stand for?
3. Freedom of Information (FOI) Day is observed on March 16, the birth date of which U.S. President?
4. Name the Beach Boys' classic in which the disobedient daughter "forgot all about the library like she told her old man..."
5. In what year was the State Bar of Wisconsin founded?
6. a. The year 2003 marks the 200th anniversary of what famous U.S. Supreme Court case?  
b. And the 150th anniversary of what Wisconsin governmental body?

Names were drawn from the winning entries. Winners of the quiz were Colleen Flesher, program assistant for the Supreme Court; Steve Gloe, Wisconsin Dept. of Regulation and Licensing; Thomas Heyn, Attorney at Law; Marc Weinberger, Librarian, Western District of the U.S. Courts.

Prizes were donated by LexisNexis, Loislaw and Thomson-West. ■



Door prize winners from the WSLN National Library Week Court Coffee Break: Judy Killian accepting for Carrie Janto, Clerk of Courts Office; Theresa Owens, Deputy Clerk of Courts; Ruth Janto-Wolter, Board of Bar Examiners; and Dianne Knopfer, Board of Bar Examiners. Not pictured is Lisa Fernan, Clerk of Circuit Courts Office.



Lady Justice dressed as a librarian to celebrate National Library Week.

### Answer key to quiz

- Trivia**
1. May 1st - "Law Day - May 1st - is a special day focusing on our heritage of liberty under law, a national day of celebration officially designated by joint resolution of Congress in 1961."
  2. Racketeer Influenced Corrupt Organization
  - The federal RICO statute, found at 18 U.S. Code sections 1961-1968, makes it a crime for organized criminal conspiracies to operate legitimately businesses.
  3. James Madison
  4. "Fun Fun Fun"
  5. 1878 (January 9)
  6. a. *Marbury v. Madison*, 5 U.S. 137 (February Term, 1803)  
b. *Supreme Court of Wisconsin as a separate court*

- Matching**
1. Dustin Hoffman = f. All the President's Men
  2. Julia Roberts = d. Erin Brockovich
  3. Bradley Whitford = e. West Wing
  4. Ali McGraw = b. Love Story
  5. Shirley Jones = a. The Music Man
  6. Fred Thompson = c. Law & Order

- Unscramble these legal terms:**
1. Negligence
  2. Damages
  3. Subpoena
  4. Arbitration
  5. Infringement
  6. Citation



## VOLUNTEERS IN THE COURTS

### Langlade County programs assist the elderly

Two programs are helping to safeguard the well-being of some of the most vulnerable citizens in northeast Wisconsin's Langlade County, population 20,000. The first program recruits volunteer guardians to monitor the safety and security of elderly wards; the second focuses on keeping at-risk adults safe from harm.

#### Guardianship program helps elderly in need

Arlene Bonacci has been designated as guardian for nine elderly adults in the last seven years. She helps these individuals with life's daily challenges, and sometimes, when the time comes, assists with their funeral arrangements. Langlade County recently recognized Bonacci's service to the elderly through the county's guardianship program by honoring her with a plaque.

### Brown County Mediation Center expands services to families, neighborhoods

At the courthouse in Green Bay, Wednesday afternoons bring frustrated landlords face-to-face with their dissatisfied tenants. This is the return day for contested evictions, and tempers flare almost as fast as accusations fly. Working to bring things down a notch are two or three trained volunteers from the Brown County Mediation Center who stand ready to assist disputants willing to look for common ground. In many cases, and in the most unexpected places, they find it.

Recently, a family of three was facing eviction. The landlord had tried for months to communicate with the couple to no avail, and it came out during mediation that both parents were mentally ill; their daughter – at age 14 – was doing her best to run the household. The couple had not moved because they were overwhelmed by the notion of sorting through their many possessions and packing. With the mediator's help, the landlord worked with the tenants to develop a room-by-room schedule for vacating and even brought in maintenance men to help. "It was very touching," said Diane Legomsky, who mediated the dispute and serves as director of the Mediation Center. Had the judge simply evicted, Legomsky pointed out, the family would have lost its housing assistance for two years – and the landlord might still be awaiting their departure.

When landlord and tenant reach an agreement, the mediator puts it in writing and, if the tenant vacates by the agreed upon date, there is no eviction; if not, the landlord is entitled to an automatic writ. Legomsky said landlords often are willing to forgive that month's rent and to give back security deposits to dispatch the tenants. The money makes moving a much more realistic option for most tenants.

Landlord-tenant disputes are just one focus for the Brown County Mediation Center. They handle other small claims actions on Thursday evenings and Friday mornings, and work with families, organizations (especially non-profits), and neighborhoods to resolve myriad disputes before they find their way into court. The Center has 50

"It's hard to find guardians that are willing to invest the time needed," said Donna Retzak of the county's social services agency. Bonacci's experience with her most recent ward, an 88-year-old woman, highlights the commitment required of volunteer guardians. The woman lives alone in an apartment and is supposed to receive home care visits three times a day. There are days, however, when that does not happen and Bonacci must step



*Arlene Bonacci accepts an award for her work as a guardian from Judge James P. Jansen, Langlade County Circuit Court.*

see **Guardianship** on page 14

regular mediators; half work in court and half focus on non-court disputes.

Increasingly, Legomsky said, the family disputes involve aging parents. One recent case involved an elderly woman who left her farm for the suburbs to live closer to her adult children. The six children were unable to agree about what to do with the family farm and how to take care of Mom and, before long, the sibling with the power of attorney for financial matters was not speaking to the sibling with the power of attorney for medical matters. Then the siblings' spouses jumped into the fight and restraining orders were issued.

A social worker asked the family to try addressing its problems through mediation. The mediator brought in all the adult children and they had a discussion about the old rivalries that had resurfaced at this stressful juncture in their lives. After 10 such meetings, they discovered that they all agreed upon one important thing: that they loved their mother and wanted the best for her. The mediator then convinced Mom – who was trying to stay out of the mess for fear of making it worse – to state her preferences for her medical care and for the family farm. Once the siblings had refocused on what was best for Mom, they were able to stop fighting about what was best for each of them. The family is now holding its own, although two of the siblings still are not speaking. They all meet monthly with the mediator.

