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**Winter/
Spring
2017**

Justice Ziegler unchallenged for second term; 11 circuit court races on spring ballot



Justice Annette Kingsland Ziegler

The April 4 spring ballot features four uncontested appellate court races and 11 contested circuit court races throughout the state.

Justice Annette Kingsland Ziegler is running unopposed in her bid for re-election to a second 10-year term on the Wisconsin Supreme Court, and two Court of Appeals judges and one current circuit court judge face no challengers in their bids for six-year terms on the Court of

Appeals.

At the circuit court level, primary voters narrowed down the list of candidates from three to two in Manitowoc, Polk and Trempealeau counties. Voters also will decide contested circuit court races in Burnett, Dane, Dodge, Kenosha, Milwaukee, Vernon, Washington, and Waupaca counties.

New terms for all judges elected in the spring election begin Aug. 1.

Ziegler was first elected to the Supreme Court in 2007, after serving 10 years as a circuit court judge in Washington County. She chairs the Judicial Education Committee and serves as Court liaison to the Board of Bar Examiners.

Two incumbent Court of Appeals judges are running

[see Election on page 14](#)



Three Wisconsin judges and a law clerk traveled to Washington, D.C. to sit in on oral argument before the U.S. Supreme Court in *Murr v. Wisconsin* on March 20. See story on [page 20](#) to find out who made the trip and why they were interested.

Joint Finance Committee takes up court budget

Gov. Scott Walker's 2017-19 state budget proposal has been introduced as Assembly Bill 64 and Senate Bill 30, and is now under review by the Legislature's Joint Committee on Finance.

Chief Justice Patience Drake Roggensack [addressed the committee](#) March 28, during a briefing on court items in the bill.

The budget includes "cost-to-continue" funding for the courts and a new process for addressing judicial compensation, among several other proposed changes that may affect the courts.

The court system will continue to review and evaluate the budget proposals as the budget process continues.

The Joint Committee on Finance will hold public hearings through April 21 and may make changes to the

[see Budget on page 23](#)

Family Drug Court draws national support

The Milwaukee County Family Drug Treatment Court (FDTC) program is one of just four family drug treatment courts nationwide to be awarded a \$300,000 [Prevention and Family Recovery](#) (PFR) grant by the Doris Duke Charitable Foundation and the Duke Endowment.

The funds, to be disbursed over three years, will be used to enhance the FDTC by improving the availability of appropriate therapeutic interventions for children in need of protection due to parental substance abuse.

The grant is an indication of success for the county's family-centered, team approach to the handling of this type of child abuse or neglect cases.

The grant includes technical support provided by [Children and Family Futures](#), a California-based not-for-profit organization that specializes in implementing and evaluating innovative human service programs and policies.

Family drug treatment courts are designed to help break the cycle of substance use through treatment and support services with the ultimate goal of protecting children and creating more stable home environments.

"This grant recognizes the progress that the Milwaukee County Family Drug Treatment Court has made in providing a trauma-informed court setting that integrates evidence-based services and cross systems collaborations," said Chief Judge Maxine A. White, Milwaukee County Circuit Court. "It also reinforces our confidence in the capacity of our vulnerable families to rebuild in the face of overwhelming odds, when we provide supportive judicial leadership," White added.

Statistics gathered by the Milwaukee County FDTC program during its first five years in operation demonstrate

[see Family drug court on page 7](#)



Five new judges appointed to circuit courts

Gov. Scott Walker appointed five new judges to serve on circuit courts across the state.

On April 1, Robert F. Dehring will fill the vacancy on the Jefferson County Circuit Court upon the retirement of Judge David J. Wambach (*see Retirements on page 3*).



Judge Robert F. Dehring

Dehring served as a court commissioner for Waukesha County. He has previously served as a court commissioner for Jefferson County, as corporation counsel for Jefferson County, and as a child support attorney for Racine County.

“Dehring has the experience, respect for the rule of law, intellect, character, plain old common sense, and other traits necessary to serve well our state as a circuit court judge in Jefferson County,” Court of Appeals Judge Thomas M. Hruz, District III, wrote in support of the appointment.

Dehring is a graduate of UW-Madison and Marquette University Law School. He lives with his wife and daughter in Oconomowoc.

Judge Steven H. Gibbs has filled the vacancy on the Chippewa County Circuit Court created by the retirement of Judge Roderick A. Cameron (*see The Third Branch, fall 2016*).



Judge Steven H. Gibbs

In announcing the appointment, Walker said Gibbs brings both experience and a commitment to fundamental constitutional principles that make him a great addition to the bench.

Gibbs previously served as Chippewa County District

Attorney.

Gibbs received his undergraduate degree from UW-Platteville and his law degree from Hamline University School of Law. He and his wife live in Chippewa Falls with their two children. His appointment began Jan. 9.

Walker appointed Judge Wynne P. Laufenberg on Jan. 9 to fill the vacancy created by the retirement of Judge Gerald P. Ptacek on the Racine County Circuit Court (*see The Third Branch, fall 2016*).

