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Next phase of DOT citation interface is piloted

by Garrick Veidel,
CCAP business process analyst

Using the Consolidated Court Automation Programs (CCAP) case management system, clerks of circuit court will soon have the ability to send electronic driver's license suspensions and revocations to the Department of Motor Vehicles (DMV).

This is the latest addition to a multi-phase project between CCAP and DMV that began with importing of electronic citations from the State Patrol in 2001. It is currently being piloted in Lincoln and Vilas counties.

Prior to launching the suspension-and-revocation project, CCAP created a program that allowed the courts to transmit citation disposition information to the DMV on both electronically filed and manually entered citations.

see **CCAP** on page 14

Wisconsin passes Title IV-E review

by Michelle Jensen-Goodwin, Office of Court Operations

In early May, the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) conducted a secondary review of the state's Title IV-E foster care program. Based on a review of 150 out-of-home care cases selected randomly from across the state, only one case was found to be in error and Wisconsin was determined to be in substantial compliance.

Title IV-E is a subpart of Title IV of the federal Social Security Act. This program provides federal reimbursement to states for the costs of children placed in foster homes or other types of out-of-home care under a court order or voluntary placement agreement. Title IV-E benefits are an individual entitlement for qualified children who have been removed from their homes.

The purpose of the review was two-fold: first, to determine if Wisconsin was in compliance with the child and foster care provider eligibility requirements and second, to validate the basis of the state's financial claims to ensure that appropriate payments were made on behalf of eligible children and to eligible foster care providers.

Overall, the review process highlighted several improvements to the administration of the Title IV-E program in recent years. However, ACF strongly encouraged Wisconsin to modify its statutes and court orders to more clearly indicate that the responsibility for placement and care of the child was vested with the State or county child welfare agency that removed the child. The Wisconsin Division of Children and Family Services will be pursuing legislative change and the applicable standard court forms will be amended to reflect any additional requirements.

The secondary review was conducted as the result of the findings of the initial primary review, held in March 2002, in which Wisconsin was found not to be in substantial compliance with Title IV-E requirements. ■



A new term for Justice Bradley

Justice Ann Walsh Bradley takes the oath of office in the Supreme Court Hearing Room before a crowd of about 150 people. Bradley was unopposed in her bid for a second term on the Wisconsin Supreme Court. A Richland Center native and former Marathon County Circuit Court judge, she became in 1995 the first woman ever elected to the state Supreme Court without first having been appointed.

Prior to administering the oath, Chief Justice Shirley S. Abrahamson recounted a 1985 event at which she introduced Bradley, who was then a new circuit court judge. Abrahamson got as far as "my good friend Ann" and could not remember the "Walsh Bradley" part. "Everyone up front was giving me the names in stage whispers," she recalled. "Ann has never let me forget that."

Other speakers commented upon Bradley's work ethic, sense of humor and penchant for bursting into song, dancing, and quoting poetry.



Director's column: What I did during my summer 'vacation' – an e-mail tour

It's hard to believe that just a few years ago we did not have e-mail. How did we exist without it? Just fine, some might say, and on certain days I am inclined to agree. But e-mail, for me, at least, has become an indispensable tool because it facilitates quick communication with multiple people in different locations. It also provides a snapshot of the issues we are dealing with at any given time.

You may remember from childhood returning to school after summer recess only to have a teacher ask for a report on your vacation activities. More than likely you described a family vacation that included stops at various places of interest. In that spirit, I invite you to join me on a late summer armchair tour – of my e-mail inbox. We'll make a few stops that I hope you will find illuminating.

Our first stop: **June**. The summer got off to an interesting start as we dealt with some issues surrounding the sex-offender registry. Atty. Marcia Vandercook of the Office of Court Operations reported on her research into the question of how to guide judges who might receive petitions from people who were convicted of sex offenses as juveniles and who now wish to be removed from the sex offender registry. We concluded that judges likely do not have the authority to erase juveniles' names from the registry.

I heard from a retired judge who now lives in Florida and wanted to be appointed "judge for a day" so that he could perform a wedding here. We made that happen. I also heard from several of our new judges, who extended invitations to their investitures.

Pam Radloff, Deborah Brescoll, Amanda Todd, Nancy Rottier and I discussed budget strategy.

A judge in a single-judge county sought permission to discuss with the Attorney General's Office an agreement between the county board and a bargaining unit that slashed the pay of his register in probate.

A legislator inquired on behalf of a constituent who wanted a prominent "charge dismissed" notation added to her entry in WCCA (Wisconsin Circuit Court Access). The answer was no, but as I have reported in this space, a new committee is exploring whether we need to change our policy to address issues such as this one.

Next on our tour: **July**. It began on a similar note of e-mail and privacy. COSCA (the Conference of State Court Administrators) wanted my reaction to a draft paper on electronic access to court information.

The budget theme continued as the Senate passed its version of the budget – which contained substantial cuts to the courts – and we worked out our communication strategy.

Governor signs biennial budget act

by Deborah Brescoll, budget/policy officer

Governor Jim Doyle signed the 2005-2007 biennial budget bill into law in late July. Except where otherwise provided, Act 25 became effective July 27. It covers state expenditures from July 1, 2005 through June 30, 2007.

The governor made 139 partial vetoes. The Legislature may override any veto with a two-thirds vote of members present in both houses. However, a budget override has not been adopted since the 1980s.

Legislative leaders have questioned the governor's broad use in Act 25 of his partial veto authority. They believe certain

Karen Timberlake, director of the Office of State Employment Relations, responded to my request for information on JCOER (Joint Committee on Employment Relations) meetings.

A Waukesha judge requested legal representation in a federal bankruptcy matter in which he found himself named.

Erin Slattengren, senior policy analyst, sent me a draft grant application that she is submitting to fund judges' participation in seminars on domestic violence this fall.

The Clerks of Circuit Court Association forwarded a list of topics it would like to tackle at a series of regional training sessions that are being planned. Law Librarian Jane Colwin made suggestions for topics of discussion at the next staff managers meeting, and agendas rolled in for the New Judge Orientation, the Judicial Council, the PPAC Planning Subcommittee, and the Data & Research Committee (part of the Sentencing Commission).

The attorney general responded to a request for an opinion that might clarify, among other things, whether child-placement orders must contain detailed information on care and placement responsibility. This issue arose in the course of the Title IV-E federal audit of the foster care system.

Communication increased about the weighted caseload study, for which every judge in the state will collect data in October. Chief judges and district court administrators wanted judicial assistants included in the data-collection training sessions. I agreed that these sessions should be opened to assistants who will be helping with the entry of caseload data.

Reports came in on the development of a manual to guide pilot DAR (digital audio recording) projects. This equipment is used to record court proceedings when a court reporter is unavailable. Currently there are no uniform statewide policies and procedures for DAR. We hope that the work of the DAR subcommittee – which includes District Court Administrators Pat Brummond, Scott Johnson, Jerry Lang, and Mike Neimon, and Court Reporter Kristine Jacobi – will result in guidance on such issues as training equipment operators and filling requests for electronic records.

Late in the month, a 50-page "robbery report" from the Sentencing Commission came in. The report provides helpful information on characteristics of offenders and on sentencing practices for one of the most frequent violent crimes.

At this writing, I can only imagine how the summer will end. As you might sense from our stops, the dog days of summer – so named for their supposed stagnation and inactivity – will be anything but. ■

vetoes usurp the Legislature's responsibility for appropriating funds, and are considering a lawsuit to challenge the constitutionality of certain vetoes. A constitutional amendment is also being drafted to limit the veto powers of future governors.

Court employees have received a detailed summary of the budget act. Here is an overview of the court-related provisions in Act 25:

- Require that \$1.3 million be lapsed to the state's general fund over the biennium from any of the courts' general



A. John Voelker

APPOINTMENTS

Brennan, Proctor become chief judges

Judges Kitty K. Brennan, Milwaukee County, and Benjamin D. Proctor, Eau Claire County, began serving as chief judges on August 1. The Supreme Court appoints chief judges. They are eligible to serve a maximum of three two-year terms.



Chief Judge
Kitty K. Brennan

Brennan is responsible for the First Judicial Administrative District, which encompasses the 47 branches of the circuit court in Milwaukee County. She appointed Judges Mel Flanagan and Jeffrey A. Kremers as deputy chief judges. The First District is unique in the state because its chief judge is a full-time administrator. In the state's other nine judicial districts, the chief judge continues to carry a caseload.

Proctor is chief in the Tenth District, which is comprised of the circuit courts in 13 northwestern Wisconsin counties including Ashland, Barron, Bayfield, Burnett,



Chief Judge
Benjamin D. Proctor

Chippewa, Douglas, Dunn, Eau Claire, Polk, Rusk, St. Croix, Sawyer, and Washburn. He appointed Judge Scott R. Needham, St. Croix County, as his deputy.

District One

Chief Judge Kitty K. Brennan, who was one of District One's deputy chief judges, succeeds Chief Judge Michael P. Sullivan, who has served in the chief judge role since August 2003.



