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## Double cut to state courts' budget remains, in part

By Deborah Brescoll, Budget and Policy Officer

Gov. Scott Walker signed 2013 Wisconsin Act 20, the new state budget, into law on June 30. Of primary concern to the court system was the continuation into the 2013-15 biennium of a \$17 million lapse requirement, including \$10.3 million that resulted from increased state employee contributions to retirement and health insurance. Since the budget bill removed these fringe benefit savings from court budgets, the Supreme Court requested that \$10.3 million of the lapse requirement be deleted. The Governor denied the request, but after months of consistent communications efforts by the Director of State Courts Office, justices, judges, clerks of court and other court staff, the Joint Finance Committee reduced the \$17 million court system lapse by \$5.15 million, half the amount requested. The Director's Office is examining options for meeting the now-\$11.8 million lapse, and will keep judges, court system partners and court staff informed about how the lapse will be managed.

Other provisions affecting the courts in Act 20 include:

- **DNA collection at arrest:** The Committee made a variety of changes to the Governor's DNA collection-at-arrest proposal, including deleting DNA collection at arrest for certain alleged misdemeanors. Also, DNA samples collected at arrest for alleged felonies cannot be analyzed unless (1) the arrest was made pursuant to a warrant, (2) the person failed to appear or waived a preliminary examination, or (3) there was a judicial finding of probable cause. The court will be required to notify law enforcement agencies of these court actions so DNA analysis could proceed.
- **TAD funding:** An additional \$1 million annually is provided to the Treatment Alternatives and Diversion (TAD) program to provide grants to counties for programs that provide alternatives to prosecution and incarceration, nearly doubling funding for the program.
- **Drug court grants:** Funding of \$500,000 per year is provided for drug court grants to counties that do not currently have a drug court program.
- **Juvenile detention:** The courts are authorized to place adjudicated delinquents at a juvenile detention facility, juvenile portion of a county jail or place of non-secure

custody for up to 365 days. The previous limit was 180 days.

- **Product liability:** The law was modified to narrow and limit the application of the risk contribution theory of liability, to apply to actions or special proceedings pending on or commenced after the effective date of the bill.

Two provisions of particular interest to the court system were not included in the budget act:

- **Bail bond agents:** The Governor vetoed this controversial provision. The courts had actively opposed bail bondsmen, with the Committee of Chief Judges, the Wisconsin Clerks of Circuit Court Association and the Director of State Courts Office submitting letters to the Governor requesting a veto. In addition, several judges – most notably Chief Judge Jeffrey Kremers, Milwaukee County Circuit Court – served as media contacts on this issue. The Joint Finance Committee had inserted the provision to authorize licensed bail bond agents and agencies to act as sureties in actions brought in Dane, Kenosha, Milwaukee, Racine and Waukesha counties. Under the provision, the program would have gone statewide in five years. Bail recovery agents would also have been authorized to operate in Wisconsin. Detailed reporting requirements would have been placed on clerks of circuit court, and the Director of State Courts would have been required in four years to submit a report to the Legislature summarizing the clerks' reports.
- **Crime prevention funding boards:** The Governor also vetoed this provision, which would have created a \$20 local crime prevention surcharge, and required every county to create a Crime Prevention Funding Board to distribute grants funded with surcharge revenues to organizations and law enforcement agencies for crime prevention purposes.

A detailed summary of Act 20 was distributed to justices and judges, clerks of court and court staff on July 2, the effective date of the new budget. The bulletin is available to court system employees on Courtnet. ■

## Spring election: Three incumbent judges lose seats

Longtime judge and two recent appointees of Gov. Scott Walker lost their seats on April 2, while other appointees successfully fended off challenges. Meanwhile, four fortunate new candidates faced no opposition at all (*see story on page 6*). Here's the rundown from April's contested races:

### Wisconsin Supreme Court

It's old news by now that Justice Patience Drake Roggensack handily won her bid for re-election to the state Supreme Court. She defeated Marquette University Law School Prof. Ed Fallone by a wide margin.

Roggensack holds the distinction of being the first – and

*see Election on page 4*



## Director's column: Lessons from baseball are useful in budget season

By A. John Voelker, Director of State Courts

I have been fortunate to watch a fair number of my sons' baseball games, and I like to think I know a little bit about the game. There are lessons from the game of baseball that can keep us grounded as we work through life's challenges. I recently read an article on this topic



A. John Voelker

entitled the *Nine Principles of Baseball and Life*. The article is an excerpt from a book (*"The Philosophy of Baseball: How to Play the Game of Life"*) by Raymond Angelo Belliotti, a distinguished professor and chair of philosophy at the State University of New York at Fredonia.

Here is an abbreviated description of those lessons:

- **No excuses** - Don't blame others for your performance.
- **Play with honor** - Always hustle, run out after every ground ball and pop up, encourage your teammates, carry yourself with pride and dignity.
- **Be relentless** - Never yield.
- **Slay your own demons, then slay the dragons** - Ignore things outside your control. Don't throw equipment or whine in anger or slump your shoulders.
- **Take responsibility for those things under your control** - Your effort, your attitude, your commitment, and your approach to the game are under your control.
- **Play the game one pitch at a time** - Focus on the current pitch.
- **Focus on behavior, not outcomes** - The results of your performance are not fully under your control.
- **The best players are the best learners** - Players who are coachable are always trying to learn more about being successful ballplayers and people.
- **Be a joyous warrior** - Be enthusiastic, positive, give 100 percent. The joyous warrior exemplifies the slogan "No Retreat & No Surrender." Win with humility, lose with dignity.

As I reflect on our collective efforts during the budget process, I think we followed many of these principles.

- We didn't blame others for the unprecedented cut, and we attempted to address it using sound analysis. Our analysis was supported by the Legislative Fiscal Bureau.
- We hustled, and we played with honor. Each committee member, plus other influential legislators, was contacted by justices, judges, and other justice

system partners about the unprecedented cut. We provided additional information as promised. We lived up to our word.

- We didn't yield. When pressed about the need for the full restoration of the \$10.3 million, we gave an honest answer that never changed: It is all needed to effectively run the branch of government.
- While it's hard not to focus on outcomes, we kept our eyes on the current pitch. As different issues were identified, we developed talking points to address them and provided them to legislators and the judges who were active in communicating with committee members.
- In the end, we recognized and understood the basic truth that we simply could not control the process.

Despite our efforts and the fact that the Legislative Fiscal Bureau confirmed that AB 40 cut the same amount twice, the Joint Committee on Finance only restored half of the double-cut. As a result, AB 40 includes a lapse from the court system of \$11.8 million. The action of the committee was disappointing. We are assessing possible next steps.

In the meantime, let's focus on what we did right: Over the past couple of months, the court system benefitted from a number of individuals taking the time to express concern about the magnitude of the cut the court system was being asked to take. I especially appreciate the time numerous judges and county officials took to call committee members and legislative leaders. Based on the feedback we were all getting, it appeared that we had done a good job of communicating what the cut would do to the operation of courts. In fact, the morning of the committee meeting, we understood a number of committee members would support the restoration of the double-cut amount. In the end, our lapse issue wasn't discussed at any length by the committee and the votes didn't happen as we had hoped. We lost the game.

As tempting as it might be to whine with anger or slump my shoulders in light of the difficult budget situation, I keep the nine principles on my desk to remind me to keep a positive



attitude and appreciate the opportunity I have to administer a branch of government that has some of the finest public servants I have met. We may not win every game, but our team is strong and committed, and we'll continue to move forward together. ■

## NEW FACES

### Governor appoints judges in Eau Claire, Jefferson, Marathon, Milwaukee

Gov. Scott Walker appointed four judges this spring to fill vacancies in Eau Claire, Jefferson, Marathon and Milwaukee counties.

#### Eau Claire County Circuit Court, Branch 1

Atty. Kristina M. Bourget was appointed to the Eau Claire County Circuit Court, where she will serve beginning July 25. She succeeds Judge Lisa K. Stark, who was elected without opposition to the District III Court of Appeals to replace longtime Judge Gregory A. Peterson.

Bourget has worked in private practice since her 1991 graduation from UW Law School. Her career has focused on intellectual property law, general corporate matters, public utility issues, litigation, employment and labor and real estate.

Bourget also served as the commissioner for the City of Eau Claire Police and Fire Commission, and on the Board of Directors of the Friends of Sacred Heart Hospital.



Judge Kristina M. Bourget

#### Jefferson County Circuit Court, Branch 3



Judge David J. Wambach

Assistant Atty. General David J. Wambach was appointed to the Jefferson County Circuit Court to succeed Judge Jacqueline R. Erwin, who retired last January (see *The Third Branch winter 2013*).

Wambach has served as assistant attorney general for the Criminal Litigation Unit since 2008. He previously served as district attorney for Jefferson County, and as an assistant district attorney for Jefferson and Wood

counties.

Wambach, who has been recognized three times as 'Prosecutor of the Year,' received his bachelor's degree from UW-La Crosse and his law degree from Marquette University Law School.

#### Marathon County Circuit Court, Branch 3

In Marathon County, Assistant District Atty. LaMont Jacobson will fill the vacancy created when Judge Vincent K. Howard retired last February (see *The Third Branch fall 2012*).

Since January 1989, Jacobson has worked as assistant district attorney for Marathon County. He previously served as assistant district attorney in Dunn County, district attorney for Vernon County and family court commissioner for Vernon County. He is a graduate of the University of Minnesota Law School.



Judge LaMont Jacobson

#### Milwaukee County Circuit Court, Branch 7

In Milwaukee County, Tax Appeals Commissioner



Judge Thomas J. McAdams

Thomas J. McAdams was selected in late March to succeed Judge Jean W. DiMotto, who retired effective May 17 after 16 years on the bench (see *separate story, page 15*). McAdams was a finalist for another opening on the Milwaukee County Circuit Court in 2011, but lost out to Nelson Phillips. Phillips lost his subsequent bid for election to the post.

McAdams was appointed to the Tax Appeals Commission by then-Gov. Jim Doyle in 2008. Prior to this, he spent 20 years as an assistant district attorney in Milwaukee County. He also worked for a brief time in private practice. McAdams is a graduate of the UW Law School. ■

## Bills address judicial elections, ethics

By Nancy Rottier, Legislative Liaison

Rep. Gary Hebl (D-Sun Prairie) and Sen. John Lehman (D-Racine) introduced a package of bills this session that deal with judicial elections, ethics, disciplinary actions and recusal. These were developed as part of the 2010 Legislative Council Special Committee on Judicial Discipline and Recusal. The testimony received and materials developed by the study committee are available on the Legislative Council's website at

[www.legis.wisconsin.gov/lc/committees/study/2010/JUDI/index.html](http://www.legis.wisconsin.gov/lc/committees/study/2010/JUDI/index.html)

The legislators introduced six bills and two proposed constitutional amendments. Because Hebl and Lehman are in the minority party, immediate passage of these measures is considered unlikely. The Judicial Conference's Legislative Committee has not yet taken a position on any of these

see **Bills** on page 25



**Election** *continued from front page*

Justice Patience Drake Roggensack

still the only – state Court of Appeals judge ever to serve on Wisconsin’s highest court. She first joined the court in 2003, when she won a race against Judge Edward R. Brunner for the seat vacated by Justice William A. Bablitch.

**Dane County: Challenger beats St. John**

Atty. Rhonda L. Lanford, a personal injury lawyer at Habush,

Habush & Rottier, is Dane County’s newest judge-elect. Lanford beat Judge Rebecca Rapp St. John who was appointed in August 2012 to succeed Judge Sarah B. O’Brien.

Lanford teaches Negotiations and Trial Advocacy at UW Law School, and is co-author of *Wisconsin Civil Procedure Before Trial*, published by the State Bar of Wisconsin. She is a mock trial coach, and has been an active member of the Wisconsin Academy of Trial Lawyers and the James E. Doyle Jr. Inns of Court.

Lanford received her law degree from the UW Law School, where she was editor-in-chief of the Wisconsin Law Review.



Atty. Rhonda L. Lanford

**Sciascia will succeed Bissonnette in Dodge**

Dodge County Family Court Commissioner Joseph G. Sciascia, who handily won a three-way primary, emerged victorious in the April election to succeed Judge Andrew P. Bissonnette. Bissonnette is planning to retire at the end of his term in July (*see The Third Branch, winter 2013*).

Sciascia faced Watertown Atty.

Joseph F. Fischer. Third place in the primary was Beaver Dam Atty. Dawn N. Klockow.

A family court commissioner for nearly 30 years, Sciascia also has served as Juneau city attorney and runs his own law firm in Juneau.

He is a mock trial coach, a former youth hockey coach and a longtime DNR hunter safety instructor.

**Russell unseats Yackel in Lincoln**

Judge John M. Yackel, appointed by Gov. Scott Walker in

2012 to the Lincoln County Circuit Court, lost his bid for election to the post in April. The son of former Judge Norman L. Yackel, he was practicing law in Wausau when he was appointed – and his “outsider” status in Lincoln County became an issue in the campaign.

The winner was Lincoln County Family Court Commissioner Robert R. Russell, a Merrill native who has practiced law for 20 years and currently owns the Russell Law Office, which his father founded 50 years ago.