In 2003, Legomsky said the Center would focus on resolving neighborhood disputes and racial/ethnic conflicts. The Green Bay Police Department helped the Center to secure a \$10,000 grant from the U.S. Department of Housing and Urban Development to conduct neighborhood mediations, and the Center secured a smaller grant from a local foundation to support the racial/ethnic work. ■

*For more information on the Brown County Mediation Center, contact Legomsky at (920) 438-7067 or e-mail [Legomskd@uwgb.edu](mailto:Legomskd@uwgb.edu).*

## WISCONSIN CONNECTS

### Wisconsin courts build national presence

In spite of the continued moratorium on state-sponsored trips, opportunities for national and international travel continue to materialize for Wisconsin judges and court staff. The travel is made possible through scholarships from educational groups and professional organizations that recognize the value Wisconsin experts add to their programs.

The people of the state are ultimately the beneficiaries of these trips, as the travelers return home and share ideas and information with their Wisconsin colleagues at judicial education seminars. Here is a sample of recent opportunities:

□ In June, Chief Judge Joseph M. Troy, Outagamie County Circuit Court, will attend a leadership workshop focusing on solving problems in the courts. The workshop is offered at the National Judicial College in Reno. He attended on a scholarship from the college.

□ In August, Judge Louis Butler, Milwaukee County Circuit Court, will teach classes on criminal procedure and on judicial activism at the National Judicial College in Reno. The college is paying his expenses. Reserve Judge

Thomas H. Barland will travel on his own dime to San Francisco as Wisconsin's delegate to the National Conference of State Trial Court Judges.

□ In October, Chief Justice Shirley S. Abrahamson and Court Information Officer Amanda K. Todd will present at the Canadian/American Appellate Judges Seminar in Victoria, British Columbia. Abrahamson will speak on "Appellate Judging as a Craft" while Todd participates in "Judging in an Age of Media Scrutiny: How to Cope." The trip is paid for by the American Bar Association.

□ In April, Judge Ramona A. Gonzalez, La Crosse County Circuit Court, completed a five-day course on international kidnapping at the National Judicial College in Reno, Nev. The course covered how to make orders for return and prevention, custody rights issues, the impact

of abduction on children, the significance of the Hague Convention, and more. Gonzalez is now qualified to conduct a training session on this topic for her Wisconsin colleagues. The college paid her expenses through a scholarship.

□ In March, Judge Timothy G. Dugan attended the Science and the Law Institute sponsored by Brooklyn Law School.

### DCA is working near Iraq

Ninth District Court Administrator Scott K. Johnson, an Air Force major, continues to work nearly around the clock in an undisclosed location in the Persian Gulf region. He arrived there the first week in March and does not know when he will return home: because his unit supports operations, it is "generally first in and last out," he said.

Johnson is a commander of the 376 Expeditionary Services Squadron, part of the 376 Aerospace Expeditionary

Wing. His squadron is responsible for building the tent cities where the forces live and meeting all of their needs, from food and shelter to recreation. Procuring potable water has been especially key: "Thousands of liters of bottled water are consumed here weekly," he said.

Johnson described the living conditions as "fairly austere." The troops live in tents in the desert, where most days the temperature is at least 100 degrees.

"We have experienced several sandstorms while here that require the use of goggles and a 'ranger rag' or large scarf," he said. "Rain is a rare event here – heat and wind are not." ■

*In Johnson's absence, several of his fellow DCAs are managing the courts in his district. Gregg Moore, based in Eau Claire, is covering Iron, Oneida, Price, Taylor, and Vilas counties. Moore can be reached at (715) 839-4826 or [gregg.moore@dca10.courts.state.wi.us](mailto:gregg.moore@dca10.courts.state.wi.us). Kathleen M. Murphy, based in Green Bay, is responsible for Langlade, Menominee, and Shawano counties. Murphy can be reached at (920) 448-4280 or [Kathleen.Murphy@dca8.courts.state.wi.us](mailto:Kathleen.Murphy@dca8.courts.state.wi.us). Retired District Nine DCA James Seidel is working two days per week in the district office in Wausau; he is handling Florence, Forest, Lincoln, and Marathon counties and can be reached at (715) 842-3872 or [james.seidel@dca9.courts.state.wi.us](mailto:james.seidel@dca9.courts.state.wi.us).*



*District Court Administrator Scott K. Johnson (left, supervising the construction of a dining facility) departed his Wausau-area home in early March for the Middle East. As a commander, he has overseen the construction of an air base and helped to develop programs there to meet the many needs of the soldiers in residence.*

## Guardianship *continued from page 12*

in to make sure the woman is fed and take care of any other needs she might have. When the woman refused to go to the doctor, Bonacci took time with her, earning her trust until the woman agreed to receive medical care.

The court appoints volunteer guardians when the need arises. They are paid a stipend and receive reimbursement for mileage and some expenses. In exchange, they must make difficult decisions about the ward's finances and medical care, sometimes even conveying whether the person wishes to be placed on a respirator or life support. "I never leave town without staff and people knowing where I can be reached," Bonacci said.

In spite of the challenges, Bonacci finds the work very rewarding. "I know I am helping people and being of service to them," she said. "Sometimes you get a big thank you from them and sometimes you don't get anything because they can't talk to you."

*While Langlade County does not yet have a formal program for volunteer guardians, it is moving in that direction with Register in Probate Joy Pecha taking the lead. She is currently seeking people interested in becoming guardians. For information, call Pecha at (715) 627-6213 or e-mail joy.pecha@wicourts.gov.*

### At-risk team

When an elderly woman withdrew \$10,000 from her account, her bank took notice of the unusually large withdrawal and called law enforcement to look into it. After

officers talked with the woman, they discovered that multiple organizations had been hassling her for money. The police went to Judge James P. Jansen, Langlade County Circuit Court, to explore possible ways to protect vulnerable seniors, and, in 1998, the At-Risk Team was formed.

The county's social services department led the effort to build the team and provide training for the judge, law enforcement, the fire department, health care workers, and others to help them identify all types of abuse and protect the elderly. They are, in many cases, serving as the eyes and ears of the family. "We see family members getting less involved as family sizes are getting smaller," Jansen said.