Judge Michael P. Sullivan

Brennan was first elected to the bench in 1994 and re-elected in 2000. She began her career as an assistant district attorney in Milwaukee County. She also spent 10 years in private practice before joining the bench.

Sullivan characterized her as highly qualified and an excellent choice. "Kitty is blessed with high intelligence, common sense, strength of will, a sunny personality, and considerable political skills," he said.

On the bench for 27 years and planning to retire in June 2006, Sullivan requested that his service as a chief judge be limited to two years for several reasons. He correctly intuited that leading the Milwaukee courts in a time of fiscal crisis would be highly stressful; he knew that the job would require many meetings ("I'm not much of a 'meeting' guy");

he did not want to spend more than two years off the bench; and he wanted to safeguard against feeling entitled. "I was afraid," he said, "that I might become a little too enamored of the job after a while, especially the title," he said. "I needed to have a 'sunset' so I could get back to the reality of doing what I was elected to do – try cases."

The initiatives that Sullivan took on as chief judge were centered on maintaining basic services in a serious budget crisis. He said his proudest accomplishment was keeping the Milwaukee County courts open 40 hours a week and staffed at close to pre-crisis levels. Keeping justice accessible understandably took priority over improving the condition of the Milwaukee County Courthouse and Milwaukee Safety Building, a goal that he had hoped to achieve. Sullivan called the condition of the safety building "loathsome" and the condition of the courthouse "terrible," adding, "I wish I could have done more about it, but faced with a two-million-dollar budget shortfall when I walked in the door, I chose to spend my time and energy on what I felt was my primary responsibility, keeping the courts open as opposed to keep them clean."

In spite of the enormous challenges, Sullivan said that the job was rewarding. He thanked Deputy Chief Judges David A. Hansher and Kitty K. Brennan, and Judges Thomas R. Cooper and Michael D. Guolee, who, along with Court Administrators Bruce Harvey and Beth Perrigo, "were invaluable providers of information and points of view that helped me focus on the truly important things for the judiciary as well as the community." Also welcome was the opportunity to get to know the county executive and his staff and members of the Milwaukee County Board, especially those on the Finance and Judiciary Committees. Sullivan singled out three individuals with whom he worked closely – County Executive Scott Walker, Supervisor Rich Nyklewicz (chair of the County Board Finance Committee) and Supervisor Jerry Broderick (chair of the County Board



Deputy Chief Judge
Mel Flanagan



Deputy Chief Judge
Jeffrey A. Kremers



Deputy Chief Judge
Scott R. Needham

Wisconsin hosts national meeting of federal, state, tribal judges

Representatives of the nation's federal, state, and tribal courts gathered in Green Bay in late July for a national conference of judges from the three court systems. There were more than 300 attendees – about 100 more than originally anticipated – including judges, attorneys, peacemakers, mediators, and others who work in the justice systems in Wisconsin, Alaska, California, Florida, Maine, and many points in between.

The conference, *Walking on Common Ground: Pathways to Equal Justice*, focused on judicial independence, the Indian Child Welfare Act, and the many issues surrounding the choice of a court forum and recognition by one court system of judgments and orders that have been issued by another court system. These issues become key in cases involving shared jurisdiction such as a lawsuit that involves a member of a tribe. Sometimes in such cases, hearings are held in both the state and tribal courts on the same issues – resulting in confusion and inefficiency.

In 1999, Wisconsin's federal, state, and tribal courts began working together to find ways to address jurisdictional disputes. Since then, judges from the three systems have developed state and regional conferences, training sessions on specific topics, and written protocols to guide the process of determining which court has jurisdiction when there is a dispute. Wisconsin's status as a leader in this effort made it a natural choice to host this historic national conference.

One of the highlights of the conference was a smudging ceremony in which protocols for settling jurisdictional disputes in the 12 central Wisconsin counties that comprise the Ninth Judicial Administrative District were enacted.



Signing protocols that will guide state and tribal judges in settling jurisdictional disputes in the 12 central Wisconsin counties that comprise the Ninth Judicial Administrative District are Chief Judge Dorothy L. Bain, Marathon County Circuit Court, and Chief Judge Eugene White-Fish, Forest County Potawatomi Community (Crandon). In addition to Bain and White-Fish, the following judges signed the protocols: Chief Judge Fred A. Ackley Jr., Sokaogon Chippewa Community (Mole Lake); Chief Judge Alice K. Soulier, Lac du Flambeau Band of Lake Superior Chippewa Indians; Chief Judge Ervin Soulier, Bad River Band of the Lake Superior Chippewa Indians (Odanah); and Chief Judge David Raasch, Stockbridge-Munsee Band of the Mohicans (Bowler).

Conference organizers included the Wisconsin Judicial Education Office of the Wisconsin Supreme Court; the National Conference of Chief Justices (chaired by Chief Justice Shirley S. Abrahamson); the U.S. Department of Justice Bureau of Justice Assistance's Office of Justice Programs; the Fox Valley Technical College Criminal Justice Center for Innovation; the Federal Judicial Center; the American Bar Association Judicial Division's Tribal Court Council; the Wisconsin Tribal Judges Association; the National American Indian Court Judges Association; and more. ■



Justice Ann Walsh Bradley fans smoke over herself in the smudging ceremony that preceded the signing of historic protocols in Green Bay in July. Smudging is a Native American purification rite that involves burning sacred plants and fanning the smoke they create over objects or people.

LEADERSHIP

Dane County judge helps to champion jury service

Last February, the American Bar Association (ABA) passed a set of new and somewhat controversial standards relating to jury trials. On the whole, the standards envision a more active role for jurors, as ABA President Robert J. Grey Jr. told Law.com: "Juries have evolved," he was quoted as saying. "Through new technology, they receive, digest and use information in new ways. They are more sophisticated and that should be reflected in how jurors are allowed to handle information and arrive at a verdict."

The standards have ignited debates in conference halls, law journals, and cyberspace over a number of thorny issues including the ideal number of members on a jury (12, according to the standards), whether verdicts should be unanimous (the standards say yes), if jurors ought to be permitted to take notes, ask questions, and discuss the case as it unfolds (yes, yes, and yes, according to the standards), whether anonymous juries are OK (yes, in certain compelling circumstances), and more.

Steaming along on a parallel track are debates about whether the civil jury trial is vanishing. The National Center for State Courts has compiled some data that seem to point to this conclusion. And simmering beneath all these hot topics is an issue that is arguably of more importance than all the others combined: how to make juries representative of the population.

The fact that diversity has not taken center stage in recent debates about the jury system concerns Judge Moria Krueger, who, with 28 years on the bench, is the longest-serving jurist in Dane County. "The worst thing we can do is to stop talking about jury diversity," she said. "It's a problem that benefits immensely from continual public attention. The more light we can shine on the under-representation of minorities on our juries, the better."

Krueger began her work on jury issues 13 years ago when she was appointed to a committee that conducted an eight-month study and concluded that immediate steps should be taken to ensure representative juries. The following year, the Jury Implementation Committee was formed to implement the study committee's recommendations.

The implementation committee, which Krueger has chaired from the beginning, recognized that addressing the main problem – the high rate of summonses that were sent to minorities and bounced back as undeliverable (about 50 percent, as compared to 17 percent for non-minority whites) – would require two things: first, a change in the way the Department of Transportation maintains its records, from which the clerks of court draw jurors' names, and second, a public relations

campaign. Work on both of these issues picked up steam in 2001 after Clerk of Circuit Court Judith Coleman received a State Justice Institute grant to develop a strategic plan.

The strategic plan has been completed now, and the Jury Implementation Committee is launching a public information campaign to encourage people of color to recognize the importance of their participation on juries and to update their addresses. The campaign will include a PowerPoint presentation available for community groups, direct communication with religious and other organizations, appearances at various public functions, and work with the media.

Krueger told the *Wisconsin State Journal* in a front-page story this spring that she hoped to build a program that could be a model for other counties. That would suit Public Defender Dee Dee Watson, who serves with Krueger on the committee, just fine.

"The fact that there aren't minorities on Dane County juries, or very few, is something I've discussed with countless clients," Watson told the *State Journal*. "That's not to say that if they look like my clients they're going to find for my client. But it would enhance the appearance of fairness." ■

The members of the Dane County Jury Implementation Committee are: Judge Moria Krueger (chair), Clerk of Circuit Court Judith Coleman, Professor James Cooley (UW Law School), Judge Steven D. Ebert, David Hart, Ken Haynes (assistant to the Dane County executive), Atty. Paul Humphrey (Dane County District Attorney's Office), Peter Munoz (Centro Hispano), District Court Administrator Gail Richardson, Jury Clerk Debra Rochon, Judge Maryann Sumi, Patricia Watkins (League of Women Voters), and Atty. Dee Dee Watson (State Public Defender's Office).



Spreading the word about jury service at Madison's Juneteenth festival, a celebration of African-American heritage, are (left to right): Dane County Clerk of Circuit Court Judith Coleman, Dane County Circuit Court Judge Moria Krueger, and UW Law School Clinical Associate Professor James D. Cooley.