Supporting Russell was Judge Glenn H. Hartley, whose retirement created the vacancy (*see The Third Branch, spring 2012*).

Russell is active in his community, where he currently serves on the Board of Directors of the Good Samaritan Health Center Foundation. He is also a member of the Merrill Rotary Club and has assisted the Merrill Historical Society with their new building expansion.

A graduate of UW-Madison and Northern Illinois University School of Law, Russell is a widower and lives with his two children in a home built by his great-grandfather.



Atty. Robert R. Russell



Judge John M. Yackel

**Rohrer will replace Willis in Manitowoc**

Manitowoc County District Atty. Mark R. Rohrer won the race to succeed Judge Patrick L. Willis in Manitowoc County Circuit Court by 24 votes out of more than 16,000 cast. Opposing Rohrer was Manitowoc Municipal Judge Steven R. Olson, whose signature on a petition to recall Gov. Scott Walker became an issue in the campaign.

Olson and Rohrer emerged from a four-way primary.

Rohrer has been Manitowoc County’s district attorney for 10 years. Prior to this, he worked in private practice for 11 years at Olson, Winter & Fox, a law firm in Two Rivers. He began his career as a law clerk at the State of Michigan Tax Tribunal.

A graduate of UW-Madison, Rohrer earned his law degree from Thomas H. Cooley Law School in Lansing, Mich.

**Morrison wins full term in Marinette**

Judge James A. Morrison, appointed by Gov. Scott Walker in March 2012 to succeed Judge Tim Duket in Marinette County, won election to a full six-year term in April.

Morrison beat his challenger, District Atty. Allen Brey, by

## Election *continued from page 4*

about 1,000 votes out of 7,000 cast.

Morrison faced a challenge from the moment he was appointed. Although he had practiced law and maintained his law office in Marinette for more than 30 years, and participated actively in the Wisconsin court system and bar, he had lived across the border in Michigan as required by his wife's employment. They moved to Peshtigo following her retirement

shortly before his appointment to the bench.

Morrison is a former chair of the Board of Bar Examiners. He and his wife, Atty. Barbara Morrison, now live in Wisconsin. They have three adult children.



Judge James A. Morrison

## Bult is new judge in Marquette

The new judge in Marquette County – a one-judge county – is Bernard “Ben” Bult, who beat Donna Wissbaum by about 100 votes out of about 3,100 cast. Bult succeeds Judge Richard O. Wright, who served for 18 years prior to his retirement (*see separate story, page 16*).



Atty. Bernard “Ben” Bult

Both Bult and Wissbaum were longtime residents of Marquette County with many years of law practice, but Bult was better known at the courthouse, having served as

corporation counsel, family court commissioner, child support director and director of mediation services.

A graduate of the UW-Stevens Point and Marquette University Law School, Bult is married to Linda Bult. Their blended family includes four children.

## Bradley retains seat in Milwaukee

Judge Rebecca G. Bradley, appointed by Gov. Scott Walker in November 2012 to succeed Judge Thomas P. Donegan, who retired (*see The Third Branch, fall 2012*), retained her seat in April, she fended off a challenge from Atty. Janet Claire Protasiewicz, an assistant prosecutor.

Bradley emerged strong from the three-way primary, winning about 55 percent of



Judge Rebecca G. Bradley

the vote to Protasiewicz's 33 percent. The third-place finisher was Atty. Gil Urfer of Brookfield.

A 1996 UW Law School graduate, Bradley was most recently an attorney in the Milwaukee office of Whyte Hirschboeck Dudek S.C., where she worked in commercial, information technology and intellectual property litigation and transactions.

Her work has been recognized with numerous awards over the years. She was named one of Milwaukee's Leading Lawyers in Business Law, Internet Law and Litigation by *M* magazine in 2012 and she was named a Rising Star attorney by *Milwaukee Magazine* in 2008 and 2010. Bradley was a 2010 recipient of the *Wisconsin Law Journal's* 'Women in the Law' award.

## Wolfgang loses to challenger Voiland

Longtime Judge Thomas R. Wolfgang, who had never before faced a challenge in his 19-year judicial career, lost his bid for re-election in April. Defeating him was Atty. Joseph W. Voiland, a partner in the Milwaukee law firm of Reinhart Boerner Van Deuren.

Voiland was quoted in media accounts as deciding to run against Wolfgang because of concerns about Wolfgang's signing the Walker recall petition.

“I firmly believe in the separation of powers between the legislative, executive and judicial branches of government,” Voiland was quoted as saying. “Judge Wolfgang crossed that line when he signed the recall petition.”

Wolfgang maintained throughout the campaign that his decision to sign the recall petition was not a political comment and had no effect on how he administered his courtroom. In the end, however, voters backed Voiland by a substantial margin.

A former law clerk to Wisconsin Supreme Court Justice Diane S. Sykes (Sykes now serves on the Seventh District Court of Appeals), Voiland focuses his law practice on financial services litigation. He is also a U.S. Navy veteran.

A graduate of Northwestern University and Marquette University Law School, Voiland was his firm's *Pro Bono* Attorney of the Year in 2010. ■



Judge Thomas R. Wolfgang



Atty. Joseph W. Voiland

## Four new judges elected without opposition

The spring election was particularly kind to four new candidates who faced no opposition, including a Milwaukee attorney, two relatively recent appointees and a judge seeking to move from the circuit court to the Court of Appeals.

### Court of Appeals

Judge Mark D. Gundrum, who was appointed to the **District II Court of Appeals** in 2011, won election to a full term on the court. Gundrum is a U.S. Army veteran who served in Iraq and a former member of the Wisconsin State Assembly. He also was elected to the Waukesha County Circuit Court in 2010, and served there until his



Judge Mark D. Gundrum

appointment to the Court of Appeals.

On the **District III Court of Appeals**, Judge Lisa K.



Judge Lisa K. Stark

Stark was elected to replace Judge Gregory A. Peterson, who retired at the end of 2012 after serving nearly 30 years on the bench (see *The Third Branch, fall 2012*).

Stark has been a leader in the judiciary since her election to the Eau Claire County Circuit Court in 2000. She is dean of the Wisconsin Judicial College, presiding judge in the Eau Claire County Drug Court, a member of the PPAC Subcommittee on

Effective Justice Strategies, and more.

### Circuit Court

In **Brown County**, Judge Tammy Jo Hock, who was appointed by Gov. Scott Walker in April 2012, won election to the Branch 3 post one year later.

Hock succeeded Judge Sue Bischel, who retired in

February 2012 (see *The Third Branch*, winter 2012).

A graduate of Marquette University and the UW Law School, Hock had been an assistant U.S. attorney for six years when she was appointed to the bench. Prior to joining the U.S. Attorney's Office, she practiced law for 15 years – including service as an assistant district attorney in Brown County.

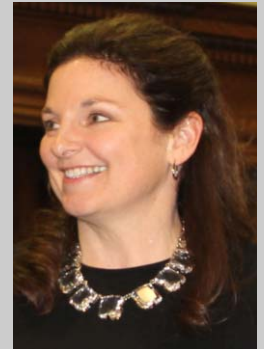
Hock is active in her community, serving as a Girl Scout leader and as a volunteer at Holy Family School.

In **Milwaukee County**, Atty. David C. Swanson was elected to succeed Judge Dominic S. Amato in Branch 11. Amato is retiring when his current term ends in July (see *separate story, page 15*).

Swanson began his career as an intelligence officer in the U.S. Navy. He spent three years aboard an aircraft carrier and served in the Persian Gulf during Operation Desert Shield/Storm.

Upon his honorable discharge from the Navy, Swanson completed law school at the University of Michigan and began practicing at Godfrey & Kahn in Milwaukee. He also worked at Quarles and Brady and at Whyte Hirschboeck Dudek. His practice has focused on tax, tax-exempt organizations and government finance. In 2005, Gov. Jim Doyle appointed Swanson to be a member of the Tax Appeals Commission.

A Fox Valley native, Swanson is married to Tonit Calaway, a senior executive at Harley-Davidson. They have two children and live in the City of Milwaukee. ■



Judge Tammy Jo Hock



Atty. David C. Swanson

## OBITUARIES

### Judge Kennedy passes away in Crandon

Forest/Florence County Circuit Court Judge Robert A. P. Kennedy, who retired from the bench in 2002 after 13 years of traveling between two counties to hear cases, passed away on April 30 in Crandon. He was 81.

When Kennedy stepped down in 2002, his son, Robert A. Kennedy Jr., was elected to succeed him. The younger Kennedy served until 2008.



Judge Robert A. P. Kennedy

Even in his later years, Judge Kennedy Sr. looked like the All-American football player he had been at UW-Madison in the 1950s. He played in the 1953 Rose Bowl and was a teammate of Al Ameche. Kennedy maintained a lifelong interest in athletics. In retirement, he'd planned to coach football and to spend time on his woodworking.

Surviving Kennedy are his wife, Genevieve; his daughter, Elizabeth Geurts; sons Robert (Kathy) Kennedy and Russell (Tracie) Kennedy, eight grandchildren, two great-grandchildren, a sister and other family and friends. The funeral was held May 11. ■



# Numerous bills await action by Legislature

By Nancy Rottier, Legislative Liaison

With a few notable exceptions, the Legislature's focus this spring was the budget bill. But come September, that will change. When legislators re-convene following summer recess, they will consider numerous bills that will affect the work of the courts. Here is a brief summary of a few of the bills we are following. Given the publication deadlines for The Third Branch, the status of each of these bills may not be current. To check status and to access a complete summary of bills of interest, visit CourtNet.

## Criminal Law

### **Assembly Bill 28 – supervised release and discharge of sexually violent persons**

This bill proposes changes to the conditions for release and discharge of individuals committed as sexually violent persons. It was developed in late 2012 by the Joint Legislative Council's Special Committee on Supervised Release and Discharge of Sexually Violent Persons. Circuit court Judges Michael O. Bohren, Waukesha County, and Rebecca F. Dallet, Milwaukee County, were members of the special committee.

Position of Legislative Committee: No position

Primary sponsors: Joint Legislative Council

Current status: The Assembly passed AB 28 on a voice vote May 16. It has been referred to the Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs.

### **Assembly Bill 156 - computer messages/postings that invite harassment or obscene, lewd, or profane communication**

This bill creates new misdemeanors for posting certain computer messages that invite harassment or obscene, lewd or profane communication.

Position of Legislative Committee: No position

Primary sponsors: Sen. Robert Cowles (R-Green Bay) and Rep. Andre Jacque (R-De Pere)

Current status: AB 156 was referred to the Assembly Committee on Criminal Justice on April 15.

### **Assembly Bill 190 and Senate Bill 221 - conditions of pre-trial release for individuals charged with felony sexual assault of a child (These are identical bills introduced in each house – usually referred to as companion bills)**

A high-profile case in Racine County prompted legislators from that area to develop this proposal. It would require a judge to impose the following conditions of release on bail, when a person is charged with first- or second-degree sexual assault of a child, or repeated acts of sexual assault of the same child:

- To avoid the alleged child victim's residence, temporary residence, school or place of employment.
- To avoid contacting, attempting to contact, or causing another person to contact the alleged child victim.
- To not reside within 250 feet of the alleged child victim's residence, or a greater distance if so ordered, and to not reside on a property that is adjacent to the alleged child victim's residence.

Position of Legislative Committee: No position.

Primary sponsors: Rep. Thomas Weatherston (R-Racine) and Sen. Glenn Grothman (R-West Bend)

Current status: AB 190 was amended and unanimously

recommended for passage by the Assembly Committee on Criminal Justice on May 23.

## Civil Law

### **Senate Bill 22 and Assembly Bill 29 – collateral source rule**

These bills would change the rules of evidence to allow the admission of evidence of collateral source payments.

Position of Legislative Committee: No position on bill but asked that initial applicability date be changed.

Primary sponsors: Sen. Paul Farrow (R-Pewaukee) and Rep. Andre Jacque (R-De Pere)

Current status: SB 22 was referred to the Senate Committee on Judiciary and Labor on February 13. AB 29 was referred to the Assembly Committee on Judiciary, which held a public hearing on April 11.

### **Senate Bill 137 and Assembly Bill 139 - duty of physicians to inform patients of treatment options**

These bills would change the current informed consent standard, replacing the reasonable patient standard with a reasonable physician standard. The bills provide that the reasonable physician standard requires disclosure only of information that a reasonable physician in the same or a similar medical specialty would know and disclose under the circumstances. The bill requires the disclosure of reasonable alternate medical modes of treatment, rather than all alternate, viable medical modes of treatment. The bills appear to be partially in response to the Wisconsin Supreme Court's 4-3 decision in *Jandre v. Physicians Ins. Co.*, a medical malpractice case that originated in Fond du Lac County.

Position of Legislative Committee: No position

Primary sponsors: Sen. Glenn Grothman (R-West Bend) and Rep. Jim Ott (R-Mequon)

Current status: SB 137 was referred to the Senate Committee on Judiciary and Labor, which held a public hearing on April 11. AB 139 was amended and passed by the Assembly, by a vote of 65-31, on May 8. It has been referred to the Senate Committee on Judiciary and Labor.