The 28-member team meets bi-monthly to discuss how to improve services to elder abuse victims and their families. They also debrief cases to learn from one another. The team recently expanded to serving the mentally ill and developmentally disabled.

The team has seen cases of physical, sexual, psychological, material, and financial abuse and neglect, as well as self-neglect. "Elderly and vulnerable adults often don't report because they grew up in times when you don't talk about things like abuse, or because they are emotionally or financially dependent upon the abuser," Retzak said. "Elder abuse is on the rise across the nation and in Langlade County." ■

*For more information on the At-Risk Team call Retzak at (715) 627-6500.*

## District meeting *continued from page 4*

Using the judges' responses to these questions as a guide, Burke employed group exercises, a self-assessment questionnaire, and amusing video presentations to outline general concepts and elements of case management and review the successes (and failures) experienced by his and other courts as they experimented with new ideas.

One key element of effective case management is a monitoring and information system. District Five Court Administrator Gail Richardson is working with clerks and judicial assistants in each county in the district to demonstrate the utility of the reports and encourage their use. Richardson reviewed the tools available on the Consolidated Court Automation Programs (CCAP) to help judges track cases, providing written descriptions of the five statistical reports and the event and activity report, with instructions for their use. She emphasized the usefulness of the new 'drill-down' feature in the report that summarizes the ages of pending cases, noting that 'drill-down' is especially useful in conjunction with the event and activity report.

Burke concluded by acknowledging that increasing caseloads and tight budgets make for trying times in the state courts, and that judges, clerks, and court staff need to find ways to maintain their energy and enthusiasm. "It is easy to become overwhelmed by the challenges," he said. "[But] there is tremendous vitality and creativity among the

people I met. I am thankful for the invitation and impressed with what I saw and heard."

The circuit court and reserve judges in attendance also spent a day reviewing the new provisions of the Adoption and Safe Families Act (ASFA) with help from Judge John Murphy, Sheboygan County Circuit Court, and Rock County Deputy Corporation Counsel Jodi Timmerman. Murphy and Timmerman have traveled the state providing training on these issues; they encouraged the judges to build teams that represent all involved offices and parties in order to successfully implement ASFA.

ASFA's impact on the courts will be substantial, and participants in the meeting found the information very useful. "ASFA presents a new chapter in Wisconsin juvenile law and a challenge in many respects," said Chief Judge James Evenson, Sauk County Circuit Court. "Judge Murphy and Ms. Timmerman provided a thorough and comprehensive overview not only of the policy behind the law but many practical and helpful suggestions on dealing with some of the pitfalls that we will face in implementing it." ■



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## PEOPLE



Chief Judge Michael N. Nowakowski

Chief Judge **Michael N. Nowakowski's** ruling in favor of permitting the inmates at the Supermax prison in Boscobel to subscribe to the local newspaper made headlines around the state in April. Prison officials had banned the *Boscobel Dial* because they feared that personal information about prison guards and their families, as well as members of the community, was too readily available in its pages. Nowakowski, however, found the policy to be unconstitutional. **Allen Highman**, a spokesman for the prison guards' union, explained the ban in *The Capital Times*: "These are predators. They're not nice people. They didn't get there by missing Sunday school," he said. "You're exposing the community... because they're going to be able to tell who's passed away, who's a widow or a widower that they might be targeting."

"Lawyers, judges oppose Doyle's proposed sentencing guidelines," was an Associated Press story that appeared in numerous papers around the state. It set forth some of the concerns about the governor's proposal to require the new Sentencing Commission to report on whether sentences under Truth-in-Sentencing are consistent, cost-effective, and promote public safety and the integrity of the criminal justice and corrections systems. If the sentences were found not to meet these standards, then the Sentencing Commission would be required to create mandatory sentencing guidelines. The proposal was moved out of the state budget and may be introduced as a separate bill.



Judge James R. Kieffer

The sentencing of a man who suffers from amnesia and is unable to recall the car crash that killed his friend made headlines in the *Milwaukee Journal Sentinel* recently. **Brent Totten**, 22, got a year in prison for killing a 20-year-old man who was a passenger in Totten's \$88,000 sports car. Totten had been speeding and lost control on a curve, crashing into a tree. Waukesha County Circuit Judge **James R. Kieffer** told Totten: "The fact that you have amnesia does not absolve you from causing the death. This was not an accident. An accident is a situation which arises by mere chance. You chose to negligently operate this motor vehicle."

*The Journal Times* (Racine) captured Chief Justice **Shirley S. Abrahamson** high-fiving Jalen Riley, 10, during a visit to Colin Lewis' class at the Racine Montessori School. The class chose famous Wisconsinites to study this term, and Abrahamson was among those selected, along with **Hank Aaron**. District Two Chief Judge **Gerald P. Ptacek**, whose child is in the class, helped to arrange Abrahamson's visit.

"Online help for *pro se* litigants" a news brief in the January-February issue of *Judicature*, highlights the Waukesha County Family Court Self-Help Center's Web site at [courtselphelp.waukesha-county.gov](http://courtselphelp.waukesha-county.gov). The article quoted one Internet visitor who

thanked the center for providing "a highly intuitive and straightforward self-help website" that provided "all the documents I need, in hard copy, in under 20 minutes...."

A 19-year-old drunk driver who ran a stop sign in West Allis, killing a 26-year-old aspiring pediatrician, prompted Judge **John Franke** to call for a change in the OWI statute. "I'm willing to sacrifice this defendant on the altar of general deterrence," he was quoted as saying, "but changing the law and making the first drunken driving offense criminal would do more for general deterrence." The *Milwaukee Journal Sentinel* pointed out that first-offense drunk driving is now subject to a civil forfeiture.



Judge John Franke

Judge **Barbara A. Kluka** figures prominently on the list of people and events that incoming State Bar President **George Burnett** remembers from his Kenosha childhood. Burnett told the Kenosha News that Kluka made an impact as his history teacher at St. Joseph High School in Kenosha, where she taught for seven years between college and law school. Burnett takes over for State Bar President **Patricia Ballman** on July 1; Madison Atty. **Michelle A. Behnke** will take over as president-elect.