Collaborating councils bring decision-makers together

by Holly C. Noe, court information intern

When a county takes on a difficult issue such as jail overcrowding, leaders quickly realize finding a solution requires looking beyond the prison walls. Like most problems in the justice system, jail overcrowding cannot be addressed without adequate communication among several agencies and actors – and that can be a serious challenge, which is why more Wisconsin counties are turning to criminal justice collaborating councils (CJCCs).

Though they have different names and unique personalities, all CJCCs are variations on a theme. They provide a forum for leaders within the justice system, from the courts to social services, to share their expertise and work toward common goals. Better and more frequent communication improves decision-making and efficiency. Staff (and sometimes members of the public) carry out the councils' directives.

Lessons from Waukesha

The Waukesha County Criminal Justice Collaborating Council is a leader in the CJCC movement. Its experiences may be instructive to other courts looking to structure a similar collaboration. Waukesha County began its CJCC in October 2002 when the county board established it by ordinance. Its initial goal was fairly narrow: to improve the handling of misdemeanor pretrial conferences.

The membership reflects the keen importance of bringing decision-makers, rather than their representatives, to the table. The chair is Chief Judge Kathryn W. Foster; members include Clerk of Circuit Courts Carolyn Evenson, District Attorney Paul Bucher, First Assistant Public Defender Sam Benedict, County Executive Dan Finley, County Board Chair James Dwyer, Sheriff Dan Trawicki, Police Chiefs' Association Chair Robert Rosch, Health and Human Services Director Peter Schuler, Corrections Field Supervisor Karl Held, and Waukesha Mayor Carol Lombardi.

The CJCC also has a full-time coordinator, Michelle Cyrulik. The coordinator is a contractor rather than a county employee; money for the position was included in the budget

when the council was formed. Cyrulik, who holds a master's degree in public administration, and said the council was looking for someone with an advanced degree in public administration or criminal justice, plus research, program evaluation, and administrative skills. She schedules meetings, coordinates and evaluates projects, and represents the council at state and national conferences. Cyrulik said the council's most powerful tool is communication. "By creating the council, what we've managed to do is pull together all the agencies and policymakers," she said. "Just simply getting them to the table and talking about things they wouldn't ordinarily talk about is an accomplishment."

Robert Gibson, a Waukesha-based consultant who works with CJCCs agreed. "Normally, you can't bring all these parties together unless there is a very important issue," he said. "If everyone is getting together anyway, when they use a collaborating council as a regular way of doing business, they're able to short-circuit a number of problems before they turn into bigger ones."

The Waukesha CJCC has an annual budget of \$450,000, money that County Board Chair James Dwyer (who also is a member of the Supreme Court's Planning and Policy Advisory Committee) characterized as a good investment.

"We try to put time and effort into programming and trying to figure out new ways of doing business other than putting everyone in jail," he said. "We honestly felt as a board, along with the county executive, that we needed to do something to stem the tide of building a new facility every five to ten years. We've come to realize that we have a high number of people in our facilities that, with proper programming and dedication on their part, can stop the cycle of recidivism."

Dwyer underscored the importance of dedication among those who serve on the CJCC, citing Chief Judge Kathryn W. Foster as a gifted leader. "She's one of the brightest that I've run across," he said. "She is a pleasure to work with, and her overall commitment to the task at hand is second to none. We're not a success story yet, but we're working toward it."

see **CJCC** on page 7

Five key steps to forming a CJCC

from Robert Gibson

The following are key steps to ensure the successful deployment of a criminal justice collaborating council.

- 1) Involve all the primary decision-makers in the justice system – the presiding judge, the sheriff, the lead prosecutor. Stand-ins cannot be sent on a regular basis. The people at the table must have the authority to make decisions.
- 2) Provide the council with staff support, whether in the form of a new county hire, a contractor, or an existing employee. This person will take minutes, schedule meetings, and handle all the other details.
- 3) Conduct a local system assessment and then hold a strategic planning session to create the council. Decide the basics, such as membership. While there are individuals who must be involved,

councils do have some discretion; for example, they might choose between the police chief and the head of the chiefs' association, among mayors of various major cities, and among a group of interested citizens.

- 4) Develop an information process. The information should be gathered, and the work of the council done, by committees comprised of staff members of the various agencies represented and public members.

- 5) Hold strategic planning sessions at least once a year to evaluate earlier plans and make new ones. Planning sessions orient new members and reporting to counterparts in other agencies provides a check on any freelancing tendencies individual members might have.

CJCC *continued from page 6*

A range of issues

The Waukesha County CJCC also is tackling an issue that has become intractable in neighboring Milwaukee County: the placement of released sex offenders. Cyruk said the CJCC recently created a work group to study the issue. “This isn’t something that’s been a problem in Waukesha County, but it’s inevitable. We’re studying the issue to decide whether to create a committee or something more permanent,” she said.

Waukesha’s CJCC is addressing a constellation of other issues and, in the process, positioning Waukesha County as a laboratory for justice initiatives. The CJCC is preparing to open the state’s first alcohol treatment court (and currently waiting to hear news on an application for a federal startup grant); directing pretrial screening, conference, and supervision programs and community transition and service programs; organizing an operating-after-revocation program; and creating a community correction center, a central location for managing defendants at multiple stages of the process.

“Our ultimate goal is to create programs that work,” Dwyer said. “Whether it’s a day reporting center or electronic monitoring or in-house visitation, we want to try to put some inmates back into the community to contribute as functioning members.”

The Waukesha County CJCC is also working to launch the computerized “data warehouse” it has been developing to integrate information from the courts, the district attorney’s office, law enforcement, and other sources – a project Gibson called vital to a CJCC’s success. “If we have information and know what’s going on, we can be able to target areas and apply resources carefully,” he said.

A model for the world

Gibson said CJCCs are gaining popularity in Wisconsin, where leaders – in addition to Waukesha – include La Crosse, Monroe, and Portage counties, and newer councils are operating in Bayfield, Marathon, and Racine. CJCCs also are catching on across the nation and indeed around the world. Gibson featured the Waukesha experience in a presentation in Haiti and recently left the U.S. for Afghanistan where he will help implement justice improvements such as CJCCs.

A cautionary note

Operating a CJCC can be a difficult proposition, and may well be impossible if decision-makers are unwilling or unable to attend meetings consistently. “This is not an easy thing to do,” Gibson said. “People just want to do their jobs day to day – that’s easier than to organize and manage across bureaucracy. The challenge is getting all those people to get that going and make it a regular way of doing business.”

Participants also have to overcome any territorial tendencies and fears that the council will dictate how they do their jobs. Gibson said such concerns usually turn out to be unfounded; council decisions are reached by consensus, giving each individual or agency power to effect greater change through the council at a reduced risk of political backlash. But that doesn’t mean interactions on CJCCs are always cordial. Gibson said one Wisconsin county’s CJCC has a great deal of conflict, but thrives on it. “Just because they’re contentious doesn’t mean they cannot be effective,” he said. “When you recognize the justice system as a system and operate it as a system, you’re able to get the most out of it.” ■

A sampling of the Waukesha County Criminal Justice Collaborating Council’s initiatives:

Pretrial Screening Service: This CJCC program screens all pretrial inmates to collect and verify information on the defendants and their cases. The data speeds up initial appearances, and is compiled and used by the CJCC to assess the need for creating other diversion programs.

Pretrial Conference Program: This program holds pretrial conferences in all misdemeanor cases to reduce the time to disposition and hold more meaningful court appearances. Defendants and their attorneys meet with a lawyer from the District Attorney’s Office to discuss resolution of their cases. The conferences were implemented by making internal policy changes, so they operate at no added cost.

Pretrial Supervision Program: The staff conducts screening interviews with defendants referred at initial bail or probable cause hearings and develops the required supervision plans, which may include drug or alcohol treatment or testing, or regular contacts. If the defendants are released pending trial, the program monitors their activities in the community. Defendants who require drug, alcohol, or mental health treatment are referred to the appropriate agencies.

Community Transition Program: This program serves defendants by connecting them to treatment for alcohol or drug addictions, mental health issues, or other disabilities that carry high rates of recidivism. To reduce defendants’ chances of re-entering jail, it also provides aftercare services such as housing, help complying with probation rules, and assistance in getting to court.

Contracted Community Support Program: The CJCC partnered with the Wisconsin Department of Corrections to share operating costs and offer this program, which coordinates and compiles community service opportunities available to inmates who have been granted Huber work-release privileges.

Operating After Revocation Program: The OAR program began in spring 2004 and is designed to reduce the number of court activities, the number of defendants who fail to appear in court, and the number of jail days served in cases involving operating after revocation offenses. In collaboration with the Wisconsin Department of Transportation, the staff provides defendants with copies of the defendants’ driving records and information on any outstanding court charges or fines, and assists them in determining whether or when it is legal or feasible to obtain a valid driver’s license.

NEW FACES

District Six welcomes new DCA

Susan Byrnes, a court administrator from Duluth, Minn., was set to begin work August 22 as the district court administrator (DCA) for the Sixth Judicial Administrative District, which encompasses 11 central Wisconsin counties.

Headquartered in Stevens Point, District Six includes Adams, Clark, Columbia, Dodge, Green Lake, Juneau, Marquette, Portage, Sauk, Waushara, and Wood counties.



