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# The Third Branch

a publication of the Wisconsin Judiciary



## Appointments bring three new judges

Gov. Scott Walker has named a new judge to the Court of Appeals and new judges to circuit courts in two counties.

Judge Thomas M. Hruz, who spent the last 10 years in private practice, was appointed to the District III Court of Appeals to fill the vacancy created by the retirement of Judge Mark A. Mangerson (see *Retirements on page 3*). He received his law degree from Marquette University Law School and clerked for Wisconsin Supreme Court Justice David T.



Judge Thomas M. Hruz

Prosser and Seventh Circuit U.S. Court of Appeals Judge John Coffey. Hruz holds a bachelor's degree in history and political science from UW-Milwaukee and a master's degree in public affairs and public policy analysis from UW-Madison.

"Tom Hruz was a brilliant law clerk who quickly established a reputation as an outstanding attorney," Prosser was quoted as saying in the governor's press release.

Former Milwaukee County Assistant District Attorney T. Christopher Dee was appointed to the Milwaukee County Branch 37 Circuit Court bench.

Dee served as assistant district attorney for 14 years. He has also worked in private practice, as city attorney in Kenosha and Madison, and for the Dane County District

see **Appointments** on page 11

## Legislative committees take on court topics

By Nancy Rottier, *Legislative Liaison*

The Legislative Council has organized and named members to seven interim study committees, as well as two steering committees. Four of the study committees relate directly to the work of the court system, and the Legislative Council named judges to be members of all four of those study committees. Study committees typically develop legislation for consideration during the next legislative session.

**Study Committee on the Review of Criminal Penalties**, chaired by Rep. Rob Hutton (R-Brookfield). Sen. Fred Risser (D-Madison) serves as Vice-Chair. Chief Judge Donald R. Zuidmulder of the 8th Judicial District, and Circuit Court Judges Scott W. Horne of La Crosse County and David M. Reddy of Walworth County have been named as members. The committee is directed to review the penalties for misdemeanor and low-level felony offenses to determine whether current penalties are appropriate, whether any crimes should be classified, and whether any offenses are outdated or should be decriminalized.

At its first meeting, the committee received an overview of sentencing and crime classification from Professor Thomas Hammer of Marquette University Law School. Hammer traced the legislative history of determinate sentencing

through the development to Truth in Sentencing and included an extensive description of the work of the Criminal Penalties Study Committee (CPSC) in creating the current classification system for felonies. Hammer also suggested some challenges and opportunities facing the committee. Challenges include the large number of misdemeanors, the broad use of minimum penalties in misdemeanors and the

see **Committees** on page 14



Wisconsin's problem-solving courts are among topics currently being examined by a Wisconsin Legislative Council committee. The Problem-Solving Courts, Alternatives, and Diversions committee, which met during August, is charged with studying the effectiveness, costs, and best practices of treatment courts.

## Voelker named deputy secretary of ETF

Former Director of State Courts A. John Voelker left the court system July 25 to become deputy secretary of the Wisconsin Department of Employee Trust Funds (ETF).

Voelker worked for the courts for 22 years, including the last 11 years as the director of state courts. He previously served as executive assistant to Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson and as a senior policy analyst in the Office of Court Operations. Before that, he worked for the Legislative Audit Bureau.

During his tenure as director, Voelker helped move the Wisconsin court system ahead in many areas, including implementation of evidence-based practices and the use of new technology, said Chief Justice Shirley S. Abrahamson. "Along with the entire Wisconsin Court system, I

appreciate the work John has done over the years, and the dedication he has shown to the judges and employees of the judiciary. He and his work will be missed," said Abrahamson.

As director, Voelker worked closely with Abrahamson, the Supreme Court, the committee of chief judges, deputy administrators and district court administrators to oversee



see **Voelker** on page 2 A. John Voelker

**Voelker** *continued from front page*

administrative functions of the entire state court system. He also served on or led many committees responsible for developing policy and guiding the court system.

Voelker was called on at times to temporarily serve as acting department head when vacancies occurred. He served stints as acting clerk of Supreme Court and Court of Appeals, working with Theresa Owens, then executive assistant the Chief Justice Shirley S. Abrahamson and former deputy clerk of the Supreme Court. Voelker also worked with the Board of Bar Examiners while the director's position was vacant in that office.

Although his ability to "switch-hit" in administrative duties was valuable to the court system, the avid baseball fan said he won't necessarily miss that aspect of his job. Voelker said he will miss working with many people crucial to effectiveness of the court system, including the counties, clerks of circuit court, registers in probate, court reporters, the State Bar of Wisconsin and other justice system partners.

"I liked building coalitions with anybody who was interested in improving the court system, and that included all those folks," Voelker said.

His expertise also was recognized outside the court system: Voelker was chosen last year to head the evidence-based project planning team of the Statewide Criminal Justice Coordinating Council convened by Gov. Scott Walker. The number of county-based criminal justice coordinating councils grew from less than five to about 30

during his tenure. Voelker also was a member of the Conference of State Court Administrators and served a three-year term on its board of directors.

Voelker worked to improve court system management through the use of technology, such as the Consolidated Court Automation Program's (CCAP's) judicial dashboard tool for judges and an eFiling system, which is slowly expanding. Another significant achievement through technology and court operations involved transitioning the court system to its own payroll and human resources management computer system. ETF and the state are working towards implementing their own system by learning from the court system's experience.

Voelker also became recognized as an expert on court security issues and worked collaboratively with the Fox Valley Technical College to provide court security training and educational opportunities for court staff and law enforcement.

Earlier in his career, while serving as a policy analyst in support of the Planning and Policy Advisory Committee (PPAC), he helped develop the court system's first formal strategic plan. He also helped develop rules that were eventually adopted by the Supreme Court regarding court facilities and security and the use of circuit court commissioners.

In recent months Voelker had taken to the road to promote understanding of court system funding and the potential effects of underfunding the courts. ■

**OBITUARIES****Judge Richard D. Galstad**  
**Trempealeau County Circuit Court**

Judge Richard D.  
Galstad

Former Trempealeau County Circuit Court Judge Richard D. Galstad passed away on May 29 at the age of 84.

Galstad served on the circuit court bench from 1983-94, and continued to serve as a reserve judge after his retirement. According to an oral history conducted by Judge John A. Damon in 2013, Galstad performed 300 weddings during his time on the bench. According to the same interview, Galstad never took a vacation during his

11 years as a judge.

After graduating from UW-La Crosse and UW Law School, and serving as a naval supply officer in the U. S. Navy, Galstad was appointed to the bench by then-Gov. Tony Earl in 1983. Prior to his appointment, he worked in private practice. He served as faculty, advisory and a facilitator of the National Judicial College.

Galstad was a member of the Masonic Lodge for 60 years, served on the Osseo-Fairchild school board, was a charter member of the Osseo Lions Club, and served as a district judge for the American Legion. He was appointed to the State Mining Board by former Gov. Lee Dreyfus.

Galstad is survived by his wife, Patsy; five daughters; eight grandchildren; and two great grandchildren.

**Judge William D. Gardner III**  
**Milwaukee County Circuit Court**

William D. Gardner III, former Milwaukee County Circuit Court judge, passed away at the age of 81 on July 5.

Gardner was elected to the Branch 16 bench in 1979, defeating incumbent Fred St. Clair. Gardner attended St. Francis Seminary, and served two years in the U.S. Army before deciding to pursue a career in law. He received his law degree from Marquette University Law School. According to an obituary in the *Milwaukee Journal Sentinel*, Gardner worked three jobs: digging ditches for a gas company, selling beer at the County Stadium, and delivering mail for the post office, to put himself through law school.

Prior to his election to the circuit court, he served as deputy district attorney for Milwaukee County. He was named to the position by then District Atty. E. Michael McCann, who had been his teammate on the St. Francis football team.

Gardner retired from the circuit court in 1997, but continued to serve as a reserve judge for the next 10 years. He formerly presided over the children's division, and served as an instructor on juvenile juries, termination of parental rights, and traffic laws and penalties at the



Judge William D.  
Gardner

**RETIREMENT****Judge Dee R. Dyer  
Outagamie County Circuit Court**

As Outagamie County Circuit Court Judge Dee R. Dyer went through his desk drawers, he said he found many old notes that brought back memories of the various cases he had presided over during his 26 years on the bench. Dyer retired from the circuit court on July 31.

A graduate of UW-Stevens Point and the University of San Fernando Valley College of Law, Dyer worked as a district attorney and assistant district attorney for Winnebago County, and in private practice before his election to the circuit court in 1988.

Dyer said presiding over the Outagamie County Mental Health Court program he helped create has been incredibly rewarding. This July, the court celebrated its second anniversary. Created with a \$250,000 federal grant, the program teams the circuit court with the Outagamie County Health and Human Services Department and the Fox Valley affiliate of the National Alliance on Mental Illness to help non-violent offenders with mental illness in the probation system with mental health treatment, stable housing, and employment.

After his retirement, Dyer said he would miss the people he has worked with, as well as the opportunity to help people that his position provided. He credits the

*Judge Dee R. Dyer*

computerization of the court system, especially digital filing, with assisting him in his job.

Dyer said he plans to spend his retirement enjoying life. This will include traveling with his wife, spending time at his homes in Door and Outagamie counties, and spending time with his family.

**Judge Michael D. Guolee  
Milwaukee County Circuit Court**

At the time of his retirement on July 31, Milwaukee County Circuit Court Judge Michael D. Guolee was the longest serving active judge in the state of Wisconsin. Guolee left the bench with 38 years under his belt, and many memories. Though some of the cases he presided over were more high profile than others, he said he tried to not give priority to any individual ones.

"Every case is important," Guolee said. "As a judge, you're solving people's problems." He said it was the opportunity to serve the people of the county, by moving their problems through the judicial system to reach a resolution that he is the most proud of.

"The law is like a lubricant to make society run," he said.

*Judge Michael D. Guolee*

see **Retirements** on page 19

**NEW FACES****Kristina Aschenbrenner  
Tenth District Court Administrator**

Kristina Aschenbrenner started as the new Tenth District Court Administrator on June 2. She fills the position vacated by Scott Johnson, who left to become deputy state court administrator in North Dakota.

Aschenbrenner previously served as the Eau Claire County clerk of circuit court for more than five years, during which time the county planned and built a new jail. As clerk, in addition to managing personnel and budgets, Aschenbrenner helped usher in the use of new courtroom technology and managed high-profile trials. She also served on the Eau Claire County Criminal Justice Collaborating Council and was involved in the treatment courts and Evidence-Based Decision Making initiatives.

Aschenbrenner holds a Master's degree of Business Administration from UW-Eau Claire and has previously worked in finance and marketing. She also served 10 years with the Wisconsin Army National Guard in the 724th Engineering Battalion.