The Wisconsin State Law Library's state-of-the-art computer training center, an eight-workstation room where librarians regularly provide research training for judges, lawyers, paralegals, and court staff, was featured in a national magazine in April. The article, "Configuring Computer Labs/Training Needs Dictate Computer Lab Designs," appeared in the AALL (America Association of Law Librarians) *Spectrum Magazine*. It showed **Julie Tessmer**, the library's director of collection management, teaching a course on Web-based research. Co-State Law Librarian **Jane Colwin** explained in the story that plans are in place to rent out the facility, which is located within the library on the Capitol Square, to private law firms and state government agencies at a rate of \$40 per hour.

Justice **Jon P. Wilcox** visited with students at Madison's Frank Allis Elementary School in April after receiving a handwritten invitation from one of the students. In his letter, fourth-grader **Jared Grunert** encouraged Wilcox to contact his teacher, Mrs. Parker, to arrange a visit. The boy covered all the bases before signing off: "If you can't come," he wrote, "can you get me your autograph anyway?"



Justice Jon P. Wilcox

Judge **Richard J. Sankovitz**, Milwaukee County Circuit Court, took calls from the public on WTMJ-AM radio on a variety of criminal law issues with Atty. **Marla Stephens** of the State Public Defender's Office's Appellate Division and Atty. **Rachel Schneider**, who chairs the Milwaukee Bar Association's Legal Services to the Indigent Committee. In



Photo credit: Ron Kuenstler, *The Journal Times*  
Chief Justice Shirley S. Abrahamson, in a photo from *The Journal Times* (Racine), high-fiving Jalen Riley, 10.

## CELEBRATING THE SESQUICENTENNIAL

### Supreme Court video is available

A professional 12-minute videotape on the Wisconsin Supreme Court, produced in honor of the Court's 150th anniversary, is now complete. The tape will play on a continuous loop in the Supreme Court Hearing Room to explain the work of the Court for the approximately 200,000 people who tour the Capitol each year.

The video illustrates the Court's case-deciding and administrative functions and includes comments from all seven justices. It shows the justices in oral argument, flipping poker chips in a private case conference to pick a majority writer, working in chambers with their clerks, and meeting in open administrative conference with Interim Director of State Courts John Voelker.

Funded with a \$10,000 grant from the Wisconsin Law Foundation, the video features the voices and faces of numerous staff members, including: Supreme Court Clerk



*In her opening remarks in the video, Chief Justice Shirley S. Abrahamson describes the types of cases the Supreme Court handles and the role of the Court as leader of the third branch of government.*

Beth Bishop Perrigo provided voiceover for the video.

Copies of the videotape are available. To inquire, call (608) 264-6256 or e-mail [Amanda.todd@courts.state.wi.us](mailto:Amanda.todd@courts.state.wi.us).

Cornelia G. Clark; Supreme Court Marshal Tina Nodolf; Supreme Court Assistant Sherie Sasso; Supreme Court Law Clerks Gabe Bankier Plotkin and Jonathan Becker; Judicial Education Director David Hass; Office of Lawyer Regulation Intake Specialists Sheri Carter and Alice O'Mahar; and more. Deputy District One Court Administrator

### Chief Justice stresses federal-state relations at 7th Circuit luncheon

Speaking to an assembly of federal district and court of appeals judges and magistrate judges from Wisconsin,



*A local make-up artist spiffed up the justices before they went on camera for the new video about the Wisconsin Supreme Court. Here, Justice Jon P. Wilcox is readied for his appearance.*

Illinois, and Indiana and several members of the Wisconsin Supreme Court, Chief Justice Shirley S. Abrahamson stressed the values that the federal and state courts share and the importance of a strong relationship between the two systems. Her remarks opened a 7th Circuit Bar Association luncheon that featured U.S. Supreme Court Justice John Paul Stevens as keynote speaker.

All judges, whether elected or appointed, must value their independence above all else, Abrahamson

said. And the key to safeguarding judicial independence, she said, is making sure the public knows its worth. "When the people understand that the role of an independent third branch of government is not to make popular decisions but wise ones, when they trust that the system works and have confidence that they will find a fair and impartial decision-maker if and when they have a dispute to resolve, then they will value judicial independence," she said.

Abrahamson also emphasized the value of communication between the state and federal judiciaries to improve the justice system. She recognized three Wisconsin judges whose experience spans both systems: Judges John L. Coffey, Thomas E. Fairchild, and William C. Griesbach. Coffey and Fairchild were justices of the Wisconsin Supreme Court prior to their appointment to the 7th Circuit Court of Appeals; Griesbach was a Brown County Circuit Court judge when he was tapped in April 2002 for the new judgeship in Wisconsin's Eastern District – the first to be located in Green Bay. She thanked Fairchild for his work as chairman of the Commission on Judicial Elections and Ethics, a body that the Wisconsin Supreme Court appointed in 1997 to study the political activities and campaign work of judges and judicial candidates.

### Snapshots of Wisconsin's legal history

To honor the 150th anniversary of the Wisconsin Supreme Court, the Court of Appeals' 25th, and its own 125th birthday, the State Bar of Wisconsin offered a series of "snapshot" presentations by historians, judges, and attorneys at its May convention. State Bar President Patricia



Spring  
2003**PEOPLE** *continued from page 15*

addition to taking calls, they discussed the pressing need to update the 15-year old eligibility standards for public defender representation.

Judge **Randy R. Koschnick**, Jefferson County Circuit Court, has been judging mock trials for several years, and started a team at Oconomowoc High School when his daughter, **Katie**, became a student there. An article in *The Freeman* (Waukesha) highlighted his involvement with the program, noting that he put on an end-of-season pizza party for the Oconomowoc team, and that the Koschnick family hosted a German exchange student for the school year who also became a mock trial participant. The judge told the paper that the mock trial program “helps [teenagers] learn how to resolve conflicts in a civilized manner.”



Judge Randy R. Koschnick

*The Journal Times* (Racine) was at the Racine County Courthouse for the arrival of a traveling exhibit that celebrates the 150th anniversary of the Wisconsin Supreme Court. One case featured in the exhibit – the 1927 case in which the Supreme Court struck down a law that prohibited the sale of margarine in Wisconsin – brought back memories for Judge **Dennis J. Barry**, who recalled his aunt and uncle crossing the border to buy their favorite spread in Illinois. Chief Judge **Gerald P. Ptacek** organized the exhibit’s visit, setting up a reception and luncheon following the unveiling event.