Susan Byrnes

A native of Brookfield, Byrnes has worked in Minnesota for four years. Prior to this, she worked in Milwaukee County, first in the District Attorney's Office, where she supervised a 16-person paralegal staff and coordinated trial preparation, and then in the Office of the Chief Judge, where, as court coordinator, she managed

projects, worked on committees, wrote grants, and evaluated programs.

Byrnes holds a master's degree from Marquette University and is a fellow of the Institute for Court Management. The opportunity in Wisconsin interested her not only because of her ties to the state but also because she was impressed by her visit to the Portage County Courthouse for an interview.

"I was very impressed with the court site and with Chief Judge James Evenson," she said.

She said she looks forward to living "where it is OK to be a Packer fan." She and her family have bought a home in Plover.

Byrnes replaces interim DCA Steve Semmann, a 12-year employee of the court system who had agreed to serve in the post on a temporary basis for one year. Semmann's appointment expired in June and he has now taken on the newly created role of liaison to the Sentencing Commission.

Before Semmann took the DCA post, the district was covered by other DCAs, notably Scott Johnson and Kathleen Murphy, who spent two years handling administrative matters in parts of District Six in addition to their own districts.

Longtime attorney leads District Ten *pro se* project

For 30 years, Atty. Robert Hagness has happily practiced law in the small Buffalo County community of Mondovi. Over time, his aptitude for long workweeks and a willingness to serve others has allowed him to establish himself as a contributor to the profession.

He has served on the State Bar Board of Governors (and on its Executive and Finance committees), as a member of a lawyer regulation district committee, and much more. He is also a fellow of the Wisconsin Law Foundation. In short, he has had a long and satisfying career – but for one nagging

problem of late.

"I have been struggling for several years with a social worker within me – who has been trying to get out," he said. "So I thought: 'Let the genie out of the bottle for a couple of years and see what happens.'"

Around the time Hagness was considering how best to set his inner social worker free, Wisconsin Judicare won a grant from the Otto Bremer Foundation to develop a pilot project for improving access to the courts in the Tenth Judicial District, in particular for low-income and self-represented individuals. Judicare needed a coordinator for this ambitious project. Neither Hagness nor Judicare could resist the opportunity to work together.

"I'm working some long hours," he said, "but I'm enjoying every minute of the job. I'm meeting so many dedicated people in courthouses throughout the Tenth District, and learning from them. Our court system needs our help to serve everyone; I am very grateful for this opportunity."

The job, which he began in June, does not require a legal background. Hagness said many have asked why a lawyer would want to work on a project that will, if all goes well, help people navigate the courts without lawyers.

The answer, he said, is that making justice accessible "is not a zero-sum concept. Helping people, particularly the poor who have no choice and must represent themselves in court, helps us all – lawyers, judges, clerks, the public. We all benefit when our court system provides everyone equal access to justice. No one 'loses' when people gain respect and trust in our judicial system."

Hagness has spent his first two months on the job traveling the 13,000 square miles that the state's largest judicial district encompasses, meeting with the people who work in the courts. He has spoken with judges, clerks, registers in probate, court commissioners, judicial assistants and others; eventually he plans to run a few "listening posts" in various communities to see what members of the public have to say. He plans on newspaper articles to promote awareness of the project. He also will work with community organizations, libraries, attorneys and tribal court leaders.

"When I visit staff in a courthouse, I ask questions that everyone can answer: 'What's wrong?' and: 'What are your problems?'" Once we've established what isn't working as well as it could be, we can look at ways to make it better," he said. "A lot of this is initially instinctual. It's like walking through a house blindfolded – you take it a step at a time."

Hagness has discovered that services to self-represented litigants vary from county to county within the Tenth



Atty. Robert Hagness

APPOINTMENTS *continued from page 3*

Judiciary Committee) as “intelligent and dedicated elected officials” who were able to work through problems in a diplomatic fashion.

As of August 1, Sullivan returned to the bench where he will hear divorce and paternity matters until his retirement next summer.

District Ten

Chief Judge Benjamin D. Proctor succeeds Chief Judge Edward R. Brunner, who has served in Barron County Circuit Court for 17 years and as a chief judge since 1999.



Chief Judge
Edward R. Brunner

Proctor was first elected to the bench in 1988 and re-elected in 1994 and 2000. He worked in private practice for 17 years prior to becoming a judge. For the past six years, he was Brunner’s deputy chief judge.

Like Sullivan, Brunner served as a chief judge during one of the most demanding and challenging times in recent court history. The state’s budget crisis forced tight restraints on

the use of reserve judges and cut in-state and out-of-state travel, hampering communication and taking a toll on morale.

“It got to be a lot more work,” Brunner said. “The demands increased and it was challenging. But what impressed me is the cooperation – people coming together to make sure everything works. It was an exciting thing to be a part of that, but it does take a toll.”

Brunner presided over a number of initiatives in the Tenth District, including the enactment of protocols for working out jurisdictional issues with the tribal courts, programs to assist self-represented litigants, district-wide training sessions (funded with grants), and the development of drug treatment courts in Eau Claire and Barron counties.

Those accomplishments aside, Brunner’s greatest satisfaction in the chief judge role came from working on day-to-day management issues with District Court Administrator Gregg Moore. “I was very fortunate to have such a fine court administrator,” he said. “To be able to rely on him and work closely with him was a great experience.”

Brunner also cited the leadership and encouragement of

Chief Justice Shirley S. Abrahamson as central to his ability to perform well as a chief judge. “Not only was permission given [to try new things], but it was encouraged,” he said. “That kind of support from the top is very important and it makes the job more rewarding.”

Law librarian will help steer State Bar publications

Connie Von Der Heide, reference/outreach services librarian at Wisconsin State Law



Connie Von Der Heide

Library, has accepted a one-year appointment as a public member of the State Bar of Wisconsin’s Communications Committee, effective July 1. The Communications Committee serves as the editorial board for *Wisconsin Lawyer* and *WisBar*, maintains the State Bar’s consumer pamphlet series, supports the publication of the annual Wisconsin Lawyer Directory, and evaluates written budget proposals from State Bar entities seeking funding from the association’s general fund.

New associate deans named to Judicial College

Three new associate deans have been named to the Wisconsin Judicial College, which provides an annual introduction to the bench for new judges as well as continuing education for experienced judges. The associate deans assist Judge Robert G. Mawdsley, the College’s dean and a circuit court judge in Waukesha County, and Judicial Education Director David Hass and his staff with curriculum and teaching.

Judge Timothy G. Dugan, Milwaukee County, replaces Judge Emily S. Mueller, Racine County; Judge Dale T. Pasell, La Crosse County, replaces Judge Jeffrey A. Kremers, Milwaukee County; and Judge Lisa K. Stark, Eau Claire County, replaces Judge Angela B. Bartell, Dane County. Each of the new associate deans will serve an initial three-year term and is eligible to serve a maximum of nine years.

Continuing as associate deans are Judge Patrick J. Fiedler, Dane County; Judge John R. Storck, Dodge County; and Judge Mark A. Warpinski, Brown County. ■

New Faces *continued from page 8*

District. He is collecting the best practices to share with personnel throughout the district. One of the project’s goals is to collaborate in development of standardized rules and procedures to promote greater uniformity. This will expedite development of materials for distribution to the public.

Other goals are to articulate a model for providing help, publicizing the availability of resources, and developing training for judges and court staff, all with the goal of creating a successful project that can be replicated elsewhere

in Wisconsin and perhaps around the country.

It’s a tall order, and one that is challenging Hagness to use not only his “inner social worker” but also his “inner salesman.” “I sold vacuum cleaners in college – including during Packer games,” he said. “Having some sales skills are helpful, particularly the ability to relate to many types of people, to listen to them, and of course, to offer something of value to them.” ■

Summer law clerks trade time for knowledge

by Holly C. Noe, court information intern

The Wisconsin court system summer internship program for law students, now in its ninth year, has placed 32 volunteer law clerks in 19 counties and at the Supreme Court this summer.

The interns do research, draft memoranda, observe in court, job shadow prosecutors and defense attorneys, and more. In Taylor County, Law Clerk Kristi Tlusty is working with District Court Administrator Scott Johnson and Judge Gary Carlson to coordinate the efforts of the Ninth District *Pro Se* Committee. In addition to sorting and tabulating information collected from the district's 12 counties to ascertain what currently is offered to *pro se* litigants, Tlusty will help to draft grant proposals.

Tlusty likely will come away from the unpaid clerkship with valuable experience and the courts will reap the benefits of her work. The judges who offer clerkships generally believe the time they spend is a valuable investment.

"It's a lot of question and answer and give and take," said Milwaukee County Circuit Court Judge Kevin E. Martens. Martens volunteered for the program and was matched with Elizabeth Bailey, a Wisconsin native who is currently a student at George Mason University School of Law in Arlington, Va.

"I think it's an important symbol that the courts are open, and that it's important for lawyers-in-training to have some opportunity to observe how the system functions and gain some insights before they get a law license," Martens said. "I think it's a really valuable opportunity they might not otherwise get, to actually be in chambers, talking with the judge behind the scenes."