### **Senate Bill 154 and Assembly Bill 161 - injunctions suspending or restraining enforcement or execution of statute**

These bills establish a procedure for filing a "petition for interlocutory review." They include an automatic stay of a judge's order for injunction or a temporary restraining order. These bills make immediately appealable to an appellate court any injunction, restraining order or other order that, upon entry, suspends or restrains the enforcement of any state statute (order). If a petition for interlocutory review is filed within 10 days of the entry of the order, the order is stayed until one of the following occurs: (1) the Court of Appeals or Supreme Court grants the petition for interlocutory review and subsequently orders that the automatic stay be lifted; (2) the Court of Appeals or Supreme Court denies the petition for interlocutory review and simultaneously orders that the automatic stay be lifted or (3) a final and unappealable order disposes of the entire case.

Position of Legislative Committee: Concerns expressed

see *Legislature* on page 8

**Legislature** *continued from page 7*

about separation of powers issues.

Primary sponsors: Sen. Glenn Grothman (R-West Bend) and Rep. David Craig (R-Big Bend)

Current status: SB 154 was referred to the Senate Committee on Judiciary and Labor, which held a public hearing on May 2. AB 161 passed the State Assembly on June 6 by a vote of 57-39; it now has been referred to the Senate Committee on Judiciary and Labor.

**Senate Bill 161 Assembly Bill 176 - TROs/injunctions for domestic abuse, child abuse, individuals at risk and harassment, confidential name change, and ex parte orders with judge substitution**

These bills would create several provisions relating to temporary restraining orders (TROs) and injunctions. They add stalking, or a threat to stalk, to the actions that constitute domestic abuse, and require confidentiality of the victim's address. The victim or victim's parent, stepparent or guardian will not have to pay the compensation of the guardian ad litem. This bill also specifies that, if a person seeks a new hearing, the determination or order made in the original hearing remains in effect until the final determination or order.

Position of Legislative Committee: No position

Primary sponsors: Sen. Jerry Petrowski (R-Marathon) and Rep. Andre Jacque (R-De Pere)

Current status: SB 161 was referred to the Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs on April 25. AB 176 was passed by the Assembly on a voice vote on June 13; it has been referred to the Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs.

**Senate Bill 179 and Assembly Bill 183 - various landlord-tenant changes**

These bills contain numerous changes to landlord-tenant laws and preempt local ordinances that differ from federal or state law. The bills would change several aspects of eviction proceedings to speed up the process. The bills would allow service of an eviction summons and complaint by mail, shorten the return date and the time allowed for a hearing.

Position of Legislative Committee: Concerns to be expressed about the impact on court schedules of the shortened time periods for eviction actions.

Primary sponsors: Sen. Frank Lasee (R-Green Bay) and Rep. Duey Stroebel (R-Saukville)

Current status: SB 179 was referred to the Senate Committee on Insurance and Housing, which held a public hearing on June 5. AB 183 was amended and passed by the Assembly on June 6, by a vote of 57-37. It has now been referred to the Senate Committee on Insurance and Housing.

**Family Law****Senate Bill 68 – termination of maintenance upon the payee's or payer's death and notices relating to maintenance**

This bill would provide additional circumstances under which a court could terminate or change maintenance in a family law action. It provides that, unless already terminated for another reason, such as the payee's remarriage or the expiration of a limited time under an order, maintenance terminates upon the death of the payee or the payer, whichever occurs first. This bill is identical to

2011 AB 134, which resulted from a 2010 Legislative Council study committee.

Position of Legislative Committee: Support

Primary sponsors: Sen. Glenn Grothman (R-West Bend) and Rep. Steve Kestell (R-Elkhart Lake)

Current status: SB 68 was passed by the Senate on a voice vote on May 7. It has been referred to the Assembly Committee on Family Law.

**Juvenile Law****Assembly Bill 150 – post-termination of parental rights contact between a child and birth relative of child**

This bill was prepared for the Joint Legislative Council's Special Committee on Permanency for Young Children in the Child Welfare System. It primarily addresses issues related to private adoptions, including posttermination contact agreements, terms of the agreement, approval of the agreement, enforcement of the agreement and modification of the agreement. It also includes several provisions relating to home studies.

Position of Legislative Committee: No position

Primary sponsors: Joint Legislative Council

Current status: AB 150 was referred to the Assembly Committee on Family Law on April 15.

**Assembly Bill 151 - right of parent to have counsel in CHIPS proceedings and elimination of jury trials in TPR cases**

This bill would give parents a right to counsel in CHIPS proceedings, and allow a State Public Defender to be appointed to represent the parents. It would also eliminate the right to a jury trial in TPR cases.

Position of Legislative Committee: No position

Primary sponsors: Joint Legislative Council

Current status: AB 151 was referred to the Assembly Committee on Family Law on April 15.

**Assembly Bill 152 - CHIPS jurisdiction and grounds for involuntary TPR**

This bill makes several proposals relating to grounds for TPR, and also affects the 15-month standard for out-of-home placements that may serve as grounds for a TPR action.

Position of Legislative Committee: No position

Primary sponsors: Joint Legislative Council

Current status: AB 152 was referred to the Assembly Committee on Family Law on April 15

**Probate****Senate Bill 126 - admission of minors for inpatient treatment**

This bill was prepared by the Joint Legislative Council's Special Committee on Review of Emergency Detention and Admission of Minors under Chapter 51, and eliminates and amends several current requirements that appear in Wis. Stat. § 51.13.

Position of Legislative Committee: No position

Primary sponsors: Joint Legislative Council

Current status: SB 126 was referred to the Senate Committee on Health and Human Services on April 3.

**Senate Bill 127 - emergency detention, involuntary commitment, and privileged communications**



## AWARDS

**Crooks recognized for 50-year milestone**

Justice N. Patrick Crooks celebrated 50 years in the practice of law alongside others who were first admitted to the State Bar in 1963 at a May 15 luncheon in Delafield.

Chief Justice Shirley S. Abrahamson was keynote speaker at the event, and recognized a number of 50-year members who were personally present. All told, there are more than 100 Wisconsin-licensed lawyers who were admitted to the practice 50 years ago.

The Chief Justice noted that 1963 was an important and difficult year in the nation's history. She recounted the Rev. Martin Luther King Jr.'s "I Have a Dream" speech, and acknowledged that access to justice remains an issue here in Wisconsin and across the country. She called upon the lawyers in the audience to continue to provide *pro bono* services and to make their voices heard by calling their legislators to talk about funding for civil legal services for low-income people.

On a lighter note, Abrahamson noted that 1963 marked two other milestones: the appearance of the first diet cola (Tab), and her pregnancy with her son, Daniel.

The Chief spoke of Crooks' 19-year career as a Brown County Circuit Court judge, during which he was honored as Judge of the Year, prior to his 1996 election to the Wisconsin Supreme Court.

The State Bar publication *Inside Track* asked Crooks to reflect on the 50-year milestone. He spoke about what led him to the law, including his memories of his father, who, as one of 12 children, did not have the opportunity to realize his own dream of becoming a lawyer.

Crooks did what his father was never able to do, and now five of his six children also have become lawyers. "I think it was sibling rivalry, to be honest with you," he told *Inside Track*.

Crooks worked in private practice in Green Bay prior to running for the circuit court. His interest in improving the juvenile justice system, and his belief that he could have a more profound impact as a judge, led him to seek appointment to the bench in Brown County in 1977.

**DiMotto honored with Lifetime Achievement Award**

On the eve of her retirement from the Milwaukee County Circuit Court (*see separate story, page 15*), Judge Jean W. DiMotto was honored with the *Wisconsin Law Journal's* prestigious Lifetime Achievement Award.

The award was presented June 25 at the Pfister Hotel in downtown Milwaukee. DiMotto will be honored alongside



Photo credit: State Bar of Wisconsin; photographer: Andy Manis

Justice N. Patrick Crooks reacts to Chief Justice Shirley S. Abrahamson's pointing out at the State Bar's celebration of 50-year members that her tenure on the bench beats his by one year (Crooks began his service on the Brown County Circuit Court in 1977; Abrahamson joined the Supreme Court in 1976). Her advice, which left the audience in stitches: "Get over it."

psychiatric nursing gave her a special ability to handle cases involving people with mental illness.

In her 16-year tenure on the bench, DiMotto became known for her warmth and her ability to connect with the lawyers and litigants who appeared before her. She said she enjoyed the challenge of analyzing interesting legal issues, found ways to use humor in her work, and looked for the spiritual aspects of judging.

DiMotto decided this spring to retire from the bench to give herself time to fully recover from a recent surgery.

A number of Wisconsin state court judges have been honored by the *Wisconsin Law Journal* over the years. In the last five years, honorees have included Charles P. Dykman, Wisconsin Court of Appeals; Rebecca G. Bradley and Rebecca F. Dallet, Milwaukee County; Lisa K. Stark, Eau Claire County (now Court of Appeals); Karen L. Seifert, Winnebago County, and Sue E. Bischel, Brown County (now a reserve judge).



Judge Jean W. DiMotto

**Dorow, Grady, Lovejoy are 'Women in the Law' winners**

The *Wisconsin Law Journal* honored a circuit court judge and two court commissioners with its Women in the Law award on June 25 at the Pfister Hotel in Milwaukee.

Judge Jennifer R. Dorow, who was appointed to the bench in Waukesha County in 2011 and elected in 2012, was honored along with Milwaukee County Family Court Commissioner Sandra K. Grady and Douglas County Circuit

26 women who have been named Women in the Law for 2013. Included on that list are Waukesha County Circuit Court Judge Jennifer Dorow, Milwaukee County Family Court Commissioner Sandra Grady and Douglas County Circuit Court Commissioner Rebecca Lovejoy (*see story below*).

DiMotto is unique among Wisconsin judges because she is also a registered nurse. Her background in

see Awards on page 10

**AWARDS** *continued from page 9*

Court Commissioner Rebecca Lovejoy.

The state court honorees are among a diverse group of 26 women selected for the 2013 award. They include UW Law School Dean Margaret Raymond, along with lawyers who serve as in-house counsel and who work at the U.S. Attorney's Office, the state Department of Justice and a number of large and small law firms.



Judge Jennifer R. Dorow

### Kieffer named ABOTA Judge of the Year

The Wisconsin Chapter of the American Board of Trial Advocates (ABOTA) has chosen Waukesha County Circuit Court Judge James R. Kieffer as its Judge of the Year.

The Wisconsin chapter presents the award each year to a member of the Wisconsin judiciary "whose thorough



Judge James R. Kieffer

preparation, breadth of knowledge of the law, decisive rulings and courtesy to litigants, jurors and members of the bar have consistently advanced the interest of justice and the dignity of the judicial process," according to the nominating committee.

Milwaukee Atty. Donald Prachthausser, who nominated Kieffer for the award, wrote: "Judge Kieffer has had a long and distinguished career and is an

outstanding jurist. He is highly intelligent. He is always well prepared to make both the routine and the challenging decisions judges are called upon to make. His temperament is exemplary and not to be overlooked is the fact that he is a very good person who is a wonderful representative of the legal profession."

Kieffer is Waukesha County's senior judge, and one of the longer-serving judges in the state. He was first elected to the bench in Waukesha County in 1985, after having been an assistant district attorney for seven years and working in private practice for two. As chair of the Records Management Committee, Kieffer plays an active role in reviewing new and

existing court forms to ensure they are still legally sufficient, and in overseeing the development of new forms and establishing standards and guidelines for effective

management of court records.

ABOTA was established in 1957 for the primary purpose of preserving the civil jury trial. The organization has presented this award to a Wisconsin judge for the past 19 years. The recipient serves as the judge in a mock trial during the trial seminar ABOTA sponsors annually. Recent years' winners include circuit court Judges James Evenson, Sauk County, Scott R. Needham, St. Croix County, Francis T. Wasielewski, Milwaukee County and Philip M. Kirk, Waupaca County.

### Milwaukee Drug Treatment Court wins UWM award

The Milwaukee County Drug Treatment Court Team was recognized with the 2013 Agency Research Collaboration Award for its work with the UW-Milwaukee School of Social Welfare's Criminal Justice Department.

The awards ceremony took place on May 3 at the UWM Student Union, with Judge Glenn H. Yamahiro accepting the honor on behalf of the drug court team. The award recognizes donors, faculty, staff, students, alumni and external partners like the drug court team for their achievements.

UWM began working with the drug court three years ago, when court leaders approached the school to evaluate court processes and outcomes. Leading the evaluation team was Prof. Michael Fendrich, director of the Center for Addiction and Behavioral Health Research (CABHR) and a professor of social work in the Helen Bader School of Social Welfare. Other CABHR researchers, including Tom LeBel and William Pelfry, conducted a process and an outcome evaluation of the MCDTC program during the period of October 2009 to October 2012. The evaluation provided valuable information, and led to a second three-year evaluation.

The Milwaukee County Drug Treatment Court opened its doors in 2009. The court offers treatment to non-violent adult offenders with drug problems in exchange for entering a guilty plea. The goal is to prevent crime and reduce recidivism.