*Kristina Aschenbrenner***Tommy Gubbin  
Special Projects Coordinator,  
Office of Court Operations**

Tommy Gubbin joined the Office of Court Operations in June as a policy analyst focused on Evidence-Based

*Tommy Gubbin*

Practices and Criminal Justice Coordinating Councils. He replaced Nikki Leicht. Gubbin previously worked for the Wisconsin Department of Corrections (DOC), where he began in 2000 as a probation/parole officer working in Milwaukee and then Madison.

In 2005 he was promoted to Corrections Field Supervisor in Janesville, where he helped implement Evidence-Based Practices, including assessments, motivational interviewing, and revamped case planning processes. He has been a member of the Rock County Criminal Justice Coordinating Council since its inception in 2006, and chairperson since 2012. He was a charter member of the Rock County Behavioral Health Redesign

see **New faces** on page 11



## Remote interpreting capabilities assessed

by Carmel A. Capati, Manager, Court Interpreter Program

During May, National Center for State Courts (NCSC) Consultant Kevin O'Connell visited five courts throughout the state over three days as part of the final phase of a State Justice Institute (SJI) technical assistance grant the Director of State Courts Office received from the NCSC to assess remote interpreting capabilities in Wisconsin courts.

The primary purpose of the site visits was to understand issues with interpretation broadly, and remote interpreting specifically. In these meetings, O'Connell met with key stakeholders such as judges, clerks of court, district court administrators, court staff, interpreters (staff and contract), as well as administrative heads from the Director's Office. The five locations were Dane, Dodge, Richland, Walworth, and Waukesha counties. These sites varied in volume of interpreting, from Dane county and its 2,200 hours of interpretation to Richland with 12 hours in 2013, as well as business practices around the use of interpreters, video, and technology usage.

Each of the counties employs different processes for arrangement of interpreter services, ranging from the use of



Kevin O'Connell, Carmel Capati, Sheila Reiff, Saul Arteaga and local jail staff (on screen) participated in a recent video conference demonstration in Walworth County. The demonstration connected the courtroom, jail and an interpreter located at a remote location. Walworth County has the ability to bridge up to five locations.

staff interpreters to a county-wide contract with an interpreting agency and reliance on freelance interpreters. The counties also were selected because they have the technology to implement video remote interpreting (VRI) and expressed a desire to expand in this area.

In general, VRI can be a viable alternative to in-person interpreters when a certified interpreter is not available locally or when the language need is rare. According to an article entitled "Video Remote Interpretation as a Business Solution" authored by NCSC Vice President of Research and Technology Thomas Clarke in its 2014 Trends in State Courts publication, 13 states have

implemented pilot VRI projects or are expanding existing projects while another 14 states are planning to explore or evaluate VRI during the next year. Wisconsin is one of the 14 states that will continue to explore VRI as the site visits categorically showed a high level of interest in using technology to its fullest potential, in particular with interpreter services. ■

## 'Realtime' technology gaining popularity

By Karla Sommer, WCRA President, RMR, CRR, CBC

A growing number of Wisconsin judges are taking advantage of "realtime" technology in their courtrooms, and the Wisconsin Court Reporters Association is working to promote the trend.

The Association in 2010 produced a video, [now available on YouTube](#), explaining how the technology works and its potential benefits for judges and others in the courtroom. The video features appearances by Reserve Judge Gary L. Carlson, a former Taylor County Circuit Court judge, and past WCRA Presidents Chris Willette and Mary Burzynski. The video was initially created for the Director of State Courts Office to be utilized in the training of new judges.

Realtime technology allows judges and others connected to the system to view a transcript of the proceedings as it is created by a court reporter. The software involved, Stenograph's CaseViewNet, and related cabling is installed by Consolidated Court Automation Programs (CCAP).

Software features include:

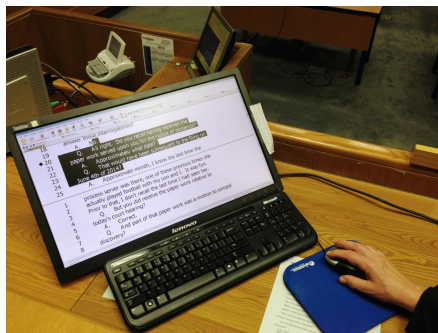
- Mark testimony for quick and easy review
- Search testimony for a question, answer, word, phrase,

marked lines, time or notes

- Quick Find questions, answers, marked lines and notes
- Write on-screen notes linked to specific testimony
- Use Quick Issues commands to identify specific testimony for on-screen review
- Locate time-specific testimony segments
- Generate printed reports of annotated text for printing and saving information to file
- Save the realtime transcript file

The exact number of Wisconsin circuit court judges using realtime technology is not known. Seventy-seven official court reporters, or slightly more than 25 percent, have achieved their Certified Realtime Reporter designation, according to the Office of Management Services. There are also many reporters without such certification already providing this service to their judges, so the percentage of court reporters using the technology is likely higher.

For many years the WCRA has been offering realtime technology training at its conventions and has strongly urged members not only to learn realtime to make their transcript production easier,



Judges connected to a "realtime" system are able to view a transcript being developed as it is created by a court reporter.

see **Realtime** on page 22

## AWARDS

### Anderson's committee work honored

The Milwaukee Bar Association honored Bayfield County Circuit Court Judge John P. Anderson and Atty. Mary Wolverton with the Distinguished Service Award for their work on the Limited Scope Representation Subcommittee of the Supreme Court's Planning and Policy Advisory Committee (PPAC). The award was presented at the Bar's annual meeting on June 10.



Judge John P. Anderson

Anderson and Wolverton were appointed co-chairs of the subcommittee by PPAC in 2010. PPAC had identified providing self-represented litigants better access to the legal system as a top priority, and created the subcommittee to study possible initiatives and make recommendations for

implementation of limited attorney assistance for self-represented litigants.

The subcommittee examined practices in other states and surveyed Wisconsin judges and court commissioners.

The subcommittee presented its feasibility study and recommendations report to PPAC in August 2011.

In July of 2013, PPAC filed a petition to amend Supreme Court Rule Chapter 20 to include more guidelines for Wisconsin attorneys providing limited scope representation,

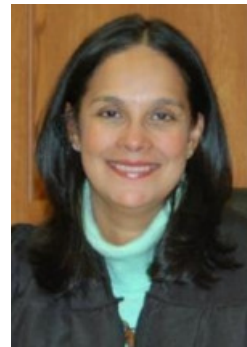
based on the recommendations of the subcommittee. The Supreme Court held a public hearing on the petition on March 19, and unanimously adopted the petition on April 4. The new rules governing limited scope representation go into effect Jan. 1, 2015.

### Gonzalez honored as adoption advocate

U.S. Senator Tammy Baldwin has named La Crosse County Circuit Court Judge Ramona A. Gonzalez as a 2014 Angel in Adoption awardee. The Angels in Adoption program is overseen by the Congressional Coalition on Adoption Institute (CCAI) to recognize individuals whose work has helped match children with permanent, safe and loving homes. The awards will be presented at a ceremony in Washington, D.C. on Sept. 16.

Established in 1999, the Angels in Adoption program gives members of Congress the opportunity to recognize individuals from around the country.

Gonzalez has served on the La Crosse bench since 1995. During that time, she has overseen the adoption of dozens of children. Prior to taking the bench, she served as a guardian ad litem while working in private practice. ■



Judge Ramona A. Gonzalez

## Public Library Initiative hits Fitchburg

By Bonnie MacRitchie, Office of Court Operations

On June 10, an educational session of the Public Library Initiative was held at the Fitchburg Public Library in the Fifth Judicial Administrative District.

The Public Library Initiative is an effort co-sponsored by the Planning and Policy Advisory Committee (PPAC) of the Wisconsin Supreme Court, the State Law Library, and the South Central Library System aimed at educating Wisconsin librarians about resources available to assist self-represented litigants.

The Public Library Initiative was initially launched in District 10 in 2007 and reached all but two judicial districts by 2011. The project's goal is to foster communications

between local courts and public libraries in an effort to assist the public in understanding the legal system and to better meet the legal service needs of the self-represented litigants.

Presenters at the June event included Dane County Circuit

Court Judge Shelley Gaylord, Dane County Clerk of Circuit Court Carlo Esqueda, District Five Court Administrator Gail Richardson, Rock County Register in Probate Louis Mineau, UW Law School Professor Marsha Mansfield, and Wisconsin State Law Librarian Julie Tessmer.



District Five Court Administrator Gail Richardson was among presenters who met with librarians at the Fitchburg Public Library to discuss resources available to assist self-represented litigants. The session, held June 10 at the Fitchburg Public Library, is part of the Public Library Initiative.

"It was a pleasure to present practical information to a group of Dane County librarians," Gaylord said. "They serve as the 'front bumpers' for answering questions from the public about basic information in the legal system. I hope they found the directions to websites, the information about 'what

we do,' and the forms useful. Whenever we have a chance to promote understanding about the legal system, I think we are all better served. Thanks for their interest and continued

see *Library* on page 13



## Grant approved for 'Lavinia' production

The Wisconsin Law Foundation will receive a \$9,452 grant from the Wisconsin Humanities Council for production of a stage play exploring the life and influence of Lavinia Goodell, the first woman admitted to practice law before the Wisconsin Supreme Court.

The grant, announced June 25, will enable the Wisconsin Law Foundation, in cooperation with the Director of State Courts Office and Supreme Court Chief Justice Shirley S. Abrahamson's office, to sponsor productions and performances of *Lavinia* at three venues during the spring of 2015 – Madison, Wausau, and Goodell's hometown of Janesville. A full reading of the play is also planned for Superior under the grant.

Goodell had practiced law locally in Rock County, but in 1876 the Supreme Court denied her the opportunity to handle the appeal of a probate case because she was a woman.

*Lavinia*, by Madison Playwright Betty Diamond, explores what it took for Goodell to overcome this challenge and to open the opportunity of the legal profession to all future generations of Wisconsin women. Working with a key group of supporters, including the Speaker of the Assembly, Goodell helped prompt introduction of legislation that prohibited gender-based discrimination in bar admissions. The legislation was signed into law on March 22, 1877, and Goodell's second application for admission to the bar was



Lavinia Goodell

approved by the Supreme Court on April 22, 1879 on a two-to-one vote. Goodell died the following March at age 40, but her hard-won victory made it possible for women to be admitted to practice law before the Supreme Court.

Diamond wrote the script for *Lavinia* with support of a previous Wisconsin Humanities Council mini grant to the Director of State Courts Office. Productions of the play will be accompanied by presentations by humanities experts.