The summer law clerk program has grown each year – in 2004, 27 interns in 16 counties participated – and for the past several years, the number of applicants has exceeded available slots. The high interest, however, does not mean the program is without its recruitment problems. Melissa Lamb, Office of Court Operations, said most students who apply prefer to clerk in either Milwaukee or Dane County (which, together, provided seven slots this summer), and may drop off the list if they cannot be accommodated. In addition, applicants who initially accept volunteer clerkships often relinquish them if a subsequent paid offer comes their way.

For Bailey, landing an internship in Milwaukee was a great opportunity to learn and make connections. "I was really interested in just seeing what the legal field is like in Wisconsin, because even though I've been living out in the

Washington D.C.-Virginia area for a while now, Wisconsin is still home to me," she said. "It's sort of like coming home for the summer."

While in Washington D.C., Bailey worked for several international organizations, including the Lawyers' Committee for Human Rights (now called Human Rights First), which she said sparked her interest in the law.

Bailey then spent a year in India with International Justice

Mission. "It's interesting to me seeing a Milwaukee court compared to an Indian court, because before this all I had ever seen was an Indian court, and those don't even function," Bailey said. "Even though I was in India for a year, I didn't see one of our cases reach a decision, not one. It's just a remarkable testament to what the American judicial system does every day."

Bailey said her duties as a law clerk offer a good mix of firsthand experience and old-fashioned legal research. Martens said research done by student clerks not only speeds up individual cases, but also gives judges in large districts like Milwaukee the ability to coordinate and share information, to make the best possible use of research.

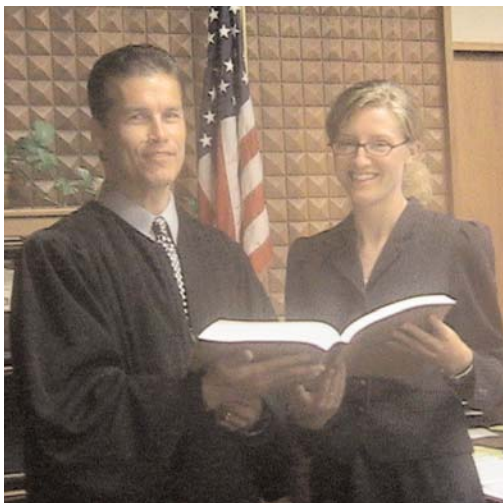
Martens said he encourages Bailey to observe the workings of the courts as much as possible, both in his courtroom and in others, to get a flavor for different proceedings and different personalities.

Bailey recently witnessed her first trial, and said everything about the process, down to watching jurors' faces and hearing defendants' stories, was informative. She also said she hadn't expected the level of camaraderie she saw among different court personnel, or realized the extent to which their roles intertwined.

"I think I'm learning the most just talking to Judge Martens," Bailey said. She added that, especially after watching another judge's intern frantically running errands throughout a trial, she is grateful to have been paired with a judge who is able to help her learn.

Martens also said he has enjoyed having the opportunity to discuss issues that arose in the courtroom and his judicial reasoning with Bailey. "It's been a very positive experience," he said.

Bailey agreed, saying aside from the fact that the internship is unpaid, she wouldn't change a thing about the program. ■



Judge Kevin E. Martens, Milwaukee County Circuit Court, poses during a court recess with law student Betsy Bailey who is one of 32 volunteer law clerks working in Wisconsin courts this summer. The oldest of nine children, Bailey recently spent a year in India with an international justice organization.

2005 summer interns

Barron County:

Judge Edward R. Brunner – Brock Alton, William Mitchell College of Law

Brown County:

Judge Sue Bischel – Jennifer Brook, University of Florida College of Law

Judge Donald R. Zuidmulder – Hannah Good, Golden Gate University

Calumet County:

Judge Donald A. Poppy – Mary McCormack, University of Virginia School of Law

Dane County:

Judge John C. Albert – Melanie Stibick, Northern Illinois University

Judge C. William Foust – Marc Wood, UW Law School

Douglas County:

Judge Michael T. Lucci – Jody Peterson, UW Law School

Eau Claire County:

Susan Schaeffer, chief circuit court officer – Jennifer Mead, Albany Law School (this intern worked for all five Eau Claire County judges)

Fond du Lac County:

Judge Peter L. Grimm – Andrew Christenson, Case Western Reserve University School of Law

Kenosha County:

Judge Mary K. Wagner – David Angeluzzi, Marquette Law School

Judge Wilbur W. Warren III – Ameer Falbo, University of Southern California

Marathon County:

Chief Judge Dorothy L. Bain – Andrew Paprocki, Arizona State University

Milwaukee County:

Judge William W. Brash III – Brian Hagner, University of Denver

Judge Michael J. Dwyer – Andrew Steffel, University of Dayton

Judge Daniel L. Konkol – Andrea Bergstrom, University of Illinois

Deputy Chief Judge Jeffrey A. Kremers – David Helmke, Marquette Law School

Judge Kevin E. Martens – Elizabeth Bailey, George Mason University School of Law

Outagamie County:

Judges John A. Des Jardins and Michael W. Gage – Bradley Schraven, Florida Coastal School of Law

Racine County:

Judge Dennis J. Barry – Anisa Caskey, Michigan State University College of Law

Judges Faye M. Flancher and Emily S. Mueller – Michelle Peterson, William Mitchell College of Law

Chief Judge Gerald P. Ptacek – Katherine Holom, University of Denver College of Law

St. Croix County:

Judge Scott R. Needham – Timothy Donarski, University of Minnesota

Judge Edward F. Vlack III – Rachel Toberman, William Mitchell College of Law

Taylor County:

Deputy Chief Judge Gary L. Carlson – Kristi Tlusty, Hamline University School of Law

Vernon County:

Chief Judge Michael J. Rosborough – Jonathan Siegler, University of Michigan Law School

Washington County:

Judge Annette K. Ziegler – Chris Sobiech, Marquette Law School

Waukesha County:

Chief Judge Kathryn W. Foster – Megan McCormick, Chicago-Kent College of Law

Winnebago County:

Judge Thomas J. Gritton – Nathaniel Jones, University of Minnesota Law School

RETIREMENTS

Dane County court reporter, clerk stepped down

Judge Robert A. DeChambeau's court reporter and clerk retired within days of one another this summer, leaving the judge and Judicial Assistant Nancy Nickel to pull together a new team in time for an upcoming rotation from the Civil Division to the Criminal Division.

Court Reporter Leah Sachtjen, who has worked in the court system for 35 years, and Deputy Court Clerk Jean Hahn, whose tenure spans 33 years, both retired in early August, saying a low-key good-bye over Hahn's homemade raspberry pie.

Jean Hahn

Jean Hahn characterized her 18 years with Judge Robert A. DeChambeau as "a very good experience." Prior to joining his staff, she worked with two judges who are now deceased, William Byrne and Richard Bardwell.

Hahn said the job's biggest challenge has been managing the growing caseload. "The increase has just been overwhelming," she said, adding that much of the growth has occurred in divorce and child-custody matters where people often appear without attorneys. Working with *pro se* litigants in emotionally charged proceedings can be frustrating, but Hahn said the availability of information has

see **Retirements** on page 12

RETIREMENTS *continued from page 11*

made it easier.

"If they want to become informed, it's easy to do that now," she said. "The majority of them do take the time to look up the procedures and try to follow them, but many times there's a step or two that they miss."

The best part of the job is the time in court, where Hahn said she has learned a great deal about the law and has developed a profound respect for the judges and lawyers and court staff who make the system work.

"What I see is fairness," she said. "Day in and day out, that has been the constant: people are treated fairly."

In retirement, Hahn looks forward to spending more time with her husband, Peter McConley, who retired two years ago, and her Cocker Spaniel and Maine Coon cat. After taking a few weeks to relax, she plans to spend a bit more time with two of her favorite things: jewelry and Victorian antiques.

"I've been thinking I might work part-time in a jewelry store," she said. "Now that I won't be able to afford it, I can at least find a way to look at it."

Leah Sachtjen

Leah Sachtjen began her career in Dane County with Judge William Eich, and, when he moved to the Court of Appeals, she worked for Judges Paulette Siebers and Jack Aulik (who unseated Siebers in her first bid for election following her gubernatorial appointment) before joining DeChambeau's staff.

Sachtjen is the daughter of Judge William Sachtjen and the granddaughter of Judge Herman Sachtjen – both of whom served in Dane County. In recent years, she has worked in her father's former courtroom, where his portrait is displayed. Sachtjen's retirement means that the Dane County Courthouse, for the first time in more than 60 years, will not have a member of the Sachtjen family working under its roof – although Sachtjen's husband, Atty. Gerald Mowris, will continue to practice there.

Sachtjen met Mowris, who was then an assistant district attorney, at the courthouse. The couple now has two grown children – Danae, a fourth-year medical student, and Jeffrey, who just graduated from the UW with a degree in mechanical engineering.