The drug court team includes representatives of the Milwaukee County Circuit Court, the county's Behavioral Health Division, the district attorney and public defender, the drug court coordinator, case managers and other staff from Justice Point, and staff from the Milwaukee



On behalf of the Milwaukee Drug Court Team, Judge Glenn H. Yamahiro accepts an award from Stan Stojkovic, dean of the Helen Bader School of Social Welfare at UWM. Photo credit: Peter Jakobowski, UWM Photo Services

Police Department, the VA Medical Center and Dryhooch of America.

see **Awards** on page 24



## Chief celebrates milestone

Chief Justice Shirley S. Abrahamson became the longest-serving justice in the history of the Wisconsin Supreme Court in mid-April when she hit the 36 year-seven month-and-four-day mark, passing Justice Orsamus Cole and breaking a record that had stood since 1892.

Since joining the Court, Abrahamson has written an estimated 499 majority opinions, 296 concurrences, 46 concur/dissents, and 405 dissents. Her opinions span 271 volumes of the *Wisconsin Reports*.

Abrahamson was sworn in on Sept. 6, 1976, and her first opinion was released on Oct. 5, 1976, less than a month later. The opinion dealt with a judgment for foreclosure. Her first dissent was issued just two weeks later, on Oct. 19, 1976

Among the many media outlets noting the Chief's milestone was Wausau's *City Pages*, which recounted an exchange the Chief had during the Joint Finance Committee budget hearings with a legislator who asked for her thoughts on reinstating a mandatory retirement age for judges. The newspaper wrote: "Abrahamson's deft response that she hoped lawmakers would 'grandmother' her in if they decided to do that drew chuckles from insiders, who note even those who oppose her don't question [her] toughness, work ethic or intellect."

*The Journal Sentinel* ran a wide-ranging interview with the Chief about her tenure. She talked about how judges often don't know the consequences of their decisions, and recounted a difficult vote in a case that involved a farmer who did not want to sell his land to make way for a nuclear power plant. She voted with a unanimous court requiring the land to be sold and felt "just awful" about it, she recalled. Then one day she was telling the story to a community group to illustrate the 'judge's dilemma' – doing what the law requires even when it's heartbreaking – and an audience member familiar with the case shared with her the rest of the story: the nuclear power plant was never built,



Chief Justice Shirley S. Abrahamson (center) listens as Justice Ann Walsh Bradley offers a toast to honor her record-setting service on the Wisconsin Supreme Court. The celebration followed a public reading of a new play entitled *LAVINIA* about the life of Wisconsin's first woman lawyer, Lavinia Goodell. Those who attended the reading were invited to stay afterward for cake and juice. Taking the part of Goodell – and joining Bradley in toasting the Chief – was celebrated actress Sarah Day (in photo, far right), daughter of the late Chief Justice Roland B. Day.

the price of the land dropped precipitously, and the farmer got his land back and made a nice profit.

"We never know the consequences — really know them — of our decisions," Abrahamson said.

The Chief also discussed the advent of treatment courts that bring together teams, led by the judge, to work on cases. Some of the courts focus on drug treatment, others target drunk driving and still others try to address the many diverse needs presented by combat veterans who find themselves on the wrong side of the law. Today there are at least 57 problem-solving court programs in 38 counties and more in the works.

Abrahamson has encouraged judges across the state to try new approaches to complex criminal justice issues. Under her leadership, Wisconsin has become a national laboratory for the growth of evidence-based practices that can improve public safety and save taxpayer dollars. ■

## New play about Lavinia Goodell unveiled in Madison

A new play by Wisconsin playwright Betty Diamond had its first and only Madison reading on Friday, April 12 in the Supreme Court Hearing Room at the State Capitol. The after-hours event attracted an overflow crowd of 75, many of whom offered thoughtful comments and critiques at a talk-back session following the reading.

Taking the part of Lavinia Goodell was celebrated American Players Theatre actress Sarah Day, who is the daughter of a former Chief Justice of the Wisconsin Supreme Court, Roland Day.

The play, entitled simply *LAVINIA*, tells the life story of Lavinia Goodell, Wisconsin's first woman lawyer. She fought a public battle against the Chief Justice of the Wisconsin Supreme Court, Edward Ryan, for

admission to the bar.

The Wisconsin Humanities Council underwrote development of the script and two public readings. WHC Executive Director Dena Wortzel participated in the Madison event, and had an opportunity to discuss the script with Chief Justice Shirley Abrahamson, Justice Ann Walsh Bradley, the playwright and the eight actors who volunteered their time for the reading.

The play was also read at the Janesville Performing Arts Center in March, just a



Lavinia Goodell

see *Lavinia* on page 15

## First District engages in 'active shooter' training

By Beth Bishop Perrigo, Deputy District Court Administrator

On April 12, security leaders in Milwaukee County gathered to perform an active shooter tabletop exercise. Thirty-nine representatives from the courts, Sheriff's Department, District Attorney's office, Milwaukee County Emergency Management, Milwaukee County Risk Management, County Executive's Office, Milwaukee Police Department and Milwaukee County Facility Management were led through an unannounced scenario which had been devised by a core group from the Security and Facilities Committee.

Lenora Borchardt from EPTEC, Inc., an emergency management consulting firm, led the exercise.

The scenario involved a report of a shooting at a security station in the Milwaukee County Safety Building with a report of an armed gunman running through hallways to the courthouse. The primary purpose of the exercise was to analyze capabilities in on-site management, intelligence information sharing and dissemination, public safety and security response, critical resource and logistics distribution and communications.

"It was a long overdue exercise that simulated real-time situations and required input from those who would be responsible on scene if something similar were to happen," said Chief Judge Jeffrey Kremers. "The exercise required us to concentrate on the roles of all players while making

determinations about additional support such as texting to those in the system which might be needed."

The After Action Report/Improvement Plan has been reviewed by a committee that includes Carl Stenbol, Milwaukee County Emergency Management, Beth Bishop Perrigo, deputy district court administrator, David Budde, investigator, District Attorney's Office, John Zapel, County Executive's Office, Lieutenant Paul Thompson and Lieutenant Tricia Carlson, Milwaukee County Sheriff's Department and Cindy Van Pelt, Milwaukee County Risk Management. This group will develop the top recommendations and report to the Security and Facilities Committee for final action. ■



Chief Judge Jeffrey Kremers, left, and Clerk of Circuit Court John Barrett, center, react to the security scenario developed as part of an 'active shooter' exercise in the Milwaukee County Courthouse.



Officers from the Milwaukee Police Department and Sheriff's Department joined in the group of nearly 40 participants who took part in a tabletop exercise to help prepare for a security crisis.

## Columbia County finds success with 'immersion' safety training

By Susan Raimer, Columbia County Clerk of Circuit Court

This spring, for the first time ever, the Columbia County Administration Building – which houses the courtrooms and court offices – was shut down for several hours to allow all who work in the building to participate in an intensive immersion program on safety and security. In addition to the judges and court staff, participants included the district attorney, child support, treasurer, and many others – about 80 in all.

The highlight of the training was a series of drills conducted under the guidance of local law enforcement. With all the participants in their respective offices, numerous scenarios were enacted, including fire and tornado drills,



Columbia County Emergency Management Director Pat Beghin leads a discussion at the county's first-ever courthouse safety and security training program. The audience included judges and court staff, staff from other offices in the building, and county supervisors.

see **Security** on page 13



# Fourth annual Court Security Conference draws record crowd

By Bonnie MacRitchie, PPAC Policy Analyst

This year's *Court Safety and Security Conference* was the most successful yet with 146 participants representing 51 cities throughout Wisconsin. In addition, 14 participants hailed from other states including Arizona, Colorado, Illinois, Michigan, Nevada, New Mexico, and Oklahoma.

Held on March 5-7 in Appleton, the conference acknowledged the financial struggle many jurisdictions face with its theme, "Effective Strategies to Maintain Court Security Without Increasing Costs." Presenters emphasized the use of best practices and strategies for court security operations.

Overall, attendees rated the conference highly on evaluations. A majority of conference attendees felt they would be able to utilize the information provided in their work with the 3-6 months following the conference and 96 percent of the attendees felt the instructor(s) demonstrated expert knowledge of the training topics.

Captain Shawn Firestine of the Crawford County, Ark., Sheriff's Office provided one of the most dynamic plenary sessions of the conference, giving a firsthand account of his

response to an armed assailant who terrorized his county's courthouse. Firestine provided a play-by-play of the incident complete with video. He took the audience from the moment the shooter entered the courthouse with two handguns and an assault rifle (to confront one of the county's judges) to the gunman's shootout with police and his eventual demise. Although the judge was not hurt, his judicial assistant was shot in the leg as she tried to flee.

Other conference sessions focused on the nuts-and-bolts of improving courthouse safety. They included: "Courtroom Safety Fundamentals," "10 Ways to Cost Effective Court Security," and "Critical Incident Planning." Overall, the conference agenda included 17 speakers presenting seven plenary sessions and nine workshop sessions.

*The 2014 conference will be held on March 4-6 at the Radisson Paper Valley Hotel in Appleton, Wisconsin. Visit [www.fvtc.edu/CSS](http://www.fvtc.edu/CSS) for more information as it becomes available.*

## Security *continued from page 12*

and gunshots fired within the building, which would require action by the staff to protect themselves and the public.

Members of the County Security Committee evaluated what was done right and what needed improvement.

Leading up to these drills was a basic review of natural and manmade safety/security situations that would require action by the staff. The county's written Emergency Plan was revised and distributed by the Emergency Management team, and the highlights were discussed at a general assembly. Following that, the medical examiner demonstrated the handling of situations involving accidents and injuries. Then a presentation on the location, use, and care of fire extinguishers, fire alarms, and phone system alerts was conducted.

This immersion program on courthouse safety capped a two-year intensive effort to focus on making the Administration Building more secure. The effort picked up steam in 2011, when Judge W. Andrew Voigt took office in Branch 2 of the Columbia County Circuit Court. One of his goals, which the other two judges share, has been to improve the

safety and security of the courts.

Judge Voigt and I attended the statewide Courthouse Safety and Security Conference in Appleton in 2012; by 2013, we were joined at the conference by a county board supervisor and two sheriff's deputies. The county security committee meetings were then jump-started, and we successfully raised awareness of the security strengths and weaknesses of the Administration Building. As a result of the committee's discussions, the Columbia County Board approved closing the administration building and county annex for the morning of March 29 so that the safety and security training could be held.

Judge Voigt presented a re-cap of the training session to the County Board, and it is anticipated that the county will do at least one or more annual expanded trainings.

County employees gave the training session high marks. One individual wrote: "Practice makes perfect. I hope someday my reaction is purely automatic." Another had this to say: "It was the best training that has ever been offered. I felt like my personal safety was important to my employer." ■

## How we did it

At the statewide conference, the repeated message was that improving courthouse safety requires us to prepare, practice, discuss, and prepare some more. The preparation can be the most difficult.

Closing the courthouse to the public for a morning is just as tricky as it sounds – and we considered many other options first. The security committee looked at doing multiple small group trainings so that we would not inconvenience the public, and looked at a Saturday program but did not want to burden the staff.

We finally picked a half day about six months in advance, received approval from the full County Board, and then planned accordingly. We did not schedule court that morning. We notified the public in advance through radio and newspaper announcements, and by posting signs. We re-opened at noon, and I didn't hear that we received any negative input from the public.

One final note: Judge Voigt and the emergency management director met with our local newspaper reporter prior to the training, setting specific broad guidelines about her reporting of the training to ensure that shortcomings in security would not be publicized. She was permitted to cover the entire training, and abided by the agreement. ■

- Susan Raimer

## WISCONSIN CONNECTS

### Bayfield, Trempealeau teams learn 'Smart Sentencing'

Circuit Court Judges John P. Anderson, Bayfield County, and John A. Damon, Trempealeau County, traveled to New Orleans in April with local prosecutors, public defenders and probation officers for a "Smarter Sentencing Training Session," a companion to sessions

see **Connects** on page 24



Circuit Court Judges John P. Anderson, Bayfield County (far left) and John A. Damon, Trempealeau County (second row, center) joined teams from their respective counties at a Smarter Sentencing Training Session in New Orleans in April. Participants included local district attorneys, public defenders and probation officers.

## UW partnership gives students a new opportunity to work in court system

When UW-Madison Professor Ryan Owens reviewed internship opportunities for undergraduates in the Political Science Department, he noticed something interesting: students enjoyed opportunities to acquire hands-on experience in the Legislature and in executive branch agencies, but not in the judicial branch. He contacted Director of State Courts A. John Voelker, and the two of them soon piloted a new judicial internship program.

The Judicial Branch Internship Program launched this spring, and placed a select group of students in the Director's Office.

"I had two goals for this class," Owens said. "First, I wanted to place some of our top-tier students in a position where they could learn how the state Supreme Court operates in an interdependent environment—to teach them how law and policymaking work in practice.

Second, I wanted the state courts to benefit from them. Our top political science and legal studies students are among the best in the country, and I wanted the courts to profit from their efforts."

Owens said it remains important for the university to continue to give back to the state and to the state government that supports it. He plans to continue the program, as long as the Director's Office is able to host interns, every fall semester.