"*Lavinia* is informative, entertaining and valuable in improving our understanding of how equal opportunity became possible in the legal profession and other professions and careers in Wisconsin," Abrahamson said.

More information about Lavinia Goodell is available on the Wisconsin court system's website, including an article on her contribution to Wisconsin's legal history at [www.wicourts.gov/courts/history/article17.htm](http://www.wicourts.gov/courts/history/article17.htm) and a synopsis of the Supreme Court cases denying her petition and later accepting her admission to practice law before the Wisconsin Supreme Court:

[www.wicourts.gov/courts/supreme/docs/famouscases08.pdf](http://www.wicourts.gov/courts/supreme/docs/famouscases08.pdf) ■

*The Wisconsin Humanities Council is a leading statewide resource for librarians, teachers, museum educators and civic leaders, who drive entertaining and informative programs using history, culture and discussion to strengthen community life for everyone. The Wisconsin Humanities Council also awards more than \$175,000 a year over seven rounds of grants to local organizations piloting humanities programming. For more information on the Wisconsin Humanities Council, visit [www.wisconsinhumanities.org](http://www.wisconsinhumanities.org) or connect on Facebook at [www.facebook.com/WisconsinHumanitiesCouncil](http://www.facebook.com/WisconsinHumanitiesCouncil) or Twitter at @WiHumanities.*

## Torhorst appointed to Committee of Chief Judges; Kremers selected to head committee

The Wisconsin Supreme Court has selected Racine County Circuit Court Judge Allan P. "Pat" Torhorst as a new member of the Committee of Chief Judges. The Court also reappointed four chief judges to new two-year terms. The appointments took effect Aug. 1.

Torhorst joins nine other circuit court judges who serve on the committee, which consists of one chief judge from each of the state's 10 judicial administrative districts. Torhorst replaces on the committee District Two Chief Judge Mary K. Wagner, Kenosha County Circuit Court, who served the maximum three two-year terms. Wagner continues to serve on the Kenosha County Circuit Court bench. District Two encompasses Kenosha, Racine and Walworth counties.

The Supreme Court also re-appointed chief judges from Jefferson County (Judge Randy R. Koschnick), Wood



Chief Judge Allan P. Torhorst

County (Judge Gregory J. Potter), Brown County (Judge Donald R. Zuidmulder) and Vilas County (Judge Neal "Chip" A. Nielson III) to continue serving on the committee. The committee helps the Supreme Court oversee administrative matters in circuit courts statewide.

In addition, the committee of chief judges selected Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, to serve as the chair of the committee, or "chief of the chiefs," during the next year. Kremers replaces Wagner as chair for a one-year term in that position. Kremers has served as chief judge of the First Judicial District, which consists of Milwaukee County, since 2008. Kremers served as a deputy chief judge from 2005 to 2008 and was appointed to the Milwaukee County bench in 1992. He was



see **Chief judges** on page 8  
Chief Judge Jeffrey A. Kremers

## Judging is family tradition for Fairchilds, Currans

*E*ditor's note: The Third Branch's second installment of parent/child judges features federal judges, Supreme Court justices, and a circuit court judge.

### The Fairchilds

In 1930, Edward T. Fairchild was appointed to the Wisconsin Supreme Court, after serving as a circuit judge for Milwaukee County for 14 years. He became the chief justice in 1954. Upon his retirement in 1957, Chief Justice Fairchild swore in his son, Thomas E. Fairchild as a justice of the Supreme Court, where he served until his appointment to the U.S. Court of Appeals for the 7th Circuit in 1966.

According to Thomas, in an oral history conducted in 1999 by Collins Fitzpatrick, circuit executive to the U.S. Court of Appeals for the Seventh Circuit:

"By that time we had pretty well decided that Wisconsin was a good place for me to get my law training because I might have opportunities here because of my father being on the Court. He served on the Supreme Court of Wisconsin from 1930 to 1957, the last three years as Chief Justice," the younger Fairchild recounted.

"Of course, my dad, in addition to being the father of the family, was a great influence in terms of the law. Every once in a while, now, on this court (federal judges, you know, they think they can do anything) an opinion will say, 'the trial court is affirmed,' or something like that. Well, I just can't stand that, and my Dad couldn't stand that. You're not affirming a court, you're not affirming a judge, you're affirming a judgment!"

Being the son of a justice influenced Thomas, even before his career path was set, he said in being interviewed for the oral history project.

"I certainly was in the courthouse at times when he was trying a case, but not often. Of course that was high school or earlier. I used to go the Supreme Court once in a while, and listen to an argument. No law clerks were provided for state judges in those days. He had the right to name a secretary and pay \$150.00 a month under the statute. He inherited a particular secretary when he came, somebody that had been a secretary for his predecessor, and he kept her until she reitared. But after that, he had a system of hiring as a secretary, a senior law student, with the understanding that the student would work through the senior year, and a year afterwards. And he or she would do as much law clerking as there was time for. You had to type



Chief Justice Edward T. Fairchild



Justice Thomas E. Fairchild

the opinions, but my dad didn't demand much in the way of letters and that. There was an occasional letter. He didn't dictate a lot, although we tried to learn shorthand. But he'd write out stuff a lot. So we could get the typing done and still do a certain amount of research and checking of cases cited in briefs, and that sort of thing, and helping, to some extent, with opinions. He carried that on for a great many years. I was number three in succession."

### The Currans

Juneau County Circuit Court Judge Paul S. Curran attended Marquette University, where he received his bachelor's and his law degrees. He worked in private practice before being elected to the circuit court bench in 2008.

According to Curran:

*My father, Thomas J. Curran, served as a United States District Judge for the Eastern District of Wisconsin from 1983 until his retirement in 2007. He passed away in 2012. It is important to note that my father was not the first in his family to be a judge. His brother, my uncle, William R. Curran, served as county and later circuit judge in Juneau County from 1950 until 1979.*

*I have often been asked if my dad influenced me to become a judge myself.*

*My dad's style of parenting seldom involved urging, coaxing, or cajoling. Rather, he influenced by the example he set.*

*Dad was a great believer in service - service to his country, service to his community, and service to his church. He did so in a gentlemanly, charming, and witty manner.*

*I am one of six children of Tom and Collette Curran. The example they set has caused all of us to serve our communities and our churches in innumerable ways, just as they did. My service as circuit court judge in Juneau County is simply one example of the service that my brothers and sisters all perform as a result of trying to live up to the example our parents left us. ■*



Juneau County Judge Paul S. Curran, left, is sworn into office in 2008 by his father, the late U.S. District Judge Thomas J. Curran. Paul Curran's wife, Gail Carlson, looks on, holding the Bible.

## WISCONSIN CONNECTS

**Bradley re-elected to IAWJ board**

Justice Ann Walsh Bradley was re-elected to serve on the Board of Directors of the International Association of Women Judges (IAWJ), a non-profit organization with 4,000 members from 103 nations around the world. Bradley was re-elected to represent the North American region, which is comprised of the U.S., Canada and Mexico.

The election took place in Arusha, Tanzania, during the IAWJ Biennial International Conference. Joining Bradley on the board of directors are judges representing Africa, Asia, the Caribbean, Europe, the Middle East, Latin America and the South Pacific.

“The IAWJ does remarkable work on a broad range of issues across the globe related to human rights and access to justice,” Bradley said. “It is a privilege to work with this group and I am honored and delighted to have been selected for this leadership role.”

At the biennial conference, Bradley introduced a resolution that endorsed human trafficking as an issue of vital concern to the organization. She urged national associations and individual members to consider ways to

combat this modern form of slavery by presenting programs to increase awareness of the complicated and often hidden forms of trafficking, including labor trafficking. The resolution passed unanimously.

Bradley has been active in a number of national and international organizations related to the justice system. She was recently elected to the position of vice chair of the Board of Directors of the International Judicial Academy and has served as an international lecturer for the Academy, the United States Department of State, and the American Bar Association’s Asia Law Initiative.

More than 500 participants from 36 countries attended the conference. ■



Justice Ann Walsh  
Bradley

**Triggiano attends child trauma symposium**

By Judge Mary Triggiano, Milwaukee County Circuit Court

I was recently invited to attend a conference in one of the most spectacular places in the world – Banff, Alberta Canada. Along with several clinicians from *SaintA* (formerly Saint Aemilian-Lakeside and Integrated Family Services) in Milwaukee, and support from Casey Family Programs, I attended the Child Trauma Academy’s Neurosequential Model Inaugural Symposium *Brain Development and Trauma: Implications for Interventions and Policy*.

My goals were two-fold: to continue my study of childhood trauma and brain development and to seek out potential speakers for the Children’s Court Improvement Program’s 2015 Conference on Child Welfare and the Courts: *Moving Toward a Trauma-Informed Wisconsin*.

The symposium drew over 400 professionals from across multiple disciplines, highlighting emerging concepts and practices in the areas of trauma-informed care and brain development with a specific focus on the Neurosequential Model.

Bruce D. Perry, M.D., Ph.D., senior fellow of The Child Trauma Academy (CTA), provided daily keynotes. Attendees chose from concurrent presentations related to Early Childhood, Policy/Juvenile Justice, and Education

offered by CTA fellows and other invited guest speakers.

Perry spoke passionately about the critical role early developmental experiences play in shaping the child, and ultimately community and culture. He also presented on the Neurosequential Model, which is not a specific therapeutic technique or intervention but a way to organize a child’s history and current functioning. Perry describes it as a developmentally-informed, biologically-respectful approach to working with at-risk children.

I had the pleasure of meeting Judge Robert Lowenbach, a retired judge from Colorado and fellow at the Child Trauma Academy, who presented on changing systems to align the “what we know” with “what we do.” I also met Dr. Gene Griffin, who presented on creating a trauma-informed juvenile justice system. Both Lowenbach and Griffin’s presentations were very compelling. ■



Judge Mary Triggiano

**Chief judges** *continued from page 6*

elected in 1993 and re-elected in 1999, 2005 and 2011. Kremers was in private practice from 1975 to 1976 and again from 1981 to 1992. In between, he served as an assistant district attorney in Milwaukee County.

Torhorst was elected to the Racine County bench in 1991 and re-elected in 1997, 2003 and 2009. He worked as an attorney in private practice from 1966 to 1991 and served as city attorney of Burlington from 1976 to 1991. He has served on the Planning and Policy Advisory Committee (PPAC) and the Uniform Bond Committee. He holds a

bachelor’s of science degree from UW-Madison and a law degree from UW Law School.