In retirement, Sachtjen looks forward to enjoying unstructured time and not having to listen to the troubling things a person hears in criminal court. "I'm tired of hearing about the seamier side of life," she said, adding that, while she never feared for her safety in the courtroom, she has felt threatened during commitment hearings at Mendota Mental Health Institute. Once, a client slapped his defense attorney at Mendota, and another time, a patient knocked the judge (Judge Robert R. Pekowsky) to the ground.

In spite of the drawbacks, the job has been wonderful, Sachtjen said, because of the people with whom she has worked and the contact with the public. "We're here for the public, and I try to treat people the way I'd like to be treated," she said. "I know the courthouse can be an intimidating place."

District administrative assistant retires

When Lu E. Pertzsch became the district administrative assistant (DAA) for Wisconsin's Seventh Judicial District in 1980, she was shown to an "office" in the courthouse basement that consisted of a typewriter on a typewriter table in a corner of the law library. As the district's first DAA after court reorganization, Pertzsch had little time to notice her surroundings; helping to design and institute a system for managing the courts in the district's 13 counties was more than full-time work.

During Pertzsch's 25 years as a DAA, professional court management techniques took hold in District Seven – which encompasses Buffalo, Crawford, Grant, Iowa, Jackson, La Crosse, Monroe, Pepin, Pierce, Richland, Trempealeau, and Vernon counties – and throughout the state. The introduction of technology made the work immeasurably easier, but certain challenges remained constant.

"The biggest challenge I think was the court reporter issue. There are so few *per diems* that when an official court reporter would call in sick or need vacation, it was a constant struggle to find someone to cover," she said. "Most of the official court reporters were very good about volunteering or going when asked, but there were simply times when courts couldn't be covered."

Compensating for the difficult moments and the heavy workload was the opportunity to work with a wide variety of people across the district and around the state. Pertzsch especially enjoyed getting to know the DAAs from the state's other nine judicial districts, although budget cuts in recent years made it impossible to meet face-to-face. Still, she said, "I have made some very good friends through the system, those I will cherish forever."

Pertzsch worked with former District Court Administrator Steven Steadman for 23 years and with Steadman's successor, Patrick Brummond, for the final two years of her tenure with the courts.

In retirement, Pertzsch and her husband, Bruce, who retired in 2004 from his position as an administrator at the Gale-Ettrick-Trempealeau School District, plan to "enjoy each and every day that we have together." They are spending time at their Black River Falls cabin and awaiting the birth of their third grandchild. Their two grandchildren live nearby, Pertzsch said, "and are, of course, the light of our lives." Also nearby are the couple's two daughters, Turena (Scott) and Alexis (Mike). Their son, Quint, lives in Denver. ■



District Administrative Assistant Lu E. Pertzsch and her husband, Bruce.

Filipino delegation visits Dane County

A delegation of judges, lawyers, and court administrators from the Sandiganbayan (anti-graft court) of the Philippines visited Wisconsin in June to explore ideas for improving the flow of cases in a system where delays of months and even years are to be expected in most cases. The group, traveling under the auspices of the American Bar Association, watched Dane County Circuit Court Judge Maryann Sumi handle a court proceeding, listened to a presentation by Judge C. William Foust on managing a high-volume criminal docket, met with District Five Chief Judge Michael N. Nowakowski, and explored the Supreme Court chambers with Chief Justice Shirley S. Abrahamson and Justice Ann Walsh Bradley, who taught in the Philippines last summer. The delegation also heard from Reserve Judge Gerald C. Nichol, who discussed mediation and alternative dispute resolution.

The Filipino courts grapple with extensive delays that have a few root causes. First, rules of pleading and practice

are commonly interpreted to allow immediate certiorari petitions on virtually all motions, from the determination of probable cause to the exclusion of evidence. As a result, trials are started and stopped, and witnesses and evidence are presented piecemeal over many months and sometimes years. Second, prosecutors and defense attorneys are commonly unable or unwilling to meet deadlines established by the court, and judges are hesitant to deny continuances. Third, witnesses who must travel from outside Manila often do not appear – a problem exacerbated by the lack of funds to cover their costs and an inefficient subpoena system.

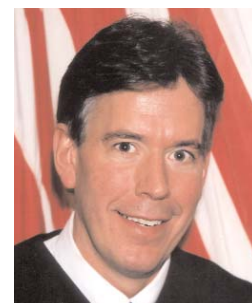
The Wisconsin judges shared with their Filipino counterparts simple, inexpensive ways to improve the flow of cases. They focused on the role of the judge, the responsibilities of administrative personnel, and how discovery (which is rarely used in the Philippines) can reduce the time of the trial.

African dignitaries watch plea colloquy

A delegation visiting Wisconsin under the auspices of Marquette University's Les Aspin Center for Government stopped by the Milwaukee County Courthouse in June to watch a plea hearing and learn about the constitutional protections afforded defendants in criminal proceedings. The visiting group included 18 judges, members of parliament, journalists, and others who hold positions of public trust in the African nations of Ghana, Kenya, Mali, and Nigeria.

Judge Paul R. Van Grunsven hosted the group along with Chief Judge Kitty K. Brennan. Van Grunsven scheduled a plea to coincide with the group's visit.

"We actually took a guilty plea from a defendant so our guests could see the lengths that courts in this state take to make sure a guilty plea is freely, voluntarily and intelligently made," Van Grunsven said. "The feedback from our guests was overwhelmingly positive." ■



Judge Paul R. Van Grunsven



Chief Justice Shirley S. Abrahamson and Justice Ann Walsh Bradley, standing, and Judge Maryann Sumi, seated center, share a light moment with a group of Filipino judges who visited the Wisconsin Supreme Court in June under the auspices of the American Bar Association.



Milestone

Barbara Allar strikes a pose before she and her longtime colleagues celebrate her 35 years in the Waupaca County Clerk of Circuit Court Office. Allar is a deputy clerk of court and handles all forfeitures for the office. She has spent much of her career working in the Criminal Division.

New system tracks court security and facility information online

by Erin Slattengren, senior policy analyst
Office of Court Operations

As a result of recent events, information on court security and facilities has become a hot topic nationally. Since 1995, when Supreme Court Rule 70.39 establishing facility, security, and staffing guidelines was enacted, the Court's Planning and Policy Advisory Committee (PPAC) has collected information semi-annually from each county about security incidents involving judges and other court staff. The data collected by PPAC have proven useful in maintaining voluntary compliance with SCR 70.39, in sharing information between counties as they undertake new facility construction or security initiatives, and in documenting security incidents to demonstrate to county officials the need for courthouse security improvements.

To make this process more efficient, PPAC and the Consolidated Court Automation Programs (CCAP) recently created an online system for collecting this information. The new system is housed on CourtNet and county respondents log into a database and complete a short survey. The online database allows this information to be quickly gathered and analyzed. In the future, PPAC plans to expand the survey questions to collect additional data that reflect current security developments. ■

For more details about the online system or to request information, contact Erin Slattengren in the Office of Court Operations at (608) 266-8861 or erin.slattengren@wicourts.gov.

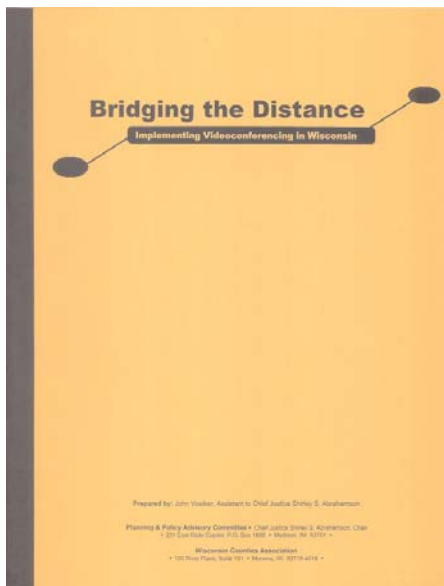
Videoconferencing guide updated

by Erin Slattengren, senior policy analyst
Office of Court Operations

A new edition of the Wisconsin court system's guide to videoconferencing is in production and will be available in early fall. "Bridging the Distance 2005" will provide information on implementing videoconferencing, choosing and using equipment, and evaluating the effectiveness of a program. It also will include a comprehensive resource directory of videoconferencing contacts throughout the state.

The guide is the result of many months of work by the Planning and Policy Advisory Committee (PPAC) subcommittee on videoconferencing. The subcommittee was reconvened in February 2004 to update the original guide to videoconferencing that was written and published in 1999.

The subcommittee hopes to encourage greater use of videoconferencing in the Wisconsin court system by providing an up-to-date foundation of rules, procedures and protocols for its use, while emphasizing the need to ensure the rights of litigants. An electronic version of the new guide will be available on the court system's Web site and will be continually updated. ■



1999 videoconferencing manual

CCAP continued from page 1

In addition to suspensions and revocations, the latest phase allows the clerks to transmit license reinstatements and changes to the citation disposition record. The citation interface includes:

- processing electronic citations from State Patrol weigh stations in 12 counties;
- processing electronic citations from State Patrol troopers in 24 counties; and
- transmitting citation dispositions to DMV from the courts in 68 counties.