During the course of the semester, the students worked on projects focusing on jury management, job classifications and legislative analysis. Here is a brief overview of the work they performed:

### Jury Management

Two Court Operations interns, Lisa Vang and Sara Hilt, worked on projects related to jury management. Vang explored jury source lists, researching the source lists used in other states to help

Wisconsin improve its process.

Hilt researched the one-step versus two-step jury summons process, examining models from other states to determine the most cost efficient and effective way to summons jurors in Wisconsin.

Director of State Courts A. John Voelker noted that court staff were deeply involved in the projects. "Jacob Wilson, who serves as Court Operations' jury specialist, acted as a great resource to the interns, providing research materials, answering questions, and accompanying the interns on several courthouse visits so they could view jury operations firsthand," he said. "Both interns produced helpful research papers that showed Wisconsin is doing a terrific job with jury management."

### Job Classification

In the Office of Management Services, Intern Jim Conlin worked with Human Resources Officer Margaret Brady and Human Resources Assistant Lisa Wesley on a project focused on classification and compensation. Conlin reviewed the court system's current job title summary documents to confirm that the documents accurately reflected court system job classifications. This required him to meet with employees and managers to gather additional information for his analysis, which he then used to recommend updates to current job title summary documents. Jim also identified job classifications that may need to be considered for future reclassification or restructuring.

### Tracking bills

Nancy Rottier, the court system's legislative liaison, supervised Intern Donya Khadem. Khadem assisted Rottier in tracking legislation identified as having an impact on the court system and in updating summaries with the most current status of pending bills. Besides learning the procedural aspects of the legislative process, Khadem also attended several legislative hearings and meetings.

"For her project, Donya researched and wrote an excellent paper on whether Wisconsin should eliminate jury trials in termination-of-parental-rights cases," Rottier said, adding that there is legislation pending (AB 152) in the state Assembly on this controversial topic. ■



Prof. Ryan Owens

## RETIREMENTS

**Longtime Milwaukee judge will focus on charity work in retirement**

Judge Dominic S. Amato, the long-serving Milwaukee County Circuit Court judge whom the *Milwaukee Journal Sentinel* once dubbed “quixotic and sometimes controversial,” will retire when his term ends on July 31. In retirement, he hopes to work with charities that serve the poor.

Amato’s retirement cleared the way for Atty. David C. Swanson, who had announced that he would challenge the veteran judge. Swanson was elected without opposition (*see separate story, page 6*).



Judge Dominic S. Amato

In 2000, Amato was in the national spotlight when he presided over a case brought by the widows of three ironworkers against Mitsubishi Heavy Industries. The workers were killed at Miller Park when a crane known as Big Blue collapsed in high winds. The \$100 million damages award still stands as the largest award of its kind in state history.

Amato was considered a ‘tough-on-crime’ judge, and his stiff sentences led to frequent substitution requests in felony court. In misdemeanor court, his refusal to accept plea bargains he considered too lenient made him a target of criticism.

In spite of the controversies he sometimes sparked, Amato’s work in family court drew praise from many sides. Amato told the *Milwaukee Journal Sentinel* that he hated to leave family court at the end of his rotation because he valued the opportunity to try to save kids. He made a point of listening to children in court, and once presided in a case involving three children who wrote to the court that they wanted to “divorce” their dad after years of abuse.

Amato’s career on the bench spanned 25 years. Characteristically low-profile, he declined to conduct an interview about his career but said, “Just tell everybody that

I love them and wish them all the best.”

**Judge DiMotto: ‘I feel confident and satisfied that I have done many good things’**

When Judge Jean W. DiMotto first joined the Milwaukee County Circuit Court 16 years ago, her election stirred interest for a couple of reasons. First, she had built a career as a psychiatric nurse, and hoped to use that knowledge on the bench and to share it with fellow judges in judicial education seminars (she did both); and second, she was married to a longtime Milwaukee County Circuit Court judge, John J. DiMotto.

Over the years, DiMotto said, she and her husband served as “helpful listeners” for one another in a job that can, at times, feel very solitary. She also took great pleasure in the people who came through the doors of her courtroom every day.

“I loved connecting with the attorneys and the litigants,” she said. “I liked maturing in the position as a judge and as a person, and becoming a role model for attorneys. I liked being able to use my psychiatric nursing knowledge and skills on the bench [and] the challenge of analyzing interesting legal issues.”

DiMotto also liked using humor in her work, when that was possible, and finding a spiritual aspect to judging.

She recalled one memorable and difficult case in particular that drew on all of her courtroom skills. It was a week-long jury trial involving a storefront minister accused of killing a young boy by suffocating him during an exorcism. The trial was covered gavel-to-gavel on Court TV, which also produced ‘sidebar’ stories on DiMotto and her career as a nurse.



Judge Jean W. DiMotto

see **Retirements** on page 16

**Lavinia**

*continued from page 11*

stone’s throw from the spot where Lavinia Goodell once practiced law. Organizers planned for an audience of 30 in Janesville, and were delighted that 100 people turned out. Public readings and ‘talk-back’ sessions are important to the script-development process. ■



Chief Justice Shirley S. Abrahamson warms up the crowd prior to the only Madison reading of a new play about the life of Lavinia Goodell, the state’s first woman lawyer. An important part of the script-development process, the reading attracted a standing-room-only crowd.



**RETIREMENTS** *continued from page 15*

DiMotto found much satisfaction in the job, but there were also challenges. Among them: the need to sit and listen to “dozens, sometimes hundreds, of people” each day, which many judges find exhausting; the deteriorating court facilities; and the public’s sometimes skewed sense (thanks to Judge Judy and similar shows) of appropriate courtroom decorum.

“The courthouse complex became dirtier, with one of the four official entrances being through a filthy, dark, dank, noisy underground parking lot,” she said. “It wears on one’s morale. We lost ground over my 16 years in respect for the courts and judges. This trended with the general societal eroding of respect for all authority and the one-time proliferation of ‘judge’ shows on TV.”

DiMotto received the *Wisconsin Law Journal* ‘Lifetime Achievement Award’ in June, soon after she stepped down from the bench (*see separate story, page 9*). She made the decision to retire after learning that she would need a lengthy period to recover from surgery to repair an incision from her successful cancer treatment.

In retirement, DiMotto plans to write (she has a writer’s website at [www.jeandimotto.com](http://www.jeandimotto.com)), read, cook more, and perhaps take some online courses.

“The world is my oyster,” she said, “and I can’t wait to fully indulge in it.”

Succeeding DiMotto is Judge Thomas McAdams, whom Gov. Scott Walker appointed to the post (*see separate story, page 3*).

**Barron County judge settles in New Mexico**

After watching 17 inches of snow fall one day in early spring, Barron County Circuit Court Judge Timothy M. Doyle started to plan in earnest for his move to New Mexico.

“We’re building a house in the mountains,” Doyle said. “It’ll be at a pretty high elevation, so it won’t ever get real hot there. But there’s quite a bit more sunshine there than in Northern Wisconsin.”

That weather will complement Doyle’s favorite hobbies, including bird hunting and other shotgun sports.

“It’s the perfect hobby,” he said, “because you get to make a loud noise and break stuff.”

Elected in 2008 after his 2007 appointment by then-Gov. Jim Doyle to replace longtime Barron County Circuit Court Judge Edward R. Brunner, Doyle brought with him 33 years’ experience in private practice. Still, he found judging to be a challenge, and said he would miss the intellectual aspects of the job and the people who work in the courthouse.

“These are all people’s lives that you’re dealing with, and it’s always interesting and a challenge to try to find the



Judge Timothy M. Doyle

correct solution to the many problems that are brought in here.”

Doyle stepped down effective June 30. Gov. Scott Walker will appoint a successor, for whom Doyle offers some advice:

“Keep your sense of humor and always treat everyone who comes into the courtroom with respect,” he said. “Then everything should go fine.”

**Longtime Marquette County judge brought diverse experience to the bench**

After 18 years on the bench in a one-judge county, Marquette County Circuit Court Judge Richard O. Wright decided to retire when his term ends in July. Succeeding him will be Bernard “Ben” Bult, who won the contested election in April (*see separate story, page 5*).

Like many judges, Wright took special pleasure in presiding over large civil disputes that featured talented lawyers on both sides. One case that stands out for him was a 2000 matter in which two towns in Door County opposed the development of a Perrier water-bottling plant.

“I issued a decision from the bench and everybody went out of the courtroom thinking they had won it,” Wright recalled.

Wright cites his diverse professional background as having prepared him well for the job of judging. That background includes military service and a stint as Legal Center director for an advocacy group.

“I also found that being a farm boy and, way back, working construction when I was a kid was also helpful when I was on the bench,” he said.

Wright involved himself in politics while a student at UW-Madison and, in the early 1970s, conducted research for a book published for the Federal Bureau of Investigation entitled, *Whose FBI?*

“In those years it was controversial what the focus of the FBI should be,” Wright recalled. “I did the book on it. It was required reading for FBI agents at one time.”

Wright, who hopes to keep a hand in the profession as a reserve judge, said being a judge has been rewarding and, at times, surprising.

“Before I started as a judge, I was wondering how I was going to keep myself awake in the courtroom during some of the stuff, but it’s been no problem,” he said. “There aren’t many dull moments in the courtroom.” ■



Judge Richard O. Wright



## Zaa-gi-bag-aa Wellness Court unveiled

A new state-tribal Wellness Court Initiative between the Vilas County Circuit Court and the Lac du Flambeau Tribal Court received its name - Zaa-gi-bag-aa - in a traditional Ojibwa naming ceremony held in Lac du Flambeau on May 22. The court planned to start accepting participants in June.

Tribal spiritual leader Leon Valliere was given a gift of tobacco from a member of the court team several weeks before the ceremony and asked to provide a name for the court. After purifying the room by burning sage, Valliere continued the ceremony by speaking in Ojibwa for a number of minutes before revealing the name Zaa-gi-bag-aa, which roughly translates as 'budding green leaf.' Valliere compared those suffering from addiction to a bare winter's branch: to all appearances dead, but always retaining the capacity to regain vibrancy and life.

Vilas County Circuit Court Judge Neal A. "Chip" Nielsen III and Tribal Court Judges Garold Smith and Shannon Cobe signed a Joint Powers Agreement and exchanged state and tribal flags to display in each other's courts to symbolize the joint commitment that Zaa-gi-bag-aa represents. The ceremony was followed by a feast of venison, walleye, wild rice and fry bread.

Attending the ceremony were members of the Lac du Flambeau Tribal Council and the Vilas County Board of Supervisors, Chief Judge Eugene Whitefish of the Forest County Pottowatomi Tribal Court, Chief Judge Marianne



Photo credit: Eric A. Johnson, FYI Northwoods News

Participants in a ceremony to name a new state-tribal Wellness Court Initiative in Lac du Flambeau performed traditional drum songs. The name, announced at the ceremony, is Zaa-gi-bag-aa - which roughly translates to 'budding green leaf.'

Higgins of the Stockbridge-Munsee Mohican Tribal Court, former Vilas Circuit Judge and Lac Court Oreilles Tribal Judge James Mohr, and former Lac du Flambeau Tribal Court Judges Ernest St. Germaine and Alice Soulier, among other community leaders.

Zaa-gi-bag-aa Wellness Court team members have been planning the court for more than a year, attended formal team training in Arizona through a NDCI/BJA grant in March, and have been working to finalize documentation and details to implement the court.

"I'm very excited for this project," Nielsen said. "I'm confident in our team and in our concept, which is to hold participants accountable not only to the circuit court, but also to their own tribal court and to their community. Treatment will be coordinated through Lac du Flambeau's existing facilities and will have a strong cultural component as part of the wrap-around services of the court. I know we are going to change lives in a very positive way." ■

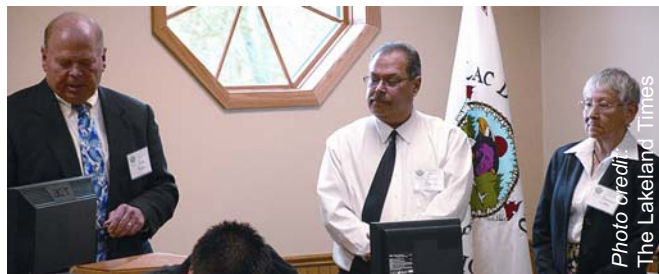


Photo credit: The Lakeland Times

Chief Judge Neal A. "Chip" Nielsen III, Vilas County Circuit Court, reads the Joint Powers Agreement to individuals gathered to celebrate the agreement's adoption. Joining Nielsen to sign the document were Lac du Flambeau Tribal Court Chief Judge Garold Smith and Associate Judge Shannon Cobe.

## Outagamie County Veterans Court celebrates first year, honors its mentors

By John Powell, District Court Administrator

Last summer, Outagamie County joined a growing number of counties across the state in launching a veteran's court (in 2012 alone, five new veteran's court programs were started). With the benefit of one year's experience, we are taking a look at the elements that make our program successful - and chief among them is a reliable, dedicated team of mentors.

Mentors are an integral part of every veteran's court program. And, though mentors are occasionally used in other treatment court programs, their central role in the veteran's court is truly unique. They deserve our recognition and thanks.