Working as a team with a deputy chief judge and a professional court administrator, chief judges manage the flow of cases, supervise personnel, develop budgets, and meet as a committee to work on issues of statewide importance. With the exception of the First Judicial District, where the chief judge is a full-time administrator, chief judges and their deputies maintain court calendars in addition to handling administrative matters. ■



## Judicial code addresses pro se litigants

By Reserve Judge Margaret J. Vergeront, Access to Justice Commission

The Wisconsin Code of Judicial Conduct now provides guidance on adjudicating cases with self-represented litigants. Effective July 1, a new subdivision provides:

*SCR 60.04 (1) (hm) A judge shall uphold and apply the law and shall perform all duties of judicial office fairly and impartially. A judge shall also afford to every person who has a legal interest in a proceeding, or to that person's lawyer, the right to be heard according to the law. A judge may make reasonable efforts, consistent with the law and court rules, to facilitate the ability of all litigants, including self-represented litigants, to be fairly heard.*

The obligations in the first two sentences were already contained in SCR 60.04. The third sentence is new. As explained in the final order adopting this rule, “[t]he majority of the court agrees that the Wisconsin Code of Judicial Conduct, SCR Ch. 60, should be amended to clarify that a judge’s reasonable efforts to facilitate the ability of all litigants, including self-represented litigants, to be fairly heard are consistent with a judge’s obligation to perform all judicial duties fairly and impartially.” [S. Ct. Order 13-14](#), 2014 WI 49 (issued July 1, 2014, eff. July 1, 2014).

A new comment accompanying the new rule provides additional guidance, elaborating on the discretion that a judge “may exercise consistent the law and court rules to help ensure that all litigants are fairly heard.” *Id.* at 7. The new comment also lists nine non-exclusive examples of steps that “a judge may take in the exercise of such

discretion.” *Id.* at 7-8.

As the final order explains, the new rule and comment are “not intended to change the law or impose new obligations on judges.” *Id.* at 5.

The final order provides that the court will evaluate the impact in three years. To facilitate this process, a committee, convened by the Committee of Chief Judges and the Wisconsin Court of Appeals, is to file a report proposing criteria and protocol for the evaluation.

The petition to create a new rule and comment was filed by the Access to Justice Commission. The drafting committee consisted of ten trial judges, three court commissioners and two Commission members. At the hearing on the petition, 13 speakers – including trial judges, a court commissioner, a municipal judge, and attorneys – supported the petition; and 37 individuals and organizations submitted written comments. There were no speakers or written comments opposing the petition. For more details on the drafting and hearing process, see the [final order](#). Additional information about the rule petition can be found at: [www.wicourts.gov/scrules/1314.htm](http://www.wicourts.gov/scrules/1314.htm). ■



Judge Margaret J. Vergeront

## Pro Bono Honor Society recognizes attorneys

By Reserve Judge Margaret J. Vergeront & Jeff Brown, Wisconsin Access to Justice Commission

The [Wisconsin Access to Justice Commission](#) and the [State Bar of Wisconsin pro bono program](#) recently established the [Wisconsin Pro Bono Honor Society](#) to recognize Wisconsin attorneys who volunteer their time to provide at least 50 hours of legal services a year to benefit low income individuals. The reporting process for calendar year 2013 is now closed, and we’re pleased to announce that 121 attorneys have become members based on their pro bono contributions for the calendar year 2013. You can view a list of the 2013 members online at [www.wisatj.org/projects/probonosociety](http://www.wisatj.org/projects/probonosociety).

We identified the individuals who met the requisite criteria based on their voluntary reporting in response to an email invitation that was sent in April to every Wisconsin attorney explaining how to join the Pro Bono Honor Society. In future years, the invitation will be sent out each February to potential new members who may qualify based on their service in the preceding calendar year.

In establishing the Wisconsin Pro Bono Honor Society, the Commission and the State Bar hope to bring greater attention to the significant role that attorneys play through their volunteer services to low income persons. We also hope that the number of attorneys meeting the standard for inclusion in the society will increase each year. We will be publicizing the names of the honorees online and in State Bar publications. In addition, local recognition events will be arranged with bar associations and the judiciary.

One example of a local event that has provided an opportunity to recognize honor society members is the annual Dane County Pro Bono breakfast, held on May 1.

The Honorable Richard Niess presented certificates of membership to the 26 new Dane County honorees, emphasizing in his comments the importance of their contribution to the court system.

The participation of judges is a key component of expanding membership in the Pro Bono Honor Society. We know this from the experience in other states that have succeeded in making pro bono honor societies a vital part of creating a thriving pro bono culture. Recognition and encouragement from the judges that attorneys appear before is an effective means of influencing attorneys’ behavior. The Commission will be reaching out to judges around the state to gather ideas on how best to recognize the attorneys in their areas who provide pro bono services to low income individuals and how best to encourage others to do so. Judges who are interested in participating in this effort should [contact Margaret Vergeront](#).

The Access to Justice Commission, created by order of the Wisconsin Supreme Court in 2009, is charged with expanding access to the civil justice system for unrepresented low-income Wisconsin residents. Our work spans a range of efforts to fulfill this mission, including increasing public and private funding, public outreach, encouraging collaborations in the delivery system and advocating for rule changes that will enhance access to justice. Supporting the expansion of pro bono legal services to low income residents is an important part of the Commission’s vision of a statewide civil legal services delivery system that is comprehensive, integrated, effective, and fair. ■

## eFiling reduces trips to courthouses statewide

By Judge Richard J. Sankovitz, Milwaukee County Circuit Court

*Editor's note: This article was first published in the Milwaukee County Bar Association's newsletter, Messenger, summer 2014 edition.*

Envy the bike messenger. Wheeling gracefully up the avenue, breezing into our offices bearing documents and a whiff of freedom, cavaliers in toe clips.

What a second career that might make, once retirement is secure and all one might be looking for is a little extra spending money and a low-stress excuse to keep fit.

Admittedly, delivering paper by hand in the age of broadband might seem a career in eclipse. But isn't there still hope for pre-retirees in Milwaukee? Aren't lawyers here still sending messengers to the county courthouse and serving hard copy on opposing counsel?

Yes, but not for long. Electronic filing (eFiling) has been up and running in the circuit court for more than a year now, and continues to gain popularity. The same ease, efficiency, and economy of doing business in federal district and bankruptcy courts and in the Wisconsin Court of Appeals is now available to practitioners handling cases here at the county courthouse.

Currently there are more than 1,100 eFiled cases pending in the civil and family divisions. The largest number consist of large claims civil cases—over 600, more than enough to fill the docket of an entire civil branch. In the past year, the court has successfully closed almost 800 eFiled civil, small claims, and family cases.

Attorneys who have mastered the new system sing its praises. Atty. Charles Kramer speaks for himself and his team at Weiss Law Office: "We love it . . . We haven't filed any paper [in Milwaukee] since 2012." He likes how eFiling accelerates the resolution of the case, from immediately putting the papers in the hands of the process server to getting the order for judgment signed. He appreciates the convenience of eFiling. "I don't even have to get out of my desk chair," he says. He also mentions the relief of not having to worry about nagging logistics, like the last pickup at the post office. "We really wish Dane County had it," he adds.

Atty. Frank Liska is one of our former colleagues at the courthouse and a 1972 law school graduate who still maintains a robust practice. He is proud to be called an old dog who is still learning new tricks. "If I can figure this out," he boasts, "there's no reason why anyone junior to me can't." He handles multiple cases on any given day in small claims court, but all he brings to court is his iPad, on which he can show everything the clerk and the commissioners need to process his clients' cases smoothly. And, he points out, "we eFilers get first priority in small claims court." His devotion to eFiling began modestly enough—"I didn't want to have to pay 10 bucks to park for every stinkin' filing I needed to make"—but now, he says, due to the efficiencies of the system he can handle many more cases than he ever imagined he would.

My personal experience with eFiling continues to be entirely positive. No matter how many times we've been through the file, the documents are never out of order. And because the court record is word-searchable, I can lay my eyes on the pertinent pleadings almost instantly. eFiling truly enhances decision preparation. Uploaded documents are searchable, which means I can zero in on just what I need. And cutting-and-pasting that killer argument or that on-point decision could hardly be easier.

Counsel tell me that they like having their documents, and those of their opponents, in one place and easy to find. Moreover, they receive instantaneous notice when anything is filed and when orders are entered.

No system is perfect, of course, and improvements to the system to make it more comprehensive and more seamless are still in the works. But in the meantime, we are not at the mercy of the machine. We are fortunate to have talented, helpful, and friendly humans running the system and ready to make things work for lawyers and their assistants who are willing to give eFiling a try. Liska sums up the success of eFiling "in two words: Anna Hodges [the Administrator of the Civil Division]. When I call her up—or screw up—Anna is right on top of it." He also credits Milwaukee County Circuit Court Judge Judge Pedro Colón, the presiding judge in the small claims division, for his computer savvy.

The advantages of having electronic access to the file are so appealing that counsel have even asked the court to convert cases that were initiated in hard copy. John Barrett, the always helpful clerk of court, will arrange to have hard copy pleadings scanned and treated as if they were filed electronically from the get-go. Almost 50 large claims cases, some with pleadings that fill boxes, have been converted.

This customized scanning effort is part of a much larger effort to liberate the clerk's office from its immense paper burden. More than 250,000 civil, small claims, and paternity files have been scanned and removed from the courthouse, freeing up the space that is currently being renovated into the expanded Milwaukee Justice Center and relocated Legal Resource Center. Accessing closed files, which used to require a special request and a day's wait, is now immediate.

In addition, significant portions of all probate, small claims, criminal, and family files (including all family court orders signed by a judge) are scanned as they come through the door, a sizeable first step toward the paperless era that lies over the horizon.

How far over the horizon? Discussions are underway at Consolidated Court Automation Programs (CCAP) and in the Director of State Courts Office about petitioning the Wisconsin Supreme Court to mandate eFiling in all circuit court cases as early as 2016. This would put the circuit courts on par with federal courts.

Interested in getting a head start on the inevitable? Check out the 10-minute tutorial on the Wisconsin Supreme Court's website and see how easy it is to eFile. ■



*Judge Richard J. Sankovitz, Milwaukee County Circuit Court, laments the possibility that the need for messenger services will dwindle but looks forward to an increase in the use of the Wisconsin court system's eFile program.*

## Thirteen counties receive TAD grants

On June 23, Attorney General J.B. Van Hollen announced competitive grant awards to 13 counties and one tribe to help establish specialty court and pre-trial diversion projects.

The funding is part of the Treatment Alternatives and Diversion (TAD) program and is used by counties to establish programs to address non-violent offenders at higher risk of reoffending. Funding for a dozen other counties was announced earlier this year.

"I'm pleased we're able to expand this cost-efficient and highly effective program into other counties," Van Hollen said in a press release. "These programs improve public safety, reduce recidivism and ensure accountability while meeting the needs of offenders with a history of substance abuse."