The Electronic Citation Interface eliminates several labor-intensive steps in the clerks' offices, State Patrol, and DMV. Information is no longer manually typed into multiple systems, which improves efficiency and accuracy. Reducing redundant paperwork means court clerks can spend more time helping their customers and focusing on collections and officers can spend more time on patrol.

Approximately 10 percent of all citations received by courts contain at least one error, according to a University of Pittsburgh School of Law study that concluded, "Electronic ticketing has the ability to eliminate most, if not all, of these types of errors...."

"With the inclusion of electronic suspensions, we are one step closer to becoming fully automated on receiving and disposing of citations. This interface is a great benefit to our office with accuracy and time savings," said Clerk of Circuit Court Cindy Kimmons, Lincoln County. Future plans include rolling out all phases of the interface statewide and exchanging information electronically with local law enforcement agencies. The State Patrol will be providing the Wisconsin TraCS software to all local law enforcement agencies statewide to help facilitate an easier transition to electronic citations. ■

VOLUNTEERS IN THE COURTS

Grant helps launch new CASA program

With a \$40,000 grant from the National CASA Association, Rock County recently launched a CASA (Court Appointed Special Advocate) program thanks to the efforts of Lisa Anderson, director of the Rock County CASA, and John Pfeleiderer, executive director of Family Services of Southern Wisconsin and Northern Illinois, Inc.

Anderson learned of CASA four years ago and decided it was a program that Rock County needed to have. Working for Family Services' Sexual Assault Recovery Program and serving as a foster parent gave her a clear picture of the needs of abused children and she knew more needed to be done for them.

Pfleiderer worked for a CASA program in southern Indiana and knew Rock County would benefit from a similar program. He and Anderson turned to Judge Richard T. Werner, who has served on the bench in Rock County for nine years and who currently presides in the county's Juvenile Court. Werner, who has taken an active interest in child-welfare issues in the past, agreed that a CASA program would be beneficial and offered his full support. Also involved from the start was Chief Judge Michael N. Nowakowski, who, Pfeleiderer said, has been "a critical part of this process."

Rock County CASA anticipates assigning its first volunteers to children in November. Each volunteer will be assigned one case at a time and must commit to a minimum of a year with that child. The volunteers must complete 40

hours of training and attend half a day of juvenile court. To accommodate the volunteers' schedules, training sessions will be held on Saturdays beginning in September.

CASA volunteers help judges understand more about the abused and neglected children who come to court. By gathering sufficient information and preparing reports on each child, volunteers open doors for these children to receive the help they need. "The role of the CASA volunteer is to augment the judge's information base for making life-defining decisions for children," Pfeleiderer said.

Funding is slow to come. The \$40,000 grant covers only 65 percent of the program's expected costs. Funds have also come from United Way of Northern Rock County and various foundations. Anderson and Pfeleiderer recently completed their first fundraising event – a motorcycle poker run – as they continue to seek more volunteers.

"Sometimes it seems slow to get going," Pfeleiderer said, "but the benefits the children will receive make it worthwhile." ■

For more information contact Anderson at (608) 305-0187 or Pfeleiderer at (608) 365-1244. For more information on starting a CASA program, contact Marsha Varvil-Weld, executive director, Wisconsin CASA Association, at (608) 742-5344 or mlweld@wisconsincasa.org.



Judge Richard T. Werner

Wisconsin CASA programs

Wisconsin has six other CASA programs:

CASA of Brown County launched in June 2004 with grant money from the National CASA Association. This CASA currently has 13 volunteers. It receives additional funding from the Brett Favre Foundation, various community organizations, and the State of Wisconsin.

Columbia-Sauk CASA serving Columbia and Sauk counties since 1999. This CASA currently has 15 volunteers serving 17 children. It receives funding from a National CASA Association emergency grant, the State of Wisconsin, United Way, various community organizations, and Columbia County Human Services.

Dane County CASA established in 1995. Dane was the first county in Wisconsin to launch a CASA; this program currently has 50 volunteers serving 58 children. Funding comes from the Dane County Clerk of Courts Office, United Way, community organizations, and the State of Wisconsin.

Voices for Children CASA Program (Kenosha County) operating under the Alcohol & Other Drug

Council of Kenosha. This program began in 1998 and currently has 14 volunteers working with 29 children. Its funding comes from the State of Wisconsin, in-kind contributions, fundraising events, and United Way.

YWCA of the Coulee Region – CASA Program (La Crosse County) serving the La Crosse area since 2001. This program currently serves 30 children with 20 volunteers and receives funding from the State of Wisconsin, United Way, private grants, various community organizations, and fundraising events.

Milwaukee CASA launched in 2001. This CASA has 45 volunteers serving 84 children. It receives funding from the National CASA Association, the State of Wisconsin, Junior League of Milwaukee, and various foundations and community organizations.

Note: Fond du Lac County runs a child-advocacy program similar to CASA through its Conflict Resolution Center.

PEOPLE



Justice N. Patrick Crooks

On a steamy Friday morning in late July, Justice **N. Patrick Crooks** walked into the cluttered hive of activity that is the Capitol Press Room and delivered a short, written statement that announced his intention to seek a second 10-year term in April 2006. "I enjoy my job," Crooks told the *Associated Press*. "I find it challenging. I find it interesting. I like my colleagues. We're all getting along well. I'm just not ready to retire and walk away from it."

A series on alternatives to incarceration brought a reporter for *The Oshkosh Northwestern* to La Crosse to watch Judge **John J. Perlich** at work in one of the state's three drug treatment courts (the other two are in Dane and Monroe counties; several other counties are running pilot programs). The series focused on treatment courts because Oshkosh is working hard to open one by early 2006. Judge **Scott C. Woldt**, who joined the bench in Winnebago County in January, is championing a treatment court that would focus on both drug and alcohol addiction. He told the newspaper that his interest in the approach grew from the defendants he sees every day in court. Woldt realized how many crimes and civil/family/juvenile matters are rooted in substance abuse. The reporter interviewed various criminal justice experts, including UW Law School Lecturer **Daniel Nevers**, who was quoted as expressing concern about corrections spending. "I'm not sure when we'll hit

the point," he said, "where we decide we're no longer punishing criminals, but are punishing ourselves."

"Supreme enemies of openness" was the headline on an opinion column in the July 29 edition of *Isthmus*, a weekly alternative newspaper in Madison. Columnist **Bill Lueders** complained that a recent decision of the Wisconsin Supreme Court (**Hempel**) that denied a police officer accused of sexual harassment access to records from the investigation was "likely to blow a hole in the Open Records Law."

Wisconsin Lawyer magazine, a publication of the State Bar, featured in its July cover story Milwaukee County Circuit Court Judge **Richard J. Sankovitz** along with State Bar *Pro Bono* Coordinator **Jeffrey Brown** and Atty. **Rachel Schneider**. Sankovitz and Schneider were profiled for commitment to *pro bono* work, which takes different forms and includes a "Pro Bono Road Show," which is conducted under the auspices of the Milwaukee Bar Association's Legal Services to the Indigent Committee. The road show brings Sankovitz and Schneider to law firms large and small, where they discuss the importance of *pro bono* work. "What we do is give lawyers a practical, manageable, easy-to-learn way to do *pro bono* work," Sankovitz was quoted as saying. "Once they've started, they find the work fulfilling, and it perpetuates itself."

Florida court matters seem to make national headlines with increasing frequency, but usually the cases, rather than the judges, drive the media interest. Not so in Broward County recently, when a judge who could not find a dog-sitter decided to bring her German Shepherd to work with her. Perhaps predictably, the dog got loose while the judge was on the bench and chased another judge down the public hallway. The dog owner chastised her fellow judge for

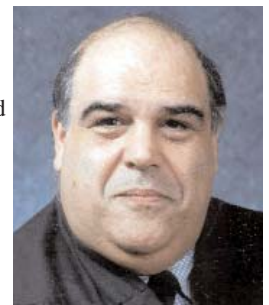


Milwaukee County Judges **Kitty K. Brennan** (left), **Karen E. Christenson** and **Mel Flanagan** toast their completion of the *Danskin Triathlon*, a fundraiser for breast cancer research held July 10. The three judges finished a half-mile swim, a 12.4-mile bike ride, and a 3.1-mile run in, respectively, 1:49:57 (Flanagan), 1:50:10 (Brennan) and 2:13:39 (Christenson).

overreacting when he saw the 113-pound shepherd coming after him. "When somebody runs from him, he thinks they are playing and he chases," she told the newspaper. "He's harmless."

In an effort to improve their response to people (often newly released inmates) who are in danger of becoming homeless, a group of public and private organizations in Sauk County has banded together to form the Sauk County Collaborative Initiatives Group, which announced its toll-free number this summer. The number, which will ring to the Central Wisconsin Community Action Council during the day and to St. Clare Hospital on nights and weekends, links people in need to dozens of organizations, including counseling services, job centers, county agencies, homeless shelters, hospitals and health-care organizations, probation/parole agencies, relief agencies and schools, reported the *News Republic* (Baraboo). Start-up funds have come from Sauk County Human Services and the First United Methodist Church, organizers told the newspaper. The next step: developing a card for distribution to law enforcement and others with the toll-free number and a list of resources.