In the Outagamie County program, we have experienced real benefits from the participation of trained volunteers who serve as mentors. The current Veteran Mentor Team has 19 mentors - all of them veterans - and we expect that

number to grow.

One veteran mentor, Herb Schmoll, said his participation in the program has been rewarding. "It is a very patriotic feeling to be a part of something like this," he said. "It is a small act of giving back to the community. When we came home from Vietnam, very few people supported us, and it is incredible to see both the courts and community support these veterans the way they are. We are taking responsibility as a society and helping them readjust to life after combat. I think we can make a real difference with these young men and women."

Like many of our colleagues across the state, we began this project by visiting Judge Robert Russell's Veterans Treatment Court in Buffalo, NY, which opened its doors in 2008 and is credited with being the first court of its kind in

see **Veterans** on page 18

## Chief Justice talks iCivics with Wisconsin social studies teachers

Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson and state Department of Public Instruction digital learning specialist Janice Mertes worked to promote the use of iCivics in the classroom by delivering a joint presentation at the 2013 Wisconsin Council for the Social Studies conference in Middleton.

Abrahamson and Justice Ann Walsh Bradley are the state co-chairs for iCivics.org, an online educational gaming site founded in 2009 by retired U.S. Supreme Court Justice Sandra Day O'Connor to help reinvigorate civics education in the United States. Wisconsin was among the first to embrace the iCivics concept; O'Connor introduced it to teachers, judges and justices at a 2010 event in the Wisconsin Supreme Court Hearing Room.

Initially launched to promote understanding of the judicial branch, iCivics has expanded to include 16 games that allow students to explore the law, government operations, branches of government, the election process and more. Many of the games include free learning materials, teacher guides and lesson plans designed to align with state academic standards. There are also stand-alone educational materials on the site for those who do not wish to use the games.

Mertes, a former social studies teacher from Sun Prairie, serves as a resource for teachers interested in using iCivics and has delivered presentations at other gatherings on behalf of the State Bar of Wisconsin, an iCivics partner. During the presentation, Mertes outlined ideas for

integrating iCivics into the classroom and using it at home.

In addition to promoting the use of iCivics by teachers, the justices are working to encourage the use of iCivics by judges who volunteer in the classroom, as well as community groups and organizations, such as Boys & Girls Clubs. ■

*Judges interested in volunteering in a classroom using iCivics may contact Court Information Officer Tom Sheehan at [tom.sheehan@wicourts.gov](mailto:tom.sheehan@wicourts.gov) or (608) 261-6640. Volunteer guides and other resources are available from iCivics.org.*



*Chief Justice Shirley S. Abrahamson joins Department of Public Instruction digital learning specialist Janice Mertes in a presentation on iCivics to social studies teachers at the Wisconsin Council for the Social Studies' annual conference on March 17 in Middleton.*

### Veterans *continued from page 17*

the nation. Our Drug Court Team also observed courts in Rock and Brown counties to learn more about the elements of a successful program.

We came away with the firm sense that a strong and active mentorship program is critical.

#### Finding mentors

Judge John A. DesJardins, who started the Outagamie County Veterans Court, and Judge Gregory B. Gill, Jr., who also presides in the court, took on the challenge of identifying and training a core group of volunteer mentors. They reached out to veterans' groups and attended meetings of local veterans' organizations. They found real interest in the community and a number of volunteers came forward.

Every branch of service is represented, which is important, because there is a bond among participants and mentors from the same service background. But, of course, within each service branch, every person is an individual – and those different backgrounds and life experiences add to the support the participants receive from the mentor volunteers.

#### Training mentors

Each mentor attends Mentor Orientation Training through the Outagamie County Volunteers in Offender Services (VIOS) prior to being matched with a participant.

Jennifer Evers, mentor coordinator for VIOS, explained that the duty of the mentor is to be a role model, a guide and a resource for the participant. All of the mentors can relate to the sometimes difficult experience of transition from military to civilian life, and many of the veterans from prior wartime service can relate to service members with service from recent combat deployments.

#### The mentor's time commitment

The time commitment for a mentor includes making twice-weekly phone calls to his/her participant, visiting face-to-face with that person twice a month, and attending Veterans Court once a month. Many exceed those requirements.

One participant put it this way: "I talk to him pretty much every day, or pretty close, and it's really helped me out..."

There is a passion and deep feeling of patriotism that drives each mentor's participation. There is also an additional personal commitment by the participant to his mentor. Taking care of a fellow service member is an important value, and not letting a buddy down is a strong motivator for the participants. That spirit of commitment is unique to the Veterans Court, and contributes to the potential success of the participant in completing the graduation requirements.

Even with the invaluable assistance of our mentors, helping veterans to adjust successfully to civilian life is a momentous task. It helps somewhat to realize that this is a battle that has been fought throughout the ages. In fact, the Veteran's Mentoring Program underscores this history by borrowing a line from Abraham Lincoln for its vision statement: "To care for him who shall have borne the battle." ■

*Editor's note: Wisconsin now has 10 veterans court programs serving veterans in 26 counties. For a complete list and contact information for the individual programs, visit [wicourts.gov/services/veteran/index.htm](http://wicourts.gov/services/veteran/index.htm).*



## Courts across Wisconsin celebrate Law Day

Several counties throughout the state and the Young Lawyers Division of the State Bar of Wisconsin hosted Law Day events on May 1 in recognition of our nation's commitment to the rule of law. This year's theme, "Realizing the Dream: Equality for All," marks 150 years since Abraham Lincoln issued the Emancipation

Proclamation and 50 years since Martin Luther King, Jr.'s "I Have a Dream" speech.

The 2013 theme celebrates the achievements of the civil rights movement and encourages continued efforts toward the ideal of equality under the law.

Statewide, the Young Lawyers Division of the State Bar of Wisconsin celebrated Law Day by pairing lawyers with students in 30 Wisconsin classrooms. There were also a number of counties that organized their own celebrations.

In **Bayfield County**, Judge John P. Anderson held a mock trial with the local teen court in for 90 students.

In **Dane County**, the bar and circuit court developed several activities at the courthouse. Local attorneys put on two mock trials in which middle- and high-school and paralegals served on the jury. Continuing legal education presentations on limited scope representation were offered, and a Pro Bono Fair provided information about volunteer opportunities with 14 community agencies and organizations. In addition, the Dane County Legal Resource Center collaborated with lawyers to provide free consultations in Spanish and English to the public throughout the day. The lawyers consulted with at least 35 individuals.

In his opening remarks for the annual Law Day reception



*In Bayfield County, Judge John P. Anderson worked with the local bar and court staff to develop a mock trial that brought 90 local students to the courthouse on Law Day. Photo credit: Denise Nordin, deputy clerk of circuit court*

continue and build upon the progress that has been made so that dream that Martin Luther King spoke of is more and more fully realized."

In **Douglas County**, Judge Kelly J. Thimm and local attorneys visited with students in Superior schools. Local attorneys also provided free legal guidance at the public library.

In **Eau Claire County**, Chief Justice Shirley S. Abrahamson spoke to a gathering of Globe University students from the paralegal and criminal justice programs who gathered along with members of the public at the Luther Auditorium.

"In our lives, each of you can, in a small way, work for equality," she told the group. "Stand up and have courage to make sure that all people have equal opportunity. That is equality for all."

In **Manitowoc County**, Judge Patrick L. Willis followed his tradition of working with the local bar and courthouse staff to present a mock trial for area children. He presided in the trial of the three little pigs. Second-grade students from several local schools attended this annual Law Day event.

In **Milwaukee County**, the Milwaukee Bar Association (MBA) provided free legal information clinics on the Saturday following Law Day at four metro

at the Dane County Courthouse, Judge Juan B. Colas noted that "there has been a great movement toward equality in the last 150 years" but that inequality remains and "there is still much to be done."

"Lawyers, judges, court staff must have eyes open to see injustice and inequality when it presents itself, and within the ethical limits of our roles, within our capacity and the constraint of the rule of law, must act against that injustice and inequality," Colas said. "In that way, each doing our own small part, we can



*Chief Justice Shirley S. Abrahamson was honored as a 'Champion of the Law' by Globe University in Eau Claire when she served as keynote speaker at the school's Law Day celebration. Presenting the award were Patti Salimes, chair of the school's Criminal Justice Program, and Jeffrey Ahonen, chair of the Paralegal Program.*



*Dane County Circuit Court Judge Juan B. Colas opened Dane County's Law Day celebration by urging fellow judges, court staff, lawyers and paralegals to combat injustices in whatever manner they are able.*

## PEOPLE

"Panel suggests term limits for state Supreme Court," an article that appeared in the *Wisconsin State Journal*, the *Minneapolis Star Tribune*, the *Sheboygan Press* and elsewhere across the region, detailed a new recommendation from a State Bar of Wisconsin committee for a constitutional amendment that would provide a single, 16-year term for state Supreme Court justices. The proposal immediately drew responses from a number of quarters. Former state Supreme Court Justice **Janine P. Geske** was quoted as saying a single term could have merits. "My concern is the vast amount of money that is being spent and the way it's being spent on ads that aren't relevant to the duties and responsibilities of the job," Geske said. "They take one opinion out of a justice's whole career and that becomes the total issue in the campaign. This proposal would diminish that." The recommendation is now before the State Bar Board of Governors, which will decide whether and how to seek input from judges, attorneys and the general public. Chairing the task force was former Outagamie County Circuit Court Judge (and current reserve judge) **Joseph M. Troy**, who acknowledged that term limits would do little to stem the tide of money flowing into judicial races, but explained that a new system might address concerns about judicial independence. "No justice, once elected, would ever be elected again," Troy said.



Chief Justice Shirley S. Abrahamson

"The perception that they are there serving the [big campaign donors] who put them there, or they are worried about the next election, that's just not going to happen."

entitled "The efficacy of drug courts," which ran in *The Journal Sentinel*, *The Freeman* (Waukesha) and other newspapers across the state. The Chief emphasized the potential of problem-solving courts to improve public safety, reduce recidivism and change lives – and she applauded efforts by court officials across the state to work in collaboration with justice system partners on developing these alternatives.

"Two decades ago, Wisconsin had no drug courts," she wrote. "Today, there are 57 problem-solving court programs in 38 counties."

"The perception that they are there serving the [big campaign donors] who put them there, or they are worried about the next election, that's just not going to happen."

Chief Justice **Shirley S. Abrahamson** marked Drug Court Month (May) with a column



Atty. **Theresa M. Owens**, executive assistant to Chief Justice Shirley S. Abrahamson, was inducted in May as a Fellow of the Institute for Court Management. She is pictured holding her diploma with, from left, Chief Justice Myron T. Steele, Supreme Court of Delaware; Mary Campbell McQueen, president of the National Center for State Courts; and John R. Meeks, vice president of the Institute for Court Management.

## New management team is official

After serving for nearly four months as interim director of state courts, John Voelker was appointed to the post on a permanent basis effective June 30. Voelker replaces J. Denis Moran, who served as director for 24 years before retiring in February.

Voelker appointed Sheryl A. Gervasi as deputy director of court operations and reappointed Pamela J. Radloff as deputy director for management services and Jean M. Bousquet as chief information officer. All three women are longtime employees of the state court system. "I am fortunate to have a top-notch management



A. John Voelker Sheryl A. Gervasi Pamela J. Radloff Jean M. Bousquet

team," Voelker said. "The entire court system benefits from their hard work and dedication."

The Office of Court Operations, which Gervasi now leads, provides technical assistance to the circuit courts, often in conjunction with the district court administrators, in areas such as records management, caseload management, automation, personnel (including assign-

see Management team on page 20

Director of State Courts **A. John Voelker** reached a milestone on June 30: 10 years as the administrative head of the Wisconsin court system. The Director's Office staff marked the occasion with a surprise celebration. Prior to his appointment, Voelker spent five years as executive assistant to Chief Justice **Shirley S. Abrahamson** and also served as policy analyst to the Planning and Policy Advisory Committee (PPAC).

The latest edition of "Courthouse Corner," an occasional column in *The Leader-Telegram* by Eau Claire County Clerk of Circuit Court **Kristina Aschenbrenner**, warns consumers about websites that re-post public records from the Wisconsin Circuit Court Access (WCCA) database and then offer to remove the information from the web for a fee. Aschenbrenner explained that WCCA information is not searchable with Google and other search engines, and that consumers may not pay to remove information from WCCA.

"Information is only removed after the appropriate time has passed in accordance with Supreme Court Rule Chapter 72 or proper court procedures are followed," she wrote.

"Paying other websites will not affect the official court record." Aschenbrenner encouraged consumers to contact the Department of Justice to report any incidents involving offers to remove WCCA case records for a fee.