Through rigorous program evaluation, the TAD program has proven to be effective at both increasing public safety while also reducing costs of local criminal justice systems. Eighty-one percent of TAD graduates did not have any new convictions after three years and 97 percent of TAD graduates stayed out of state prison after completing their TAD program. While greatly reducing these recidivism

rates, local TAD projects also save on average \$1.93 for every one dollar invested.

A 15-member peer review panel assessed proposals from 22 applicants for the latest round of TAD funding (2013 Wisconsin Act 197). Based on the recommendations of the review panel, the successful projects will be located in the following areas:

Brown County \$139,006  
Chippewa County \$91,236  
Fond du Lac County \$46,807  
Grant County \$101,840  
Iowa County \$60,648  
Jackson County \$98,439  
La Crosse County \$147,268  
Marquette County \$112,171  
Menominee Indian Tribe of Wisconsin \$148,710  
Outagamie County \$157,825  
Ozaukee County \$95,120  
Racine County \$92,494  
Rusk County \$122,436  
Taylor County \$86,000 ■

## Appointments *continued from front page*

Attorney's Office.

"I was extremely impressed by his knowledge, professionalism, and dedication to the children and families of Milwaukee County," Milwaukee County Circuit Court Judge Kevin Martens said in the press release announcing Dee's appointment. "He is well-versed in law, passionate in the pursuit of justice, yet always respectful to other litigants."

Dee received his bachelor's degree in political science from UW-Madison and his law degree from UW Law School. He replaces Judge Karen E. Christenson, who retired Aug. 1 (see *The Third Branch*, spring 2014).

Walker named David P. Wilk to serve on the Branch 5 bench in Kenosha County. Wilk replaces Judge Wilbur W. Warren III on the circuit court, who retired Aug. 18 (see *The Third Branch*, spring 2014).

"I am pleased to appoint David P. Wilk to the Kenosha County bench," Walker said.

"Throughout his legal career, David has demonstrated excellence in his legal practice, a strong commitment to serving his community, and steadfast dedication to the rule of law."

Wilk has a B.A. in philosophy from Lawrence University and received his law degree from Hamline University School of Law. He has worked in private practice, specializing in personal injury, worker's compensation, and social security disability. ■



Judge David P. Wilk

## NEW FACES *continued from page 3*

Steering Committee, and helped develop and operate Rock County's OWI Court beginning in 2012. Gubbin holds a bachelor's degree in Behavioral Science and Law, and a certificate in Criminal Justice from UW-Madison.

## Holly Szablewski First District Court Administrator

Holly Szablewski replaced former District One Court Administrator Bruce Harvey, who retired Aug. 18 (see *The Third Branch*, spring 2014). Szablewski started on



Holly Szablewski

Aug. 19.

Szablewski has worked in various court-related capacities in Milwaukee County for 27 years, including most recently as judicial review coordinator. Szablewski led the development and implementation of Milwaukee County's pretrial screening program as well as the complete redesign of the county's pretrial supervision programs.

Szablewski is currently a member of the National Institute of Corrections Pretrial Executives Network, Milwaukee County's Evidence-Based Decision Making Initiative Policy Team and the Wisconsin Criminal Justice Coordinating Council's Evidence-Based Practices Subcommittee. She has also served on the board of directors for the National Association of Pretrial Services Agencies. ■



## PEOPLE

Dane County Circuit Court Judge **Juan B. Colás** answered criticism against the judiciary in a June 9 article in the *Milwaukee Journal Sentinel*. The article, titled “Independent judges protect ‘we the people’” was a response to criticism of a federal court’s decision to overturn the state’s same-sex marriage ban.

“When did ‘we the people’ become ‘I, the judge’?” Wisconsin Family Action President Julaine Appling is quoted as saying, criticizing U. S. District Court Judge **Barbara Crabb**’s ruling.

“It is fair and healthy to criticize and debate a judge’s decision on its merits: its reasoning, legal analysis, grasp of the evidence and so on,” Colás writes. “But attacking judges

## Study shows reduction in recidivism

According to a national study, Wisconsin is one of eight states to lower its recidivism rate, the *Milwaukee Journal Sentinel* reports.

The article cites a report released by the Council of State Governments Justice Center and the National Reentry Resource Center.

The creation of treatment alternative and diversion programs, community based resources, case planning and risk assessment have all contributed to the rate decrease, Department of Corrections (DOC) Director of Research and Policy Tony Strevler told the paper. “It’s fantastic that Wisconsin’s being recognized for our work,” Strevler is quoted as saying. “Having reduced recidivism, that means we have less victims.”

Wisconsin has one of the highest prison populations in the country, according to the *Journal Sentinel*, and the highest rate of incarcerated black males. But the report showed the rate of offenders who returned to prison within three years of their release dropped from 56.2 percent for those released in 2007 to 51.1 percent for those released in 2010.

The other states named in the study were Colorado, Connecticut, Georgia, North Carolina, Pennsylvania, Rhode Island and South Carolina. The rate of decrease ranged from six percent to 18 percent, with Wisconsin showing a decrease of 9.1 percent, according to the article. ■

for not simply upholding any law a majority has adopted undermines our system of government and risks the dangers from which ‘we the people’ were protecting ourselves when we adopted the Constitution.”

Colás cites the important role the independent judiciary plays in the checks and balances system, its dedication to upholding the Constitution, and its responsibility to ensure fairness to all, despite the influence of popular opinion. He uses several examples in his article of religious, cultural and racial minorities who have sought the courts’ assistance in maintaining their rights. “The short answer to Applings’ question is that ‘we the people’ wanted independent judges who could counterbalance the popular will,” Colás writes.

In early August, news outlets throughout the state carried articles about Wisconsin’s treatment courts produced by the Wisconsin Center for Investigative Journalism.

“Wisconsin Drug Courts Grow but Racial

Disparities Persist,” indicated the number of drug courts in Wisconsin expanded from five to 29 during the last decade, and the number of treatment courts of all types doubled.

Drug treatment courts may offer participants “the chance to reduce or avoid criminal convictions in exchange for completing treatment and other programming...”

However, the center also reported that the overwhelming number of participants in drug treatment courts to date have been white. In Dane County during 2012, for example, “about one-third of those arrested for drug crimes were black. But African-Americans made up just 10 percent of those participating in the county’s drug court that year.”

The report did not draw a conclusion as to why the disparity exists.

The benefits of effective drug treatment courts can be many, including reduced jail populations and recidivism rates. The center quoted one study that showed participants in drug treatment courts were “50 percent less likely to commit new crimes; and if they did commit a crime it was for a lesser offense with an average of 82 fewer days spent in jail.” Another study quoted found that in seven alternative treatment programs funded by the state, 2,061 offenders over four years avoided more than 135,000 days of incarceration.

The coverage quoted several judges, including Milwaukee County Circuit Court Judge **Ellen R. Brostrom**.

“One of the primary things you need to beat an addiction is hope. They (offenders) are not just sober. They’re transformed,” Brostrom said.

Dane County Circuit Court Judge **Juan B. Colás**, who presides over that county’s drug treatment court, told the center that the program was revised in January in an effort to improve access and effectiveness for all participants.

“The purpose was to broaden access and give the most effective intervention” Colás told the center.

Former Dane County Circuit Court Judge **Sarah B. O’Brien** was also included in the center’s coverage, which was accompanied by photos from drug treatment courts in Dane and Racine counties.

Sex trafficking has been the focus of an informal committee in Milwaukee County comprised of prosecutors, public defenders and treatment providers, according to



Judge Ellen R. Brostrom



Judge Juan B. Colás



Judge Sarah B. O'Brien

# Media attention drawn to Court decisions

The Wisconsin Supreme Court grabbed headlines across the country and throughout the state when it released decisions on July 31 in four cases affecting three major issues – voter ID laws, Act 10 and domestic partner benefits – on the same day.

Coverage of the Act 10 decision was featured on the front website pages of *The New York Times*, *Wall Street Journal*,



*Los Angeles Times* and *Washington Post*, among others news sites.

The day before the decisions were released, the *Journal Sentinel* referred to the cases as “three bolts of legal lightning.” On the day of release, the *Milwaukee Journal Sentinel* featured articles about each of the cases on the JSONline homepage. The



historical significance of the occasion.

“You can ask any practitioner, nobody’s ever seen this many high-profile cases being decided on the same day,” Madison Atty. Lester Pines told the *Journal Sentinel*. Pines has practiced before the Wisconsin Supreme Court for more than three decades and represented parties in three cases.

Editorial comments and campaign statements followed. ■



Wisconsin's Supreme Court voted 5-2 to uphold a controversial 2011 law ending collective bargaining for unions in the state.

articles appeared again in print atop the front page on Aug. 1.

Madison.com featured a live blog throughout the morning of the release date and maintained coverage throughout the day. The Court announced two days in advance that decisions would be released so media outlets would have time to prepare for coverage.

Legal authorities and longtime Court observers noted the



## Library *continued from page 5* service.”

The program provided an overview of assistance to self-represented litigants in Wisconsin, both statewide and in Dane, Rock, Green, and LaFayette counties. The speakers also gave an overview of the duties of their respective offices and the type of services they provide to self-represented litigants. Mansfield presented information about the *pro se* clinics available through the law school. Tessmer shared information that can be found on the State Law Library’s website.

The Public Library Initiative will travel next to District Two in the fall. ■



Wisconsin State Law Librarian Julie Tessmer presents information about resources available to the public on the legal system and to assist self-represented litigants in the Wisconsin court system.



## Committees *continued from front page*

many obscure misdemeanors currently in the statutes. Among the opportunities are the ability to take a global look at the current system, the chance to plot a new classification system and the possibility of identifying obsolete or obscure misdemeanors.



Chief Judge Donald R. Zuidmulder

In addition to Hammer's presentation, the committee heard from Dodge County District Attorney Kurt Klomberg about his office's procedures and philosophy behind charging decisions. Finally, there was a panel discussion on crime statistics and trends with now former Director of State Courts A. John Voelker, Executive Policy Advisor Tony Streveler of the Department of Corrections and Washburn County Sheriff Terry Dryden. They presented data on reported crimes,

prison population and average daily jail populations.

In order to expedite the committee's work, the chair

created two subcommittees. The Subcommittee on Obsolete Misdemeanors is directed to identify misdemeanor offenses that may be repealed because they are obsolete or no longer relevant. At its first meeting, the subcommittee directed committee staff to identify misdemeanors that have not been charged in the last three years, crimes that can no longer be committed, whether a crime responds to a situation that still exists, and whether similar conduct is covered by multiple statutes.