A recent *Wisconsin State Journal* piece examined "the 'CSI' effect" in state courts – the question of whether jurors who watch a lot of criminal justice drama on television carry misperceptions into court. After viewing an episode of "Judging Amy," Dane County Circuit Court Judge **Stuart A. Schwartz** decided extra measures were necessary to make sure his juries separated reality from fiction. The *State Journal* reported that Schwartz has taken to reading jurors an admonition: "These depictions do not take place in a real courtroom. These shows are not real trials with real winners and losers in a legal context. Sometimes, a judge is not a real judge. Entertainment triumphs. The judge is often blunt, decisive and judgmental. The judge never cites a case, a statute or even the Constitution. Decisions are drawn from the gut." Dane County District Atty. **Brian Blanchard** said prosecutors in his office were also concerned about "the



Judge Stuart A. Schwartz

PEOPLE *continued from page 16*

‘CSI’ effect” leading jurors to acquit in the absence of forensic evidence like fingerprints or DNA, but said none had actually experienced this.

The Racine County Courthouse was the site of a celebration recently as Racine artist **John D. Van Koningsveld** unveiled a bronze bas-relief of “Justitia,” Lady Justice, minus her customary blindfold. As reported in the *Milwaukee Journal Sentinel*, Van Koningsveld found in researching the Lady Justice image that blindfolds were originally worn by protesters in Europe to call attention to what they saw as unfair court practices and only later was the blindfold adopted as a symbol of justice. Van Koningsveld’s models for the sculpture were Judge **Faye M. Flancher**, in whose courtroom Justitia is displayed, and former Racine County Executive **Jean Jacobson**, who commissioned the piece. The artist spent 400 hours sculpting the bas-relief, which was funded by local philanthropist **Joseph Haban** and the county. Van Koningsveld now is working on a second commission: a piece of art for display in a seventh-floor courtroom.



Justice David Prosser Jr.

This year’s inductees to the Appleton West High School Hall of Fame included Supreme Court Justice **David Prosser Jr.**, a member of the class of 1961. The Hall of Fame began in 1991 to recognize graduates who have made outstanding contributions to their professions and their communities. Before beginning his tenure on the Supreme Court bench in 1998, Prosser

served as Outagamie County district attorney and as minority leader and speaker of the state Assembly. As reported by the *Post-Crescent*, Prosser’s fellow honorees were **Franklin Jesse**, an expert on international law who advised the Reagan administration, **Marilyn Justman Kaman**, who served as a district court judge in Minnesota

Budget *continued from page 2*

- fund state operations appropriations (these include the three levels of court, the Director of State Courts Office, and the Wisconsin State Law Library).
- Delete 2.3 percent of the courts’ operations funding, with a provision to allow the secretary of the Department of Administration to restore all or part of the funding. Because the amount available is 4 percent less than the amount deleted, the veto message directs the secretary to apportion the reduction across state government in a manner that minimizes the impact on critical services.
- Through the governor’s partial vetoes, require additional lapses from unspecified state operations appropriations. What impact, if any, these vetoes will have on the courts is not known.
- Provide state funding for the court interpreter program currently funded with expiring federal funds, and provide additional county reimbursement funds to reflect increased demand for court interpreter services.

and as a United Nations judge in Kosovo, and **George Mueller**, the retired president and chief executive of Wisconsin Tissue Mills.

Melissa Wallace was sworn in as La Crosse County’s first certified court interpreter, and she told the *La Crosse Tribune* that she looks forward to being able to help Spanish-speaking defendants feel as comfortable in court as English speakers. Wallace, a native of Wisconsin Rapids, is a Spanish instructor at UW-La Crosse and spent five years living in Spain. When she returned to Wisconsin in 2000, she inquired about becoming a certified interpreter, but the state did not have a training program in place at the time. To earn her certification, Wallace received two days of instruction followed by several examinations on court procedures and ethics. District Court Administrator **Patrick Brummond** told the *Tribune* that having a certified interpreter with knowledge of court procedures would allow the court to better serve its diverse public.



Judge
Paul B. Higginbotham

Judge **Paul B. Higginbotham**, Court of Appeals – District 4, gave the commencement address at Edgewood College, where he told graduates he almost became a priest, *The Capital Times* reported. “Now I have a job where I wear a black coat, people rise when I walk in, people confess their sins to me, and some folks even fall asleep in the courtroom. So maybe I’m not too far from my original calling,” he said. ■



Supreme Court Justices Louis B. Butler Jr. and N. Patrick Crooks line up for a ride around the Capitol Square in a 1928 Packard sedan, courtesy of Supreme Court Commissioner Nancy Kopp and her father (at the wheel), Rudy. The car, which is in pristine condition, was the lowest priced Packard sedan when it was introduced, but still cost more than \$2,000 when it was new – a price that would have purchased several Model T Fords.

- Increase a number of surcharges imposed on fines or forfeitures to provide revenues for executive branch programs and the general fund.
- Reduce certain first-offense operating a motor vehicle after revocation (OAR) convictions from criminal to civil offenses.
- Reduce the terms of probation for certain misdemeanor offenses.
- Narrow the definition of “habitual traffic offender” to reduce the number of persons whose operating privileges are revoked.
- Create a subsidized guardianship program.
- Create a grant program to provide reintegration services for female non-violent prisoners from Milwaukee County and their children.
- Create a grant program to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. ■

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After a year, SCRAM sticks around

by Holly C. Noe, court information intern

A year after it piloted a new alcohol monitoring system, Racine County has decided to let SCRAM stay awhile. Known by an acronym that stands for Secure Continuous Remote Alcohol Monitor, SCRAM uses a bracelet to measure the chemical traces of alcohol that seep through the skin. The system reports the wearer's blood alcohol level via wireless modem.

Racine County became the first in the state to test SCRAM in April 2004 on five defendants awaiting trial on drunk driving charges. Since then, the monitors have been used routinely on defendants ordered to maintain absolute sobriety. Approximately three people are on the monitors on any given day.

Chief Judge Gerald P. Ptacek has ordered SCRAM several times in his felony court, mostly for fifth-offense operating-while-intoxicated (OWI) defendants who are released while their cases are pending. "It's a great motivator," Ptacek said. "Part of what we do is try to help people restructure their lives if they're convicted, and if you're using a monitor, you're allowing someone the chance to prove themselves."

A defendant's success or failure with a SCRAM monitor also gives judges another way to evaluate a defendant when determining sentencing: Judges who place defendants on SCRAM bracelets are able to use their own computers to track readings, which are taken about every half hour.

SCRAM also is used in the Racine County Sheriff's Department's Pretrial Intensive Supervision Program for repeat drunk drivers and in the aftercare treatment program. "It's just adding one more tool to the toolbox," said Cheryl Zimmerman, whose consulting firm manages the county's jail diversion programs. "It's not used as much as we'd like it to be used, but I think that's just a matter of time and communication."

Since Racine led the way, other counties have taken an interest in SCRAM. Milwaukee County began using the devices this spring on pretrial OWI defendants. Waukesha County is also planning to use SCRAM in the alcohol treatment court it has in the works.

"You can see the difference in people's lives made by a device that gives them some control," Ptacek said. "So when you see violations, you can also understand how strong, how compelling an addiction has to be to get someone to be drawn to it instead of complying for their own personal liberty – because if you don't comply,

you generally get tossed back in jail."

Jerry Solem, who works with Zimmerman on the jail diversion programs, said two-thirds of the people who have gone on SCRAM in Racine County successfully completed their stints with the monitors. The remaining third had to be returned to custody for drinking or tampering with the device.

SCRAM's major drawback has been its price. At a cost of about \$12 per day (paid to Alcohol Monitoring Systems in Colorado, the company that created and runs the system), SCRAM is more expensive than other forms of monitoring, which is the source of most complaints from defendants.

"There's no pool of money set aside here, so it's pretty much at the cost of the participant," Solem said. "If they can't pay for it, it doesn't happen."

As with any new piece of technology, SCRAM also has its bugs. One is that the device only registers blood alcohol levels above .02, so some drinking may go undetected. "You have to understand going in that it's still possible for individuals to drink at a low level," Solem said. "But most of the population we're serving tends not to stop at low levels, so it gets them eventually."

Despite its shortcomings, SCRAM has advantages over traditional monitoring methods. It keeps a record, is able to detect attempts at tampering such as placing something between the device and the skin, and participants in the pilot program reported that the threat of constant monitoring did help deter them from drinking.

"It goes a long way in terms of improving the quality of the monitoring that we're used to," Ptacek said. "Before, a defendant is wearing a device near a phone, gets a call, and blows into the device – just a periodic check. This is a continual check, which makes a lot of difference in terms of its credibility and usefulness in what we do. Other people should look at it because it's so darn accurate."

For counties interested in trying SCRAM, Ptacek recommends that all judges meet with a representative of the company who can demonstrate the device and answer questions. Zimmerman's best advice is to conduct a pilot project first to understand the system's strengths and limitations in practice. "This should just be a monitoring tool," she said, "not the only monitoring tool." ■