Atty. **Theresa M. Owens**, executive assistant to Chief Justice Shirley S. Abrahamson, was inducted as a Fellow of the Institute for

see People on page 21



**PEOPLE** *continued from page 20*

Court Management (ICM) at a ceremony in Washington, D.C. in May. The ICM program was designed 40 years ago at the behest of then-U.S. Supreme Court Chief Justice **Warren Burger** to improve the management of state court systems. To become a Fellow, Owens completed 12 courses on a variety of court-related topics ranging from caseload management to strategic planning, then designed, completed and presented a masters-level research project on appellate court rule-making. In her capacity as the Chief's executive assistant, Owens works on access to justice projects, manages the Courts Connecting with Communities outreach program, and is organizing a conference that will convene in Madison this fall, bringing together justices and state court administrators from the 12-state Midwest region.

"Rock County veterans denied court program" headlined a front-page story in *The Janesville Gazette* on May 8. The story revealed that the Veterans Treatment Court in Rock County – the first of its kind in Wisconsin – is no longer receiving cases involving Rock County veterans. The court continues to handle cases from surrounding counties. The reason: District Atty. **David O'Leary** has instructed his



Judge James P. Daley

staff not to use the court, citing the burden of managing these cases and a recent report by a UW-Whitewater professor that found the court is not yet meeting all of the national standards set for drug treatment courts. The report's author told the newspaper that the study was meant to point out areas for improvement rather than shut the program down. Judge **James P. Daley**, a combat veteran and highly regarded longtime judge who

runs the program, was philosophical about O'Leary's decision not to refer Rock County cases to the court: "He's an elected official," Daley said. "He makes the political decision which is best for him. The other district attorneys in the surrounding counties still refer their cases."

Ozaukee County's decision to join the Sheboygan Area Veterans Court made headlines across central Wisconsin. The Veterans Court, which began operation in Sheboygan in July 2012, meets on the third Friday of each month at the Sheboygan County Courthouse. The court now hears cases from Sheboygan, Calumet, Fond du Lac, Manitowoc, Ozaukee, Washington and Winnebago counties.

"It is our responsibility to do all we can to provide these returning veterans with the treatment they need to fully



Judge Thomas R. Wolfgram

return them to their families and to society," Ozaukee County Presiding Judge **Tom R. Wolfgram** said. "We need to provide the tools and the opportunity to achieve long-term recovery, and allow veterans a chance to return to normalcy. Crimes committed by traumatized veterans are sometimes symptoms of wartime trauma, and the courts should account for veterans' previous sacrifices."

"A Life in the Balance," a column by *Wisconsin State Journal* writer Doug Moe, told the tale of one harrowing earlier this spring when Justice **Ann Walsh Bradley** had to perform CPR on her **Aunt Eulalia "Lala" Radloff** in an Arizona beauty salon. Bradley decided to tell the story publicly to encourage people to become certified in CPR. In



Justice Ann Walsh Bradley

a nutshell: Bradley was traveling with her husband, Atty. **Mark Bradley**, who had a meeting in Arizona. She took the opportunity to visit with her mother, **Jean Walsh**, who was spending two months in Mesa, Arizona with her sister, Bradley's aunt. When Bradley escorted her mother into a local salon to meet up with her aunt, they were confronted with an emergency: Aunt Lala had grown unresponsive in the salon chair. No one knew CPR, and the 911 call was put on hold. Bradley summoned what she remembered from her Girl Scout training. "I was mindful that I didn't know for certain what to do," Bradley told the newspaper. "But I knew I had to try my best under the circumstances." As Bradley performed chest compressions, her aunt began to regain consciousness. The 911 call eventually did go through, and the operator walked Bradley through the

see **People** on page 22



Several current and former court staff participated in the HOPES 15th Annual Walk for Awareness in Madison on May 4. HOPES is an acronym for Helping Others Prevent and Educate about Suicide. The non-profit organization is based in Madison. Front Row: Diana Oberdorf, Julie Derwinski, Susan Stephens; Middle Row: Amy Grant, Judy Killian, Nancy Randall; Back Row: Theresa Owens, Kevin Pond, Pat Sammataro, Pete Sammataro, Linda Dejewski, Linda O'Dell and Johanna Allex.

**PEOPLE** *continued from page 21*

procedure (she was correct to do chest compressions, but the operator had her speed them up). The ambulance arrived, and, after some time in the hospital, Aunt Lala is doing fine. Bradley said she plans to take a CPR class after the Supreme Court's term ends.



Judge John R. Storck

"Big funding cuts for courts concerns judge" was the banner headline in the *Watertown Daily Times* on April 6. The article quoted Judge **John R. Storck**, who painted a grim picture for the Dodge County Law Enforcement Committee with his presentation on the state budget. Storck explained that the courts are facing another \$17 million cut, and cautioned that the cut – if it remains intact – could mean drastic reductions and furloughs.

Judge **James C. Babler**, Barron County Circuit Court, contributed a column on cameras in court to *The Times* [Turtle Lake] as part of a monthly series of columns on the court system by the judges, the clerk of circuit court and the register in probate. The columns are available on Courtnet for others to adapt. Babler explained the notice required by the Supreme Court Rule governing electronic recording devices in court, and emphasized the trial court judge has broad discretion to interpret the rule so that a fair trial can be ensured.



Judge James C. Babler

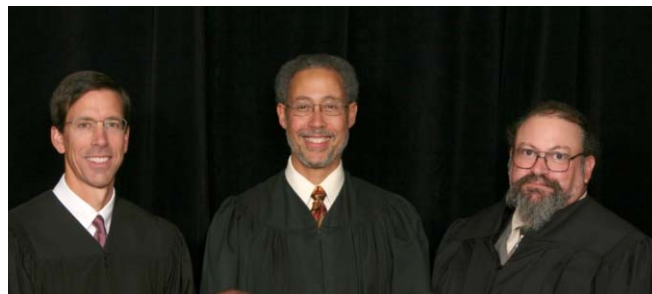
"The Court is designed to determine issues of guilt and innocence and also the rights and liabilities of individuals in civil cases," Babler wrote. "The Judge is responsible for ensuring that the rule of law is followed in each case and all parties are provided a fair and impartial decision."

"Grant to give boost to Veterans Treatment Court" headlined a story in the *Kenosha News*. The article quoted District Court Administrator **Andrew**



Judge Gerald P. Ptacek

**Graubard**, who explained that a \$116,000 grant from the state Office of Justice Assistance would cover the cost of drug testing, monitoring, mentor training and the salary for a coordinator to oversee the work of the new court program. The veterans court covers Kenosha, Racine and Walworth counties and heard its first case in November 2012. Judge **Gerald P. Ptacek** presides.



District IV Court of Appeals Judges Brian W. Blanchard, Paul B. Higginbotham, and Gary E. Sherman.

A panel of the fourth district Court of Appeals – including Judges **Brian W. Blanchard**, **Paul B. Higginbotham** and **Gary E. Sherman** – made headlines in several central Wisconsin newspapers in late March when it heard oral argument at the Portage County Courthouse in Stevens Point. The court hears cases from 24 Wisconsin counties and occasionally travels within the district as a public outreach initiative.

When former Dane County Circuit Court Judge **Patrick J. Fiedler** was sworn in as president of the State Bar of Wisconsin on June 12, media outlets from as far away as Minneapolis and Illinois reported on the event. Among the celebrants joining him for the event were Chief Justice **Shirley S. Abrahamson** (who administered the oath) and Justices **Ann Walsh Bradley**, **David Prosser Jr.** and **Patience Drake Roggensack**. As a judge, Fiedler won the respect of his colleagues, the bar and the

see **People** on page 26



Justice David Prosser Jr.



Justice Patience Drake Roggensack



Longtime Judge Patrick J. Fiedler, who now works in private practice, celebrates his swearing-in as president of the State Bar of Wisconsin with his daughter, Erin, and his father, Judge James P. Fiedler.

Photo credit: State Bar of Wisconsin, Amber Barnes, photographer



# Long missing from courthouse, iconic painting is returned to public display

By Judge Gerald P. Ptacek, Racine County Circuit Court

An original oil painting from the Kenosha County Courthouse has returned home after a long and somewhat mysterious absence. I play a role in this story, and that role began in the late 1970s – but I'll get back to that in a moment.

The painting, "Spirit of the Law," was displayed in the courthouse when the building was dedicated on August 25, 1925. It was originally mounted over the judge's bench in the Kenosha Municipal Court.

Removed from its place of prominence during a subsequent remodeling project, it was lost, then recovered at a local antiques shop and ultimately returned to Kenosha County. The piece is now on prominent display in a whole new spot.

The painting depicts a life-sized female figure who is robed and holds a book in one hand and has her other hand raised above her head. Male and female figures kneel on either side. The kneeling female is holding a child. A souvenir book

commemorating the 1925 dedication describes the painting as follows: "The figure at the left is the mother appealing to the law for protection, while the one at the right is the man guilty of the wrong."

Charles Holloway created this mural and three others for the courthouse: "Spirit of Mercy" over the doorway, "Spirit of Justice" over the judge's bench in the Circuit Court, and "Truth" over the main doorway. The souvenir book explains that Holloway designed a number of murals for courthouses, theaters and churches in several states, and also made a name for himself at the St. Louis Exposition, where his work won a first prize.

Holloway's work did not come cheap. The total cost of the courthouse and jail was estimated to be \$1,169,000 and the cost for art, including the murals, was \$45,000 – or about \$600,000 in today's dollars.

As I said, my part in this story began in the late 1970s. A friend, Lorna Zeretz, was an antiques dealer in downtown Racine where I lived and had my law office. One day she

gave me this large, rolled-up canvas she had received from an antiques dealer in Kenosha. She said it had been removed from the Kenosha County Courthouse during a remodeling project. To preserve and protect the painting, we had it

mounted on Masonite board. At approximately 6 by 8 feet, it remained an imposing presence propped against a conference room wall.

I left private practice for public service work as district attorney in 1980, and the painting remained with my partner in the office. When he left to become a judicial court commissioner, and another tenant took over the office, the question arose: "What do we do with the painting?"

The research I had done verified that it was original to the Kenosha County Courthouse. In another twist, I learned that the Municipal Courtroom where the painting had hung ultimately became the courtroom of Judge Burton A. Scott where I worked as a judicial intern through a Supreme Court program during my law school career in 1973-74. Today it is the courtroom of Judge David M.

Bastianelli.

It seemed obvious that the painting belonged in Kenosha. I contacted the director of the Kenosha Historical Museum. He gladly accepted my donation and "Spirit of the Law" was returned to Kenosha.

I thought that was the end of the story. Then one day some years later I got a letter from County Executive John Collins. Kenosha County had purchased the former union hall directly west of the courthouse and was remodeling it to include county offices and County Board chambers. He informed me that the painting was to be restored and incorporated as the focal point of the Kenosha County Board Chambers.

I am delighted to say that "Spirit of the Law," an historical gem original to the Kenosha County Courthouse, has now been returned to a place of prominent, public display. ■



The lost-and-recovered "Spirit of the Law" mural now hangs in a place of honor in the Kenosha County Board Chambers.

## Law Day *continued from page 19*

Milwaukee locations. Ten volunteer lawyers helped 75 people during the course of the day.

"The legal clinics are part of the National Law Day Education Program which is in its 55th year," said Britt Wegner, Director of the MBA's Lawyer Referral and Information Service.

In **Sheboygan County**, more than 150 middle school students were welcomed on the courthouse steps with a re-enactment from Sheboygan Atty. William Holbrook, who played the role of Judge David Taylor, who practiced law in Sheboygan in the 1840s, was later elected first to the state Assembly and then to the state Senate, and ultimately served

on the Wisconsin Supreme Court for 13 years.

Judge James J. Bolgert then led a mock trial, as he has for 17 years, according to an extensive article on the event in the *Sheboygan Press*. This year, the mock trial involved a student who allegedly spray-painted graffiti on the courthouse in the middle of the night (he was found guilty and the "judge" – a student – sentenced him to a substantial term of incarceration). *Press* reporter Kali Thiel also noted that Sheboygan County Sheriff Todd Priebe talked to the students about emergency calls and how evidence in collected, and two local attorneys explained how laws are made. ■



**AWARDS** *continued from page 10***Capati receives honorable mention in Hart competition**

Atty. Carmel Capati, who manages the Wisconsin Court System Interpreter Program, received an honorable mention in the highly competitive Virginia Hart Special Recognition Award competition.

Capati is the third court employee honored in the competition; Deputy Director for Management Services Pam Radloff received an honorable mention in 2003; Budget Officer Deborah Brescoll in 2008.

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.



*Atty. Carmel Capati, who manages the court interpreter program in the Office of Court Operations, celebrates with Chief Justice Shirley S. Abrahamson at a ceremony honoring outstanding women in state government. Capati was selected for an honorable mention in the highly competitive awards competition.*

Chief Justice Shirley S. Abrahamson nominated Capati for the award “in recognition of her tireless efforts to ensure that language barriers do not close the courthouse doors.”

The Chief explained in the nomination that increasing numbers of litigants have limited proficiency in English, and that this language barrier raises concerns about access to justice and can affect the courts’ ability to function efficiently.

The Chief pointed out that, in one nine-month period in 2012 (January through September), 256 interpreters provided services to the courts in 45 different languages.

“Ms. Capati’s efforts in expanding the court interpreter program have made a significant difference in the services provided throughout the state,” Abrahamson wrote. “Her management and

continuous development of the court interpreter program contribute to ensuring equal access to justice for all individuals throughout the Wisconsin court system regardless of the language they speak.” ■

**WISCONSIN CONNECTS** *continued from page 14*

hosted in Waukesha and Eau Claire in 2012.