The Subcommittee on Penalty Alignment and Organization is directed to make recommendations about aligning the penalties of misdemeanors so that crimes of similar severity have similar penalties and to determine whether any unclassified misdemeanors should be classified. Judge Donald Zuidmulder has been appointed as a member of this subcommittee. Judge Lisa K. Stark was invited to present to



Judge Elliott M. Levine

the subcommittee to explain the sentencing process and what considerations judges use to arrive at an appropriate sentence. The subcommittee preferred to stay with the current A, B and C class system, and it will not consider changes to some complicated misdemeanors such as OWI. Committee staff will prepare lists of unclassified misdemeanors grouped by the maximum number of jail days; the subcommittee will examine the crimes within each group to determine what recommendation to

make regarding classification.

**Study Committee on Problem Solving Courts, Alternatives and Diversions**, chaired by Rep. Gary Bies (R-Sister Bay). Rep. Evan Goyke (D-Milwaukee) serves as Vice-Chair. Circuit Court Judges Mary Triggiano of

Milwaukee County and Elliott M. Levine of La Crosse County have been named as members. The committee is directed to review more than 50 problem solving courts currently in operation in Wisconsin, the effect they have on recidivism, and the net fiscal impact of these courts. The committee is to determine their effectiveness, as well as their costs and possible savings to the criminal justice system. The committee will also be determining the appropriate role and structure of state-level training and coordination.

At its first meeting in June, the committee heard from Carson Fox, the chief operating officer of the National Association of Drug Court Professionals. Fox gave an overview and history of problem-solving courts, a survey of the various types of problem-solving courts and their exponential



Judge Juan B. Colás

growth around the country. He emphasized the proven effectiveness of drug courts, noting they have been studied more than any other part of the criminal justice system. Fox stressed the importance of the 10 key components and fidelity to the drug court model. Another presentation was given by Ray Luick of the Department of Justice about the TAD (Treatment Alternatives and Diversion) program. He described the history and recent expansion of TAD from \$1 million per year available for grants to \$4 million now available. Luick also indicated there could be changes to the program to allow a wider range of offenders to be eligible and emphasized the need for funding for training and evaluation.

During the rest of the meeting, there were presentations by teams from the Dane County Drug Court led by Judge Juan B. Colás and from the Walworth County OWI Court team led by Judge David M. Reddy. The Dane County Drug Court team described the history and procedures of its court, along with the results they have obtained to date. Of interest is the dramatic shift in the last five years from crimes involving cocaine to those involving heroin. About 85 percent of admissions in 2013 listed heroin as their primary drug of choice. The Walworth County team described the 10 guiding principles for OWI courts and how their team is approaching and handling each principle. They have seen significant savings in jail bed days since the program started. Reddy also emphasized the problem of transportation because their county has very little public transportation available to their program participants. He suggested the committee look at a Missouri approach which



Judge David M. Reddy



## Committees *continued from page 14*

offers a limited driving privilege for problem-solving court participants.

The July meeting of the committee included presentations from leaders and participants in problem-solving courts, including veterans courts, mental health courts and domestic violence courts. Michelle Cern, statewide problem-solving courts coordinator in the Director of State Courts Office, presented information on problem-solving court initiatives in Wisconsin. She described the number of problem-solving courts in Wisconsin, outlined the growth in that number in recent years, and showed the geographic distribution of these courts. She discussed funding of problem-solving courts and provided recommendations to the committee on ways to improve the courts moving forward. In response to a question, Cern emphasized the importance of training for county teams, so they can be adequately prepared and also suggested that there is a need for a deliberative planning process before launching a treatment court.

Kit Van Stelle, Principal Investigator of the University of Wisconsin Population Health Institute, which is part of the University of Wisconsin School of Medicine and Public Health, shared the results of the recently updated outcomes and cost-benefit analysis encompassing seven years of TAD activity across nine counties. The study analyzed the demographics and outcomes of participants in TAD programs, including an examination of incarceration days avoided and recidivism. The study found that TAD programs had a positive impact on both of those measures, and that every \$1.00 invested in TAD yielded benefits of \$1.96 to the criminal justice system through averted incarceration costs.

Streveler presented Wisconsin corrections data, including the types of crimes for which people are incarcerated, demographics of the prison population, and trends in these figures.

Sheila Malec, Coordinator of the Eau Claire County Mental Health Court, and two of the program participants made a presentation about the process used by their court. Malec explained the process for intake and assessment, and made suggestions for ways to improve the mental health court system statewide. The participants described the circumstances leading up to their involvement with the mental health court, their experiences in the program, their successes, and their prospects for moving forward upon completion of the program.

Annie Levknecht, the coordinator of the Outagamie County Mental Health Court and Veterans Court, described their problem-solving courts, and discussed state-level resources related to it. She emphasized the need to devote sufficient time for program planning prior to submitting a grant for funding.

Melissa Giebel of the Harbor House Domestic Abuse Program and Danna Hibbard of the state Department of Corrections testified about the Calumet County Domestic Violence Court. Giebel noted some of the challenges faced by their small county, including no funding for the court programs and the lack of treatment providers and transportation. Hibbard explained the referral process, and indicated that the program would benefit from a coordinator.

On the issue of veterans courts, the committee also heard from the 2nd Judicial District Veterans Treatment Court team led by Judge Michael J. Piontek. The group presented

information regarding the history of the court, as well as eligibility and demographic data of those served. They discussed the reasons for developing alternative justice procedures for veteran populations and the training process for drug court personnel.

Finally, the committee heard from Richard Bryant, the case manager of the Dane County Drug Court, who appeared with two program participants, one from the drug court and one from the OWI Court. They discussed the outcomes they had achieved as a result of their participation in the court programs. Bryant explained the process for review and intake, and indicated that the opportunity for expungement would provide valuable added incentive for participants.



*Judge Michael J. Piontek*

Bies discussed the committee's charge and solicited suggestions from the committee members for future discussions. The Legislative Council staff will summarize suggestions made by members for discussion at the committee's next meeting on Aug. 20. The court system submitted a list of its recommendations.

**Study Committee on Adoption Disruption and Dissolution**, chaired by Rep. Joel Kleefisch (R-Oconomowoc). Rep. Fred Kessler (D-Milwaukee) serves as Vice-Chair. Circuit Court Judge Mark A. Sanders of Milwaukee County is a member. The committee is directed to study the extent of adoption disruption and dissolution in Wisconsin and the efforts in Wisconsin to prevent it. The committee will consider legislative options for tracking the number of and reasons for such adoption issues and ways of meeting the needs of adoptive children and parents if this occurs.

At its July 22 meeting, the committee heard from Susan Conwell, Executive Director, Kids Matter Inc., and Amanda Salas, an adopted child. Salas read the testimony of an adoptee from Russia who was removed from her adoptive home after two years of abuse by her adoptive parents. She said that she was isolated from the family and was refused basic needs. Salas told her own story of being adopted by an abusive stepfather's brother and suffering physical, emotional, and sexual abuse for seven years. She said that her family portrayed her to others as a troubled, mentally ill child, so her allegations of abuse were never believed when she sought help. Conwell described cases in which a child is adopted by an older caregiver who dies or becomes too ill to care for the child. She said that the state's data system for child welfare cases does not have accurate information on adopted children who enter or return to the child welfare system, are runaways, or are put under another person's guardianship and also said



*Judge Mark A. Sanders*

## Activities planned to thank jurors

Circuit courts throughout Wisconsin are celebrating the seventh annual statewide Juror Appreciation Month with a variety of activities at county courthouses throughout September. Here's a partial list:

In Milwaukee County, court staff will be giving out items, such as "tech pouches," containing a stylus pen, ear bud headphones and screen-cleaning cloth. Other items to be distributed include pens, Post-it Notes, chip clips, water bottles, small bags of snacks. Banners showing appreciation for jurors will be hung inside and outdoors at the courthouse. Cake will be served to jurors on Sept. 2. Milwaukee County Circuit Court served as host to a few notable jurors during the last year, including Gov. Scott Walker and a television news anchor, among others.

In Dane County, judges will offer a special greeting each of the Mondays on which juries are selected, and the clerk of circuit court's office will offer momentos and treats in recognition of jurors. A banner thanking jurors also will be hung in the courthouse lobby.

In Rock County, the circuit court is partnering with the Rock County Bar Association to provide speakers to address and thank jurors. Jurors also will receive snacks to show

appreciation for their service, and a banner will be hung at the entrance to the jury assembly room.

In Calumet County, the county board approved a resolution recognizing all jurors for their service. A large banner will be hung in the lobby of the west entrance of the courthouse, and a juror-appreciation poster will be hung in the jury room. Ice cream treats may also be provided.

In Manitowoc County, the county approved a proclamation, proclaiming September as "Juror Appreciation Month," and court staff are reaching out to the public through mailings and by providing a newspaper guest column. A public service announcement also will run on local radio stations, thanking jurors for their service. A large posterboard, acknowledging and thanking jurors, will be displayed at the courthouse. Jurors who serve in Manitowoc County anytime receive bookmarks, along with their thank you letter and check.



*Let us know what your county is doing to celebrate Juror Appreciation month. Send a note to: [tom.sheehan@wicourts.gov](mailto:tom.sheehan@wicourts.gov). ■*

### OBITUARIES *continued from page 2*

Wisconsin Judicial Conference.

He is survived by his wife, Joanne; two sons; two stepdaughters; a stepson; seven grandchildren; and four great grandchildren. He was preceded in death by his first wife, Joy.

### Judge Leo F. Schlaefer Washington County Circuit Court

Former Washington County Circuit Court Judge Leo F. Schlaefer passed away on June 20. He was 85.

In 1988, Schlaefer was the first judge elected to serve on the newly created Branch 4 in Washington County. He served until his retirement in 2000. He continued to serve as a reserve judge for several years after his retirement. He was a former presiding judge and former deputy chief judge for District Three.

Schlaefer graduated from St. Norbert College and UW Law School. He served in the U.S. Air Force from 1951-55. Prior to his election to the bench, he worked in private practice.

According to an obituary, he was a former Washington County chair of the Archdiocese of Milwaukee Stewardship Appeal, a past-president of the Washington County Bar Association, and former member of the local chapter of the American Red Cross board of directors. In his free time he was active in a barbershop quartet, "The Half Notes."



Judge Leo F. Schlaefer

He is survived by his wife, Marilyn; three daughters, and 11 grandchildren.

### Judge Norman L. Yackel Sawyer County Circuit Court

Retired Sawyer County Circuit Court Judge Norman L. Yackel passed away Aug. 21 at the age of 75.

Yackel retired from the circuit court in 2009 after serving 18 years. In 2004-05, he presided over the first-degree murder trial of Chai Vang, who was convicted of killing six hunters in Northern Wisconsin. The trial received national media attention, and Yackel said it was one of the highlights of his career.