“County watching over guardians more closely” headlined a story in *The Janesville Gazette* about an effort by the Rock County Circuit Court to revamp policies and procedures for guardianships. The project began after the judges discovered that several guardians were not properly maintaining their wards’ accounts. Judge **James P. Daley** told *The Gazette* that better guidelines for the appointed guardians will be enacted and that the court will be alerted if the required annual reports from the guardians are not filed on time. “Over the last number of years, the level of review hasn’t been what it should have been,” said Judge **John W. Roethe**. “So now it’s going to get back to where it should be.”



Judge John W. Roethe

Judge **Michael T. Lucci**, Douglas County Circuit Court, spoke with *The Daily Telegram* (Superior) about the changes he has witnessed in his 18 years on the bench. He named an increase in *pro se* litigants, technological advances, and the advent of court-connected alternative dispute resolution programs such as teen court and restorative justice as the biggest changes. Lucci said one negative development has been an increase in litigants who lack respect for authority.

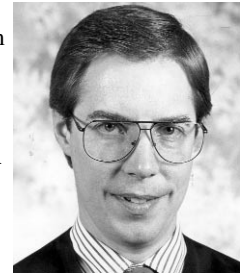
Catching up on backlogged cases has proven challenging for Judge **George L. Glonek**, Douglas County Circuit Court. Glonek knew when he started his duties as judge there was going to be some catch up after Judge **Joseph McDonald** became ill and then passed away in August 2002. Glonek is hoping to erase the backlog by the end of this year by adding a few extra cases to his schedule each week. He told *The Daily Telegram* (Superior) that people have understood the delays.



Judge George L. Glonek

Judge **Daniel S. George**, Columbia County Circuit Court, praised the Court Appointed Special Advocates

(CASA) program in Columbia County as a wonderful resource whose volunteers perform a very valuable service to the court. He told the *News-Republic* (Baraboo) that the program is “another check and balance” to ensure that children are receiving the kinds of services warranted and ordered by the court. Trained CASA volunteers monitor children involved in CHIPS cases to help ensure they are safe and that court orders regarding their care are being followed.



Judge Daniel S. George

Waukesha County has seen an increase in lawsuits recently causing the county’s judges to set ambitious goals for resolving cases in a shorter period. Last year Judges **J. Mac Davis**, **Lee S. Dreyfus Jr.**, **Donald Hassin Jr.**, and **Robert Mawdsley** agreed to set high goals for reducing the time it takes to resolve cases, reported *The Freeman* (Waukesha). The judges’ goals are to dispose of 90 percent of civil cases in less than a year, and 95 percent in less than 18 months. Hassin acknowledged in the newspaper that those goals are “extremely ambitious” but expressed confidence that they could be achieved.

Judge **Molly E. GaleWyrick**, Polk County Circuit Court, is one of three women that have been elected to the top judicial seats for Polk County. *The Inter-County Leader* (Frederic) reported that they are the first women ever elected to these high positions in Polk County. The other two women elected were District Attorney **Karen Smith** and Sheriff **Ann Hraychuck**. Hraychuck was reelected to a second term.



Judge Molly E. GaleWyrick

Judge **Ralph M. Ramirez**, Waukesha County Circuit Court, spoke at a ceremony opening La Casa’s Centro Legal, which provides legal services to low income litigants. “Centro Legal can ensure people have a fair shake in court,” Ramirez said. Atty. **Paul Hauer** of Centro Legal told *The Freeman* (Waukesha) that the center, which offers bilingual legal services, is not exclusively for Spanish-speaking people.

As keynote speaker at the Hustisford High School annual Family Learning Day, Judge **Daniel W. Klossner**, Dodge County Circuit Court, encouraged 4-H members to be responsible to their communities as well as their families. He noted that the concept of “family” evolves over a person’s lifetime and encouraged the students to view the larger community as an extension of their families, and to commit themselves to work that will improve the community. Klossner’s speech was reported in the *Watertown Daily Times*.

Courthouse construction and remodeling projects are making the news. In Dane County, Chief Judge **Michael N. Nowakowski** is cautiously optimistic about a plan to



**AWARDS** (continued from page 2)

has been a finalist for this prestigious award; Karen Leone de Nie, a former program assistant to the Wisconsin Supreme Court, was cited in 2000.

**'Women in Law' announced**

The *Wisconsin Law Journal* has named Judges Patricia S. Curley, Wisconsin Court of Appeals, District I; and Ramona A. Gonzalez, La Crosse County Circuit Court; and Court Information Officer Amanda K. Todd as 'Women in Law' for 2003.

The newspaper honors 10 outstanding women each year for their contributions to the Wisconsin justice system. The other seven honorees are: Atty. Katja Kunzke, Wisconsin Lawyers Mutual Insurance Co., Madison; Attorney General Peg Lautenschlager, Madison; Judge Margaret Dee McGarity, U.S. Bankruptcy Court, Milwaukee; Atty. Maureen A. McGinnity, Foley & Lardner, Milwaukee; Atty. Susan R. Steingass, Habush, Habush & Rottier, Madison (Steingass soon will leave private law practice to join the University of Wisconsin Law School faculty); Prof. Phoebe Weaver Williams, Marquette Law School, Milwaukee; and Atty. Mary K. Wolverton, Peterson, Johnson & Murray, Milwaukee.

**Eastern District Bar honors five**

The Eastern District of Wisconsin Bar Association (EDWBA), established one year ago, will honor five lawyers and judges at its first annual meeting on June 18 at the Pfister Hotel in Milwaukee.

Atty. Nathan A. Fishbach, president of the EDWBA, announced the honorees:

- U.S. District Judge J.P. Stadtmueller, who will receive the Judge Robert W. Warren Public Service Award;
- United States Bankruptcy Judge Russell E. Eisenberg, who will receive the Judge Dale E. Ihlenfeldt Bankruptcy Award;
- Atty. Franklyn M. Gimbel, who will receive the Judge Myron L. Gordon Lifetime Achievement Award; and
- Attys. Hannah Dugan and D. Michael Guerin, who will receive the Founder's Award for their instrumental role in the formation of the EDWBA. ■

For more information regarding the EDWBA, contact EDWBA Executive Director Tia Torhorst at (414) 276-5933.