Joining Anderson on the Bayfield County team were District Atty. Frederick Bourg, Assistant State Public Defender Aaron Marcoux and Criminal Justice Coordinator Brenda Spurlock. Joining Damon on the Trempealeau team were Probation/Parole Officer Theresa Anderson, Department of Corrections Supervisor Sandy Huff, District Atty. Taavi McMahon and Assistant State Public Defender Carly Sebon.

Two instructors from the Justice Management Institute taught the seminar, which helped each team to develop an action plan. Trempealeau’s plan, for example, involves using the COMPAS assessment tool to provide information that might help in setting bond, making charging decisions and sentencing.

Since 2004, when the Effective Justice Strategies Subcommittee (EJSS) of the Supreme Court’s Planning and Policy Advisory Committee was established, Wisconsin has been a national leader in the use evidence-based practices.

Incorporating these practices begins with scrutinizing every step in the criminal justice process, shedding those that have not yielded measurable results and adopting strategies that have been tested and proven successful. These strategies offer the hope of holding offenders accountable while reducing crime and recidivism and giving

taxpayers the best possible return on their substantial investment in the criminal justice system.

**Law Library finds new outreach opportunities**

Staff from the Wisconsin State Law Library (WSLL) were engaged in a number of public outreach initiatives this spring, including:

State Law Librarian Julie Tessmer joined Connie Von Der Heide, director of Reference & Outreach Services to present, “May I Help You? Legal Information Sources for Pro Se Litigants” at training programs held in Eau Claire and Madison for clerks of circuit court.

Von Der Heide also recently demonstrated a variety of low and no-cost online legal research tools to 2L and 3L students in UW Law School Prof. Gretchen Viney’s *Lawyering Skills* class.

Devin Rogers, cataloger at WSLL, participated in an event for students at the UW School of Library & Information Studies (SLIS), where she and five other librarians from a variety of work settings shared their experiences as new professionals in the field and provided tips for job hunting. A Q&A panel session was followed by smaller group discussions and pizza. ■

## Legislature *continued from page 8*

This bill was prepared for the Joint Legislative Council's Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51, and changes several provisions dealing with emergency detention, involuntary commitment, and privileged communications that appear in s. 51.15, Stats.

Position of Legislative Committee: No position

Primary sponsors: Joint Legislative Council

Current status: SB 127 was referred to the Senate Committee on Health and Human Services on April 3.

## Evidence

### Senate Bill 129 and Assembly Bill 120 - inadmissibility of a statement of apology or condolence by health care provider

This bill would change the rules of evidence to make statements of apology or condolence by a healthcare provider inadmissible or not subject to discovery.

Position of Legislative Committee: No position

Primary sponsors: Sen. Leah Vukmir (R-Wauwatosa) and Rep. Erik Severson (R-Star Prairie)

Current status: SB 129 was referred to the Senate Committee on Judiciary and Labor on April 3. AB 120 was referred to the Assembly Committee on Health, which recommended passage, 7-4, on June 5.

### Assembly Bill 153 - exception to hearsay rule of

### evidence if a witness is unavailable

This bill creates an exception to the hearsay rule to allow a statement made by an individual who is unavailable to testify to be used against someone if the individual's unavailability was wrongfully caused by the person.

Position of Legislative Committee: No position

Primary sponsors: Rep. Jim Steineke (R-Kaukauna)

Current status: AB 153 was referred to the Assembly Committee on Judiciary on April 15.

### Assembly Bill 187 - admissibility of evidence of other acts of domestic abuse

This bill would, in an action accusing an individual of an offense involving domestic abuse, allow evidence of other acts of domestic violence to be admissible for any relevant purpose if the act was in the last 10 years. The bill allows evidence to be excluded on grounds of prejudice, confusion, or if misleading to the jury, or by considerations of undue delay, waste of time or needless presentation of cumulative evidence.

Position of Legislative Committee: No position

Primary sponsors: Sen. Mike Ellis (R-Neenah) and Rep. Rep. Andre Jacque (R-De Pere)

Current status: AB 187 was passed by the Assembly, on a voice vote, on June 13. It has been referred to the Senate Committee on Judiciary and Labor. ■

## Bills *continued from page 3*

proposals, all of which were sent to the Assembly Judiciary Committee in April.

The bills are as follows:

### Assembly Bill 141 - notice of political contributions made to judge or justice

This bill would require contributors to judicial campaigns to notify the judge or justice if they have matters before the judge or justice. It would make violations of the reporting requirement a civil forfeiture.

### Assembly Bill 142 - objective standard for disqualification of judge or justice

This bill would adopt a reasonable person standard for the disqualification of a judge or justice.

### Assembly Bill 143 - disqualification of a judge or justice

This bill amends s. 757.19(5), to require a judge who denies a motion to disqualify himself or herself to file a written statement with the reasons for denial within 60 days after a final judgment or final order has been issued.

### Assembly Bill 144 - equally divided determinations of Wisconsin Supreme Court on judicial discipline or permanent disability

This bill would make the findings of fact, conclusions of law and recommendations of a panel of judges binding on the disciplined or disabled judge if the Wisconsin Supreme Court is equally divided on the question of the appropriate discipline or action. If a discipline case or permanent disability case has been heard by a jury, the jury verdict and recommendations of the presiding judge would be binding if the Supreme Court is equally divided.

### Assembly Bill 145 - judicial disqualification based on

### campaign financial support

This bill requires the disqualification of a judge if \$1,000 of contributions were received by the judge's campaign for judicial office within the past four years from a party to the action. The party who is opposed to the party giving the contribution may waive the disqualification.

### Assembly Bill 146 - authority of Wisconsin Supreme Court to review decision of a justice to deny a motion to disqualify the justice

This bill allows the Wisconsin Supreme Court to review a motion for disqualification of a justice. It adds Wis. Stat. § 757.19(4m), which would allow the Supreme Court to deny or affirm the decision of a justice to not disqualify himself or herself.

### Assembly Joint Resolutions 18 and 19

These two proposed constitutional amendments would change the process for handling disciplinary matters against Supreme Court justices.

Assembly Joint Resolution 18 would require that the Supreme Court assign on a temporary basis a Court of Appeals judge to aid in the proper disposition of judicial disciplinary proceedings in the Supreme Court in order to provide an odd number of judges for the proceedings. The person assigned must be the most senior Court of Appeals judge.

Assembly Joint Resolution 19 would provide that a Supreme Court justice is subject to discipline by a panel of three Court of Appeals judges, rather than the Supreme Court. The Supreme Court would appoint the panel of Court of Appeals judges by seniority from all persons who eligible to be appointed. ■

**PEOPLE** *continued from page 22*

litigants who appeared before him – and was only occasionally confused with his father, longtime Iowa County Circuit Court Judge **James Fiedler**, who was present for the swearing-in. After he took the oath, Fiedler discussed his return to private practice and his love of the law: “To me, there’s no greater privilege than to be a lawyer,” he said. “Those who are satisfied with the profession they’ve chosen are those who have pride in their profession. And I’m very proud to be a lawyer.”

The news hook for the May 23 story, “Eau Claire County builds jail to fit courthouse goals,” in the *Wisconsin Law Journal*, was the \$59 million renovation project that includes a

new, 180,000-square-foot jail. But the article’s real focus was on Eau Claire’s efforts to keep the cells empty. The



Photo credit: Wisconsin Law Journal

Judge William M. Gabler

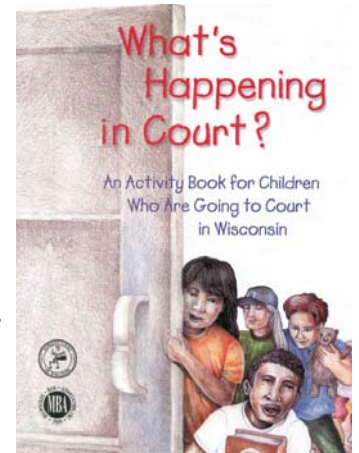
county is one of two in Wisconsin (the other is Milwaukee) participating in a national grant project to use evidence-based methods for assessing each person’s risk factors and to incorporate more active interventions through drug courts, mental health courts and more. The article quoted Judge **William M. Gabler**, who described Eau Claire’s Criminal Justice Coordinating Council, a multi-disciplinary group that steers justice-related initiatives.

“If you do what you’ve always done, then you’ll get what you’ve always got,” Gabler was quoted as saying. “But it’s possible to break that cycle, especially with drugs and alcohol.”

“Don’t ‘roll the dice’ at courthouse” headlined an editorial in the May 19 edition of *The Northwestern* (Oshkosh). The editorial urged the County Board to take the steps necessary to make the Winnebago County Courthouse safer – including creating a single, secure entrance. The opinion piece quoted Sheriff **John Matz** as telling the County Board Judiciary and Public Safety Committee, “If we do nothing, we will continue to roll the dice in terms of what happens in our courthouse.”

The Minnesota Supreme Court is replicating Wisconsin’s popular “What’s Happening in Court?”

activity book for children. The booklet was first created in California, and was “Wisconsinized” by a team that included Judge **Daniel T. Dillon**, Rock County Circuit Court; Judge **Benjamin D. Proctor**, Eau Claire County Circuit Court; Judge **Stuart Schwartz**, Dane County Circuit Court; and Court Information Officer **Amanda K. Todd**. The



booklet is in use in nearly every Wisconsin county, and is available at no charge by calling (608) 264-6256 or e-mailing [amanda.todd@wicourts.gov](mailto:amanda.todd@wicourts.gov). An interactive version is on the web at [www.wicourts.gov/courts/resources/kid/index.htm](http://www.wicourts.gov/courts/resources/kid/index.htm).

The Shamrock Club of Wisconsin selected Milwaukee County Circuit Court Judge **Daniel L. Konkol** and his wife, **Maureen Konkol**, to be parade marshals for the annual St. Patrick’s Day parade in downtown Milwaukee. The honor was bestowed in recognition of the couple’s 22-year history of volunteer service to the club. Over the years, the Konkols have participated in the popular parade in many ways – by marching, pedaling, riding on floats and chauffeuring celebrities; this year, accompanied by their daughter Jackie, the led the parade in a horse-drawn carriage. ■



Milwaukee County Circuit Court Judge Daniel L. Konkol poses with his wife, Maureen, and daughter, Jackie, at Milwaukee’s annual St. Patrick’s Day parade. This year, the Konkols served as marshals, leading the parade in a horse-drawn carriage.



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## Court Ops soccer team dominates the field

By Marcia Vandercook, Office of Court Operations

Starting in the Office of Court Operations and spreading like a virus throughout the court system, spring soccer fever is here. Scout Carmel Capati, interpreter program manager, has made it her mission to talk to every woman of a certain age and, with an artful combination of flattery, shaming and bribery, has assembled a team that now competes in a weekly league at Breakaway soccer field near Madison.

The team is known as the Azkals, which is Tagalog for “street dogs.” And indeed this scrappy team embodies the very essence of unloved and unwashed canines.

The league, limited to women ages 30 and up, advertises itself as “recreational.” Capati assured all her recruits that despite their limited experience (two played high school soccer and one trains street dogs), they could be plausible competitors.

“That might have been a little optimistic,” Capati now admits, given the team’s 2-10-1 record. “I may have underestimated [the physical effects of aging].” But she insists that the team has risen to the challenge, running up and down the Tenney Building stairs and conducting impromptu drills in the hall.

The team is coached by Jacob Wilson, policy analyst, and Luca Willauer, educational specialist at Hamilton Middle School. “It’s been

interesting,” said Wilson. “Everything I know about soccer really doesn’t apply to this team.”

But the team’s fighting spirit has attracted a loyal following (specifically Melissa Lamb, Judge Paul Van Grunsven, the players’ children, and Sara Ward-Cassady’s parents). Fans cite the growing ability of team members to keep running for almost the entire first half of the game. They also express admiration for Niki Leicht’s flying elbows and Bonnie MacRitchie Titze’s intimidating defense.

Injuries have been something of a problem. Julie Rich, Supreme Court commissioner, was injured when she connected with a ball just as she was reaching her defensive peak. Amanda Todd, court information officer, has suffered a number of mysterious ailments. The official team motto is “There’s no shame in ibuprofen,” and team members have also found some success in pre-medicating with other substances.

In the end, it’s all about love of the game, and donuts. “We’re not focused on traditional concepts of winning and losing,” said goalie Amber Peterson. “Which is fine with me because I’m not competitive at all.” ■

*Editor’s note: The author has declined repeated invitations to join the team, and seems impervious to shaming.*



The Azkals (“Street Dogs”) soccer team features a number of court staff including, in the back row from the left: Amber Peterson and Niki Leicht from Court Operations; Supreme Court Commissioner Julie Rich; and (fifth from left) Bonnie MacRitchie Titze. Court staff in the front row from the left are: Carmel Capati, who organized the team, and Amanda Todd. Not pictured are two others from the Office of Court Operations: Deputy Director Sara Ward-Cassady and Jacob Wilson, the team’s coach.