Yackel was first appointed in 1991, and served on the Uniform Bond Committee of the Judicial Conference. He had previously served as a district attorney for the county and worked in private practice. He was a graduate of the University of Minnesota, where he received his bachelor's and law degrees.

Yackel is survived but his wife, Donna, and their two children.

"Norm was a terrific man and judge," Milwaukee County Circuit Court Judge John J. DiMotto said. "He will be missed by all who knew him." ■



Judge Norman L. Yackel

## Committees *continued from page 15*

the data on out-of-home placements of children who have been adopted internationally is incomplete.

The committee also heard from Pat Ann St. Germain, the director of Healing Hearts Family Counseling Center. She provided information on the core issues of adoption, the needs of adoptive children, and the domains of some of those children's impairments. She said that the causes of adoption disruption relate to parental capacity, including expectations and the ability to adapt to what the child and family are experiencing, insight into what is going on with the child and in the family and commitment to an enduring relationship with the child. She recommended better assessment of parental capacity, more training about different types of parenting, recognition that parental history influences a parent's capacity to learn to parent in a new style, and more intensive post-placement support.

Chair Kleefisch asked committee members about specific issues for future consideration. The following issues were mentioned and will be further explored at the committee's Aug. 26 meeting:

- Assessment of adoptive parents and home studies.
- Information on post-adoption services in other states, recently compiled in a report prepared by the Evan B. Donaldson Adoption Institute.
- Training for individuals who make adoption placement decisions.
- Response to cases that fail, including identifying other resources for the child, such as the child's biological family, and barriers to using those other resources.
- Documentation for children, especially children who have been adopted from another country, including their birth certificate, Social Security number, and adoption papers.
- Tracking adoption disruption and dissolution and other data.
- Respite care for families.
- Identifying abuse or neglect in adoptive homes.
- Evaluating the effectiveness of various post-adoption services.
- Concurrently, assessing homes for parental capacity as foster parents and as adoptive parents in the child welfare system.

### Study Committee on Transfer of Structured Settlement Payments,

chaired by Rep. Jim Ott (R-Mequon). Rep. Dana Wachs (D-Eau Claire) serves as Vice-Chair. Circuit Court Judges Gerald R. Ptacek of Racine County and Michael R. Fitzpatrick of Rock County are members. The committee is directed to study the current method by which



*Judge Gerald R. Ptacek*

structured settlement payments are transferred in Wisconsin, how other states regulate the transfer, and recommend a statute for adoption in Wisconsin. The committee will consider items such as standards for disclosure of information to structured settlement recipients by entities seeking to purchase future settlement payments, the ability of parents and guardians to enter into structured settlements

on behalf of minor children, and guidelines for use by judges in approving the transfer of structured settlement agreements.

At its first meeting on July 31 Ott described the committee's task as being two-fold: first, deciding whether Wisconsin should adopt its own law on transfer of structured settlement payments; and second, if the answer is yes, then how should that law be fashioned.

The committee first heard from Atty. April Southwick, the staff attorney for the Judicial Council. She explained the history of the request to the Judicial Council to adopt a transfer of structured settlement law in Wisconsin. She said the Council was requesting this committee study the issue because there are many policy questions to be answered that would be inappropriate for the Council.

The committee next heard from Ptacek and Fitzpatrick, who described the structured settlement transfer process from their perspectives as circuit court judges. Fitzpatrick observed that cases typically fit a pattern in which the buyer is represented by an attorney, who drafts the documents, and the seller is not represented. Judges encounter numerous challenges applying the current law in this area, leading to inconsistent application across the state. They suggested that a state statute would be of benefit. The statute should contain clear standards, or guideposts, for judges to apply, and perhaps a list of factors to consider. They recommended that the statute should attempt to avoid placing the judge in the role of an advocate. The judges suggested that the statute address procedural issues, such as who will pay costs and whether the state should be made a party, as well as evidentiary issues related to presumptions, evidence, and the burden of proof. Ptacek stated that concerns related to protection of the best interests of the purchasers must be balanced against the principle of freedom of contract.

The committee next heard from Earl Nesbitt, the Executive Director and General Counsel of the National Association of Settlement Purchasers (NASP), a trade association for companies who participate in the secondary market to purchase structured settlement payments from payees. Nesbitt explained the history of the negotiations between stakeholder groups, including NASP and the National Structured Settlements Trade Association (NSSTA). The negotiations resulted in a compromise embodied in what became the National Conference of Insurance Regulators (NCOIL) Model Act. Nesbitt provided details about aspects of the secondary market, including pricing and discount rates, which are based on factoring and actuarial calculations. He spoke in support of the federal law and the adoption of the NCOIL Model Act by the states.

The committee also had a presentation by John McCulloch, the national marketing director for EPS Settlements Group. He was representing the perspective of NSSTA, a trade association representing stakeholders in the primary market. NSSTA fully supports the NCOIL Model



*Judge Michael R. Fitzpatrick*



**PEOPLE** *continued from page 12*

the *Wisconsin Law Journal*. The meetings have sprung up in response to the increase in cases related to child sex trafficking in the county.



Judge Mary Triggiano

Circuit Court Judge **Mary Triggiano**, who is the presiding judge of the Children's Court, told the *Law Journal*.

Milwaukee County Circuit Court judges **Michael J. Dwyer** and **Rebecca G. Bradley** have expressed interest in being part of the committee, which has



Judge Rebecca G. Bradley

discussed the possibility of a "girls court" in Milwaukee. "Everybody's sort of figuring out that the worst thing we can do is put these kids in detention, because we're basically locking up victims," Assistant Public Defender **Diane Rondini-Harness**, who is a member of the committee, is quoted as saying.

The meetings have attracted the attention of Milwaukee County Circuit Court judges, who are also concerned about the rate of increase.

"We see it probably now more than ever,"

Milwaukee County



Judge Michael J. Dwyer

Several states have established girls courts to address the child sex traffic problem, according to another article in the *Law Journal*. Michigan, Hawaii, and California have established courts similar to treatment courts that target girls in the judicial system in an effort to steer them away from the sex trade.

see **People** on page 20



Milwaukee County Circuit Court Judges Carl Ashley and Mary Triggiano were among judges of the 8th Annual Italian Idol Karaoke Contest at the 2014 Festa Italiana. Left to right: Atty. Kathy Bach, Jackie Pinkus, Ashley, Atty. Susan Hansen and Triggiano. Judge Triggiano's daughter, Natalie was on hand to help distribute prizes to the top three contestants.

## Series looks at medical mediation

On Aug. 9, the *Milwaukee Journal Sentinel* ran a series of articles about trends in Wisconsin's medical mediation system, noting a reduction in cases handled by the Supreme Court's Medical Mediation Panels since it was created by the Legislature in 1987.

Part 1, entitled, "Medical malpractice lawsuits plummet in Wisconsin," noted that the number of medical malpractice lawsuits filed in Wisconsin since 1999 dropped by more than 50 percent. During that same time, the state's Injured Patients and Families Compensation Fund has grown to more than \$1.15 billion, "a total larger than all the money it has paid out during its entire 39-year history," according to the newspaper.

The article framed the debate, in part, this way: "Malpractice lawyers blame the decline on state laws that they say are skewed in favor of doctors and hospitals; medical groups contend that malpractice suits have declined because health care professionals have gotten better at their jobs."

Part 2, entitled "Medical mediation rarely provides closure for families," outlines the difficulties some survivors face in pursuing medical malpractice claims due to limitations on who is allowed to pursue a case. Finding a lawyer willing to represent a victim's family is difficult due to difficulties in winning a case, the newspaper reported.

The article indicates "there were 410 claims filed with the panels in 1987, the first full year of its operation. That has gradually declined, falling to 161 last year. The percentage of cases that went to hearing also has fallen, from nearly 55 percent in 2003 to 22.5 percent last year."

Medical Mediation Panels Director **Randy Sproule** told the newspaper that the vast majority of participants in hearings who respond to agency surveys say the session "served a constructive purpose."

"Reaching a settlement is not the only way to measure success of the mediation... it can be helpful for participants to meet and perhaps lay the groundwork for a future resolution," Sproule indicated.

The article closed with Sproule indicating that if lawmakers "intended that this particular format was to produce a significant number of settlements early in the proceeding, it's apparent that this format is not achieving that. "If that was their intent, I think they were misguided." ■

**RETIREMENTS** *continues from page 3*

"It helps move commerce along, it helps people move through personal problems, it allows people and society to move on. The law makes sure things happen."

Guolee received his law degree from Marquette University Law School. He has served as an adjunct professor at the law school, chief staff attorney for the Legal Aid Society's Public Defender Program, and an assistant district attorney in Milwaukee County. He was first appointed to the Branch 32 bench in 1976 by then-Gov. Patrick Lucey. He has served as a presiding judge for the Children's Division, chair of the Circuit Court Facilities Committee, and on the Circuit Court Security Committee.

Over the years, Guolee has seen the Milwaukee County courts and the state court system grow. When he was first appointed, he was one of 27 judges. Now there are 47 in the county. He said they now have more cases on their calendars, but is thankful for the computerization of the court system, which he said has simplified the work in getting orders out. He also credits the people who work in the court system, whose hard work, he said, makes the system work.

Guolee said he will miss the people in the courthouse, but he will also miss the building itself.

"I have walked these halls for 45 years," he said. "These marble floors have made an impression on me, though I haven't made an impression in them."

Guolee said he plans to keep busy in his retirement through volunteer work, mediation and reserve work.

"My wife said, 'You have so much energy, you need to get out of the house,'" Guolee said. And after spending a lifetime getting up in the morning and going to work, he admitted that shouldn't be hard for him to do.

## Judge Mark A. Mangerson Court of Appeals, District III

When he first ran for the circuit court bench in Oneida County in 1988, Judge Mark A. Mangerson promised to keep a fair courtroom where everyone who entered could count on their side being heard. Mangerson said he believes he kept that promise during his time in the trial court, keeping a well-run courtroom where the rules were adhered

to. Mangerson retired from the bench July 31.



Judge Mark A.  
Mangerson

After receiving his bachelor's and law degree from Valparaiso University, Mangerson served as district attorney in Vilas and Oneida Counties and worked in private practice. He served on the Oneida County Circuit Court until his appointment to the District III Court of Appeals in 2011. He was elected to the appellate court the following year.

During his time on the trial court bench he said he noticed an increase of cases being settled out of court by alternative dispute resolution. While he believes this shift is good for the parties involved as it leads to quicker resolution, he said it does make things a little less exciting for the judiciary as judges miss out on hearing some of the more fun cases.