**OBITUARIES** (cont. from page 7)**Judge James W. Rice  
Monroe County Circuit Court**

Reserve Judge James W. Rice, who served on the bench in Monroe County Circuit Court from 1964 through 1995, and was chief judge of the Seventh Judicial Administrative District, died of prostate cancer on May 30. He was 78.

A 1950 graduate of the University of Wisconsin Law School, Rice practiced law in Sparta for 14 years before being appointed as a county judge on March 1, 1964. He was instrumental in the court reorganization of 1978, serving on the legislative committee that designed the new system. Court reorganization eliminated the county courts in favor of a single-level trial court system and created the Wisconsin Court of Appeals.

Rice retired on July 31, 1995 but continued to serve as a reserve judge while maintaining a private law practice in mediation and arbitration.

Prior to law school, Rice served in World War II as a medic with the 4th Infantry Division in Europe. He won the Purple Heart after being hit with shell fragments from a cannon.

Rice's wife, Barbara Hughes Rice, and his three sons, two daughters, and eight grandchildren survive him. ■



Judge James W. Rice

**Law Day** (continued from page 10)

as well as a mock trial showcasing the acting talents of Judge Robert A. Haase in the role of Bob B. Blacksheep, who was charged with stealing Mary Goodie-Two-Shoes' lunch (the students on the jury acquitted Blacksheep). Judge Thomas J. Gritton conducted a mock *voir dire*. Elsewhere in the courthouse, students could visit the 911 dispatch center and the family court counseling office, meet the K-9 unit, and climb around in an emergency vehicle. Judge Barbara Hart Key and Court Commissioner Daniel Bissett worked with a small committee of the county bar association to plan the events. ■



Oshkosh-area teens conducted a Teen Court demonstration in Judge Thomas J. Gritton's courtroom in the Winnebago County Courthouse.

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## Election *continued from page 6*

Anderson, in contrast, is a lifelong resident of Bayfield County and a partner in the law firm of Spears, Carlson & Anderson. He runs a general practice and serves as municipal attorney for several communities. He also sits on the District 11 committee for the investigation of complaints against lawyers.

Anderson received his bachelor's degree from Luther College and graduated from the William Mitchell College of Law in 1989.

### Brown County Circuit Court, Branch 4 Kendall M. Kelley



Judge Kendall M. Kelley

Judge Kendall M. Kelley, appointed by Gov. Scott McCallum in 2002 to fill a vacancy created by Judge William C. Griesbach's appointment to the federal bench, won election to a full six-year term in April. His opponent was De Pere Atty. Marc A. Hammer.

Kelley was an assistant district attorney for four years prior to his judicial appointment. He helped to establish a municipal court for the Town of Suamico and served as the court's first judge.

Kelley received his bachelor's and master's degrees from the University of Dallas and earned his law degree from Marquette Law School in 1987. Before becoming a prosecutor, he worked in private practice and spent nearly four years in the U.S. Navy's Judge Advocate General's Corps.

### Burnett County Circuit Court Michael J. Gableman



Judge Michael J. Gableman

Judge Michael J. Gableman, an appointee of Gov. Scott McCallum who took the bench in Burnett County in September 2002 after Judge James Taylor retired, successfully stopped a challenge from the county's district attorney, Kenneth L. Kutz.

Prior to being appointed to the Burnett County Circuit Court, Gableman lived in Appleton and served briefly as an administrative law judge for the Department of Workforce Development. From 1999-2002, he was Ashland County district attorney; prior to this, he was an assistant prosecutor in Marathon County for one year and in Langlade County for two years.

### Dane County Circuit Court, Branch 6 Shelley Gaylord



Judge Shelley Gaylord

Dane County's new Juvenile Division judge is Shelley Gaylord, who has served as Madison's full-time municipal judge since 1993. She defeated Atty. Michael S. Anderson, a partner in the law firm of Axley Brynson, in the race to replace Judge Richard J. Callaway, who is retiring after 13 years on the bench.

Gaylord was elected to the municipal court bench in 1993 and has been re-elected twice. Prior to becoming a municipal judge, Gaylord spent 13 years in private practice, where she focused on juvenile law. She has served as an instructor for the University of Wisconsin Law School's Legal Defense Project and teaches at circuit court and municipal court seminars. She also is co-founder of the Dane County Bar Association's training

programs for family law mediators and guardians *ad litem* and past-president of the board of directors for the Domestic Abuse Intervention Service.

### Green County Circuit Court James R. Beer

Judge James R. Beer, seeking his second term as Green County's judge, fended off a challenge from Atty. Roger D. Sturdevant, an assistant state public defender.

Beer was appointed by Gov. Tommy Thompson in October 1996 and was elected to a full term the following April. Prior to becoming a judge, Beer was a Green County court commissioner for eight years. He also served a term on the county board and was the county's district attorney for two years in the 1970s.

Beer earned his undergraduate degree from the University of Wisconsin-Madison and his law degree from Marquette Law School.



Judge James R. Beer

### Milwaukee County Circuit Court, Br. 12 David L. Borowski

Milwaukee Municipal Court Commissioner David L. Borowski defeated Assistant District Atty. Audrey Skwierawski and will replace Skwierawski's father, Chief Judge Michael J. Skwierawski, who is retiring after 25 years on the bench.

A 1991 graduate of Marquette University Law School, Borowski has been a sole practitioner since 1996. His practice emphasizes personal injury, civil litigation, and business and commercial law. As a municipal court commissioner since 1998, Borowski presides at pretrial conferences, taking pleas, sentencing, reviewing warrant returns, and conducting in custody hearings.

Borowski is also chair of the Milwaukee Administrative Review Appeals Board, a body that reviews the actions of city authorities.