He said he was impressed by the high caliber of the court system from day one, both on the trial and appellate levels. He gives credit to the "highly capable and dedicated" staff in the court system for their hard work, especially in the past few years when faced with a decrease in funding.

"There's an expectation by the Legislature that courts can do more and more with less and less," Mangerson said. "This transfers the financial responsibilities to the counties, which they can't handle."

Mangerson has served on the Executive Committee of the Wisconsin Judicial Conference, Judicial Council, Chief Judges Committee on Child Support, Wisconsin Judicial College, and the Criminal Jury Instruction Committee. He is a former deputy chief judge for District Nine, and was the 2006 ABOTA Judge of the Year.

Mangerson plans to keep busy during his retirement. He's been catching up with some projects, including working on his deck and dock. He said he hopes to keep a hand in the law through reserve and arbitration work, but plans to relax and travel, mostly to visit his eight grandchildren in five different states.

"It has been a ride I never would have expected," Mangerson said of his time in the judiciary. "It has been a fun and fulfilling experience." ■

## Committees

*continued from page 17*

Act, although McCulloch also suggested Wisconsin consider adopting the "Revised Model Act" that contains some changes to the original model act. McCulloch described the features of the Revised Model Act and provided information regarding the implementation of its provisions in the states.

The final presentation was by Brenda Bierman, a senior claims technical specialist for Sentry Insurance. She explained the steps in the claims process that may occur from resolution of a claim via structured settlement, through a factoring transaction, to the redirection of the transferred payments. Bierman provided background information about the role of the annuity issuer in the transactions and clarified the roles of the other parties involved.

In the discussion of the committee assignment, the committee members generally agreed that the state would benefit from the passage of a statute regarding structured

settlement transfers, and that the committee would proceed with preparation of a draft bill. Among other suggestions, committee members stated they would consider options for provisions regarding payees who are minors or incompetent persons, including persons who are borderline incompetent, as well as the repayment of past-due child support and other obligations.

Full committee membership and all committee materials of the study and steering committees are available on the Legislature's website at: <https://docs.legis.wisconsin.gov/misc/lc/study/active>. Click on the committee you are interested in. The website also contains the taped proceedings of the meetings. ■

*For more information, contact Legislative Liaison Nancy Rottier, [nancy.rottier@wicourts.gov](mailto:nancy.rottier@wicourts.gov)*



**PEOPLE** *continued from page 18*

Milwaukee County currently uses the Juvenile Cognitive Intervention Program (JCIP), a national model that focuses on behavior modification in juvenile offenders. But this model does not take into consideration trauma and relationships, issues common with girls who become sex trafficking victims.

"It's fair to say girls think differently than boys," Dwyer told the *Law Journal*. "The JCIP, the cornerstone treatment for boys, doesn't really work with girls."

If a girls court is created in Milwaukee, it will take some time, as the idea is still in the early discussion stage, according to the article. Implement such a program would involve judges to undergo training in dealing with troubled female juvenile offenders.

La Crosse County Circuit Court Judge **Ramona A. Gonzalez** appeared on Wisconsin Public Radio's "Newsmakers" on July 24. Host **Maureen McCollum** spoke with Gonzales, La Crosse County Justice Sanctions Director **Jane Klekamp**, and La Crosse County Justice Support Services Supervisor **Becky Spanjers** in a roundtable interview to discuss women in the La Crosse County criminal justice system. The discussion addressed how women are treated differently than men in the criminal justice system, and what steps the county is taking to work with and help rehabilitate women.

Sheboygan County Clerk of Court **Nan Todd** knew there must be a better way to deal with the increasing number of foreclosures coming into her office, reports the *Sheboygan Press*.

"I began to bring it up with some of the judges, and started hearing horror stories from some of them," she told the paper. One judge told her about a man who came into court ready to pay his debt, but no one from the bank could be found to accept it.

"There was so much mass confusion in the financial industry that people were jumping ship and if your look nationally, the number of foreclosures filed and all the problems going on, it's kind of understandable that the peons didn't really know what to do either," Todd told went on to say.

So in 2010, she began looking at what



La Crosse County Circuit Court Judge **Ramona A. Gonzalez**, left, made an appearance recently on Wisconsin Public Radio, along with La Crosse County Justice Support Services Supervisor **Becky Spanjers** and La Crosse County Justice Sanctions Director **Jane Klekamp**.

Photo credit: Maureen McCollum, WPR

other counties were doing to address the problem. The next year she launched the Sheboygan Foreclosure Mediation Program. The program brings in retired bankers to work with the banks, their attorneys and the homeowners to find a way to resolve the problem and hopefully let the homeowners keep their houses.

Since it began, the program has helped 29 of the 100 applicants keep their homes. Todd, who administrates the program from her office, has announced she will not be running for reelection, leaving the program's organizers wondering how to continue the successful program without her.

"For the homeowner to understand the lay of the land and what's going to happen to the house, what the bank's going to do and the timeline they have in front of them – by educating the individual, we can take away some of that uncertainty or the fear of the unknown," Consumer Credit Counseling's **Matt Kautzer**, who works as a housing counselor with program participants, told the paper.

"History made with Justice Center groundbreaking" was the headline of a May 28 article in *The Tomah Journal*.

"This is probably the most important building built in the county since 1898," Monroe County Circuit Court Judge **J. David Rice** told the paper of the new Justice Center.

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Judge **Brian Blanchard**, District IV Court of Appeals, helps guide discussion of issues before the criminal procedures committee of the Wisconsin Judicial Council held at the state Capitol during a meeting in August. The committee is reviewing possible changes to the state's criminal code, which was last revised in 1969. Blanchard heads the committee, consisting of judges, prosecutors, and defense attorneys, among others interested in the processing of criminal cases.



**PEOPLE** *continued from page 20*

The Monroe County Courthouse was built in 1896, but plans to update the jail have been considered since the 1990's, the article reports. The project has been discussed by various boards, and issues such as location and cost needed to be resolved before the plan could come to fruition.

"I don't think there has ever been a project that has been so thoroughly vetted," Rice is quoted as saying. "The public finally said, 'Let's get this done.'"

The new building is expected to cost \$33 million and be completed in 2016. It is expected to last at least 50 years, and will also be able to accommodate any future expansions needed.



Photo credit: Jordan Vian, Tomah Journal

*Representatives of Monroe County and the Monroe County Circuit Court gathered in Sparta on May 28, 2014 to participate in the groundbreaking ceremony for a new \$33 million, 106,000-square-foot justice center that will include a new jail and court facilities.*

The State Bar of Wisconsin announced on Aug. 8 that Executive Director George Brown became president of the National Association of Bar Executives (NABE), effective July 1.

State Bar President Robert R. Gagan said executives throughout the country will benefit from George's visionary leadership and knowledge of association management.

Brown has been an active member of

NABE since 1987 and served on its board of directors since 2009. He previously served as the association's president-elect and vice president, among other positions. He has been executive director of the State Bar since 2000, having served previously as public affairs director. ■



*Justice Ann Walsh Bradley met with kids at the Janesville Boys and Girls Club as part of the iCivics program. As part of the activities, Bradley swore the teens in as law clerks and then played with them Supreme Decision, an online iCivics game that promotes understanding of the courts and legal system. Bradley then presented the club with a certificate from the iCivics program indicating that the program could now be used to fulfill their power hour requirement, after they have completed their school assigned homework.*



Photo credit: Scott Anderson, The Racine Journal Times

*The Second Judicial District Veterans Court, serving Kenosha, Racine and Walworth counties, celebrated its first graduation on June 17 at the Racine County Courthouse. Judge Michael Piontek gives graduate Jon Griska, a U.S. Army veteran, a hug as conferring Judge Gerald Ptacek looks on. The city of Racine Veterans Honor Guards and members of the U.S. Navy Band – Great Lakes also were on hand.*

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**Realtime** *continued from page 4*

but to become certified realtime reporters and offer this valuable service to their judges.

Realtime is often described by court reporters as “writing naked” because a reporter’s unedited transcript, imperfections and all, is right there on the screen. Adjusting to the new system takes some time, but a judge and court reporter working together can resolve many of the issues.

For example, names that the reporter does not have in his or her dictionary will not translate properly. One small “misstroke” can produce an odd translation, which may lead to the conclusion that a mistake or error was made. However, these mistranslates or untranslates will be corrected in the final transcript preparation. The WCRA also has collected testimonials from Wisconsin judges, among them:

*“I find realtime to be very helpful, especially if I lose track of testimony for a minute; I can go back and look at it. It also gives me a little time to think as well.” – Judge Alan White, Branch 3, Columbia County*

*“I did not have realtime when I started on the bench nearly 20 years ago. I started using it about a dozen years ago. With realtime, your job is easier, you are more efficient and more precise. Once you do it, you won’t go back!” – Judge Greg Grau, Branch 4, Marathon County*

*“I love realtime and use it every day. I use it for rulings. I look at it for objections. It’s more likely that I will read back instead of my court reporter. Most of all, I love that I can come back and grab a transcript when I need to look at it for my rulings, motions after verdict, or briefings instead of bothering my court reporter or taking up her time to prepare a rough draft or costing the county money to have it transcribed. I feel all court reporters should be realtime certified because it’s state-of-the-art.” – Judge Richard Niess, Branch 9, Dane County*

*“Realtime is an invaluable tool in the courtroom. The ability to see and use live testimony simultaneously allows for more immediate and accurate bench rulings. Juries are spared delay in the court attempting to recall questions and answers. Attorneys are spared the risk of jurors’ overemphasis on testimony that must be found and read back and ruled upon.” Judge Marc Hammer, Branch 5, Brown County*

*“I like using realtime on contested hearings because it helps me keep track of names and numbers.” – Judge Thomas Eagon, Branch 1, Portage County*

*“I like realtime because I can review testimony and information that I need while it’s happening. It helps when I’m formulating a decision from the bench. I can quickly review relevant testimony and include it in my oral opinion.” – Judge Julie Genovese, Branch 13, Dane County*

*“Once a judge has the benefits of realtime reporting, he or she will never go back! What I love about realtime is it allows me to multi-task during hearings. It makes for a more accurate transcript and record because I or the court reporter may hear something incorrectly and it can be immediately clarified. It allows me to make more accurate rulings on cases and on objections as the exact words of the speaking party are not left to recollection. It allows persons that are hard of hearing (including judges) to hear what is being said in court. It also allows me to save the transcript for future proceedings. Realtime is not perfect. It is not a final draft. Rather, the phonetic pronunciation appearing on the monitor is sufficient to indicate what was said.” – Judge Ann Knox-Bauer, Taylor County ■*

If you want more information about “realtime,” contact Karla Sommer, 715-261-1356 or [Karla.Sommer@wicourts.gov](mailto:Karla.Sommer@wicourts.gov).