Judge David L. Borowski

### Polk County Circuit Court, Branch 2 Robert H. Rasmussen

Judge Robert H. Rasmussen, on the bench in Polk County Circuit Court since 1991, fought off a challenge by Osceola Atty. Timothy J. Laux to win election to a third term as Polk County's Branch 2 judge.

Rasmussen is a La Crosse



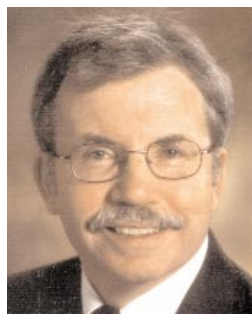
Judge Robert H. Rasmussen

see Election on page 20

**Election** *continued from page 19*

native who served as Polk County district attorney and spent 14 years in private practice before becoming a judge. He is also a member of the Juvenile Jury Instructions Committee.

Rasmussen earned his bachelor's degree from the University of Wisconsin-River Falls and his law degree from the University of Wisconsin Law School.

**Sheboygan County Circuit Court, Br. 4  
Terence Bourke***Judge Terence Bourke*

Sheboygan County Court Commissioner Terence Bourke defeated Atty. Mary Lynne Donohue in the race for Sheboygan County's Branch 4 seat, being vacated by Judge John B. Murphy, who will retire this summer.

Bourke has been a Sheboygan County court commissioner for 14 years. He presides over misdemeanor and felony bail hearings, domestic abuse injunction hearings, traffic and ordinance returns, and initial civil commitment hearings. He also spent four years as an assistant district attorney in the county.

Bourke earned his bachelor's degree from the University of Wisconsin-Madison and his law degree from De Paul University College of Law. He is currently president of the Wisconsin Family Court Commissioners Association and past-president of the Sheboygan County Bar Association.

**Waukesha County Circuit Court, Branch 4  
Paul F. Reilly**

Atty. Paul F. Reilly defeated Reserve Judge Ness Flores in the race for Waukesha County's Branch 4 seat, which Judge Patrick L. Snyder has held for more than 25 years. Snyder is retiring this summer.

Reilly has practiced with Hippenmeyer, Reilly, Moodie & Blum, S.C. since his 1987 graduation from the University of Wisconsin Law School. He concentrates on litigation work in the state and federal courts and has a special interest in "bad faith" cases, which he litigates on behalf of people with medical bills that their insurance companies refuse to pay.

Reilly has been very active in both the legal profession and the Republican Party. He is a past-president of the Waukesha County Bar Association and served 1995-2000, on the State Bar Board of Governors, where he sat on the Executive and Finance committees.

*Judge Paul F. Reilly*

*see Election on page 21*

**NEW FACES****James Babler  
Barron County Circuit Court, Br. 1***Judge James Babler*

Gov. Jim Doyle appointed Barron County District Atty. James C. Babler in March to the Barron County Circuit Court, filling a vacancy created by Judge James C. Eaton's retirement. Babler will need to run for election to the seat in April 2004.

Babler became a prosecutor in 1979, shortly after graduating from the University of Wisconsin Law School. He served briefly as an assistant district attorney in Barron County and then in Polk County before being elected in 1983 as Barron County district attorney. In 2001, the Wisconsin District Attorneys Association named him 'Prosecutor of the Year.'

Babler has been active in court administration, serving as a member of the Planning and Policy Advisory Committee from 1991-97, and as a member of the Records Management Committee, a position he has held since 2002.

Babler and his wife, Susan, have two daughters, ages 10 and 3. Prior to becoming a judge, he was active in the Democratic Party. He also is a lay leader in the First United Methodist Church and serves on the board of directors of the Barron Area Community Center.

**Dennis C. Schuh  
Juneau County Circuit Court**

In early June, the governor appointed Juneau County District Atty. Dennis C. Schuh to the bench in Juneau County. He replaces Judge John W. Brady, who died in March at age 58 (*see separate story, page 7*). Schuh will need to seek election to the seat in April 2005.

Schuh has served as district attorney in this single-judge county since 1991. Prior to this, he spent nine years in private practice as a partner in the small, rural firm of Thompson and Schuh, S.C. Since 1984, he has taught business law at Western Wisconsin Technical College.

Schuh earned his law degree from California Western School of Law in San Diego and his bachelor's degree from the University of Wisconsin-Milwaukee.

He is married to Diane, and the couple has a daughter and two sons, ages 11, 14, and 15. Schuh's interests include hunting and fishing. ■

*Judge Dennis C. Schuh*



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2003**Election** *continued from page 20***Waukesha County Circuit Court,  
Branch 10  
Linda Van De Water**

Judge Linda Van De Water

Atty. Linda Van De Water, a former administrative law judge, won election to Waukesha County's Branch 10 after Judge Marianne E. "Teddy" Becker, the incumbent, died during the campaign (*see separate story in Obituaries*). Becker, who became the first woman on the bench in Waukesha County 18 years ago, remained on the ballot and received 21,000 votes to Van De Water's 31,000.

Van De Water took over in Branch 10 effective May 5 in order to deal with a growing backlog of cases.

Prior to becoming a judge, she was an attorney for the Wisconsin Department of Regulation and Licensing. She also served as a Waukesha County prosecutor and, in 1998, was the Republican Party candidate for attorney general, unsuccessfully challenging Jim Doyle. In 2000, she applied for appointment to the seat held by retiring Judge Joseph Wimmer. Then-Gov. Tommy Thompson chose Michael O. Bohren for that seat.

**Wood County Circuit Court, Branch 3  
Edward F. Zappen Jr.**

Judge Edward F. Zappen Jr., on the bench in Wisconsin Rapids for 18 years, won a fourth term in April, defeating challenger John P. Henkelmann, a Wood County assistant district attorney.

Zappen was born in Oklahoma City but is a lifelong resident of Wood County. He worked in private practice for six years prior to taking the bench in 1985, and also served as Wood County district attorney for three years in the 1970s. He retired from the U.S. Air Force Reserves in 1989 as a lieutenant colonel.

Zappen has been active in court administration, serving on the Consolidated Court Automation Programs (CCAP) Functions Committee and the Jury Instructions Committee. He also has served as an associate dean of the Wisconsin Judicial College. ■



Judge Edward F. Zappen Jr.

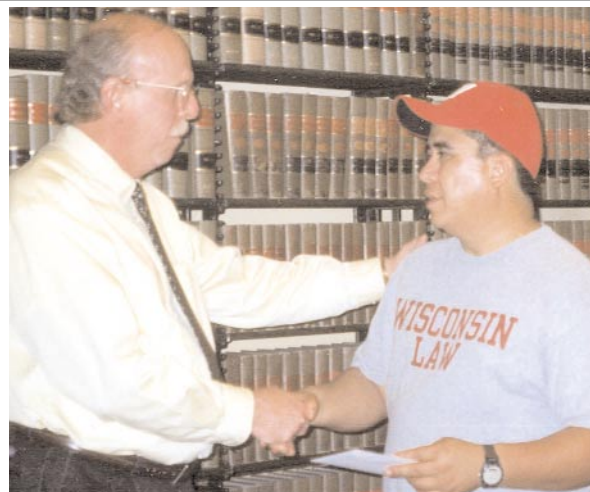
**PEOPLE** *continued from page 17*

remodel the second floor of the City-County Building for a new juvenile detention facility after the courts move into the new courthouse slated for completion in late 2004.

Nowakowski told *The Capital Times* that the current juvenile detention facility is so small that segregating kids by age, gender, or type of offense is nearly impossible. There also is little space for tutoring and recreation. But while a larger facility will be an improvement, Nowakowski expressed concern about the fact that it will be two blocks away from the new courthouse. "The detention facility needs to be in or adjacent to the courthouse," he said. "As soon as you move it away at all, you get into transporting the kids, creating a huge operating expense."

Monroe County also is in the process of planning a new justice center and the Monroe County Property and Purchasing Committee is discussing the final design. **Patrick Brummond**, District Seven court administrator, is providing technical assistance to help ensure that the two courtrooms are workable. *The Tomah Journal* reported that the committee is currently considering a three-level justice center with 132-bed jail component.

*The Leader-Telegram* (Eau Claire) highlighted a new program in Dunn County that helps to match offenders with community service projects. When a judge orders community service, the offender must report to the Dunn County Jail to sign up for work;



Christopher Ochoa, who served 12 years in a Texas prison for a murder he did not commit, recently accepted a donation of \$664.00 toward his law school expenses from Chief Judge Michael N. Nowakowski. The judges attending the 2003 Criminal Law Institute were so moved after hearing Ochoa's story that they collectively contributed the money at the institute. Staff Atty. Colleen Kennedy was instrumental in the collection. Ochoa, who will begin law school in the fall at the University of Wisconsin, hopes to work on the Wisconsin Innocence Project, the law school program that helped to free him.

s/he is then matched with a project from one of the 25 local organizations that have requested workers. Circuit Court Judges **Rod W. Smeltzer** and **William C. Stewart Jr.** have ordered offenders to complete approximately 140 hours of community service since Jan. 1, and Stewart told the newspaper that he expects to see more requests for community service as the District Attorney's Office and defense counsel recognize it as a viable component of a sentence. ■



'Mission creep,' pro se litigation, and interpreters are a few of the topics Chief Judge **Michael J. Skwierawski** discussed with host Dave Melnick during a May 26 appearance on WTMJ-AM Radio. Skwierawski, who will retire this summer, shared observations from his 25 years on the bench in Milwaukee County. Joining Skwierawski was Judge **Richard J. Sankovitz**, who has served on the bench for seven years. The judges also touched on the effects of television in court and the public's changing views on crime and punishment.

**Chief Justice**  
Shirley S. Abrahamson

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**Sesquicentennial** *continued from page 16*

K. Ballman and Deputy Attorney General Mary Burke organized the event.

Moderator Colleen D. Ball, a Milwaukee appellate lawyer, kept the pace fast and lively, restricting each speaker to 15 minutes. All nine presentations won accolades from the audience, but perhaps the best received was Judge Maxine A. White's presentation on the changing face of the legal profession. The full list of presentations is as follows:

**Independence and Integrity: Arms in the Capitol to Deficits in the Budget**  
*Chief Justice Shirley S. Abrahamson*

**The Court's Past, Our Future**  
*Justice Ann Walsh Bradley*

**The Death Penalty in Wisconsin**  
*Atty. Dean A. Strang, Federal Defender Services of Eastern Wisconsin Inc., Milwaukee*

**Raising the Bar: If It's So Good, Why Need It Be Mandatory?**  
*Atty. Patricia Kling Ballman, State Bar president*

**The Changing Face of the Legal Profession**  
*Judge Maxine Aldridge White, Milwaukee County Circuit Court*

**Individual Liberties and the 1917 Espionage Act**  
*Atty. Joseph A. Ranney III*

**Creating the Court of Appeals**  
*Judge Harry G. Snyder, Wisconsin Court of Appeals, Waukesha*

**Order in the Court: How the Court of Appeals Makes Sense of Recurring Issues**  
*Judge Richard S. Brown, Wisconsin Court of Appeals, Waukesha*

**Navigating Uncharted Waters: How the Court of Appeals Changed Appellate Practice**  
*Chief Judge Thomas Cane, Wisconsin Court of Appeals, Wausau*

**Reenactment of Chief Oshkosh trial planned for summer**

The trial of Chief Oshkosh, believed to have taken place in June 1830 and depicted in one of four murals that hang in the Supreme Court Hearing Room, will be reenacted in August or September near Green Bay.

The reenactment will take place at Heritage Hill State Park, the site of the log cabin where Chief Oshkosh of the Menominee Tribe was tried for homicide. Oshkosh had killed a member of another tribe to avenge the death of a Menominee, who was killed in a hunting accident. Judge James Duane Doty applied the tribal law, under which Oshkosh's action was not a crime, and acquitted him. The men became lifelong friends.

Members of the Menominee Tribe are working with Atty. Bob Flatley, a member of the Heritage Hill Board of Directors, and with the Wisconsin Legal History Committee to organize at least one, and possibly several, reenactments. Planners have gathered original documents from the case and are contacting descendants of Oshkosh and Doty to invite them. ■

For more information, contact Interim Director of State Courts John Voelker at (608) 266-6828 or e-mail john.voelker@courts.state.wi.us.