Supreme Court Justice Annette Kingsland Ziegler, who wrote in support of Laufenberg’s appointment, said Laufenberg is a hard worker who has demonstrated her ability to tackle the toughest of issues in some of the most sensitive case types that occur in a trial court. “Wynne would prove invaluable to her colleagues on the bench both personally and professionally,” Ziegler wrote.

Laufenberg, who has a B.S. from UW-La Crosse and a law degree from Marquette University Law School, has worked in private practice and for the Racine County Public Defender’s Office. She is a former president of the Racine County Bar Association. Laufenberg and her husband have two daughters.

The vacancy on the Racine County Circuit Court Branch 9 bench will be filled by Atty. Robert S. Repischak. Judge Allan “Pat” Torhorst will retire on May 7 (*see Retirements on page 3*).

“Bob Repischak is among the



Judge Wynne P. Laufenberg

[see New judges on page 15](#)

Rossell appointed Second District chief judge

The Wisconsin Supreme Court has appointed Kenosha County Circuit Court Judge Jason A. Rossell as chief judge of the Second Judicial Administrative District in southeastern Wisconsin, effective May 8. Rossell will replace current Chief Judge Allan P. “Pat” Torhorst, Racine County Circuit Court, who is retiring.



Judge Jason A. Rossell

Rossell was appointed to the Kenosha County bench in 2011 and elected in 2012. He served in private practice from 2002 to 2003 and again from 2008 to 2011. He was an assistant district attorney in Kenosha County from 2003 to 2008.

Rossell is a member of the Judicial Education Committee and the Wisconsin Judicial Committee on Child Welfare, which is part of the Children’s Court Improvement Program (CCIP). The committee serves as a resource for judges and others on best practices to improve outcomes for children and families involved with the court system.

Rossell is a graduate of UW-Whitewater and UW Law School. His term as chief judge is set to continue to July 31, 2018.

Torhorst was first elected to the Racine County bench in

1991 and was re-elected in 1997, 2003, 2009 and 2015. He was appointed as a chief judge in 2014.

Torhorst worked 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 of the Wisconsin Judicial Conference. He holds a bachelor’s of science degree from UW-Madison and a law degree from UW Law School.

The Second Judicial Administrative District encompasses Kenosha, Racine and Walworth counties.

Each year, the Supreme Court appoints or re-appoints circuit court judges as needed to serve as administrative chief judges in each of the state’s 10 judicial administrative districts. Judges may serve a maximum of three two-year terms as a chief judge.

Working as a team with a deputy chief judge and a professional court administrator, a chief judge manages the flow of cases and meets several times a year with other chief judges as a committee to work on administrative issues of statewide importance. With the exception of the First Judicial Administrative District, where the chief judge is a full-time administrator, chief judges and their deputies maintain court calendars in addition to handling administrative matters. ■

RETIREMENTS

Editor's note: Upcoming editions of *The Third Branch* will feature articles on additional judges who have announced their retirement, including District IV Court of Appeals Judge Paul B. Higginbotham, Manitowoc County Circuit Court Judge Jerome L. Fox, Waupaca County Circuit Court Judge Philip M. Kirk, Dane County Circuit Court Judge John W. Markson, Milwaukee County Circuit Court Judge Dennis P. Moroney, Vernon County Circuit Court Judge Michael J. Rosborough, and Milwaukee County Circuit Court Judge John Siefert.

Judge Molly E. GaleWyrick Polk County Circuit Court

Polk County Circuit Court Judge Molly E. GaleWyrick retired on Nov. 30 after 14 years on the Branch 1 bench.

GaleWyrick was elected in 2002, and remains the only female judge ever elected to the Polk County Circuit Court.

"What was unique was that at the same time, the county elected its first and only woman sheriff, (to date), and first and only woman district attorney (also to date)," GaleWyrick said.

She was re-elected in 2008 and 2014. She had previously worked in private practice. She is a former deputy chief judge for the Tenth Judicial Administrative District and member of the Judicial Education Committee. She received her bachelor's degree from Carroll College and her law degree from Hamline University School of Law.

While serving as a deputy chief judge, GaleWyrick took part in tours of the 13 counties the district encompasses. Due to the large geographic area of the Tenth District, the leadership team meets with court staff, attorneys, and local officials every two years to discuss issues facing the justice system.

"The scope and size of the district, the extensive knowledge of judges, staff and justice system partners is impressive," GaleWyrick said after concluding the tour in 2011.

In 2015, GaleWyrick was honored by the *Wisconsin Law Journal* as a Woman in Law, recognized for her leadership, expertise and vision.

"She has always been, and continues to be, a role model and mentor for women attorneys and court staff," one of the attorneys who nominated her wrote. "Whether this involves hosting a get together at her house or simply setting aside time to counsel and advise women, Judge GaleWyrick has always had an open door."

Chief Judge Allan "Pat" Torhorst Racine County Circuit Court

"The road to being a good judge is paved with flat squirrels," Chief Judge Allan "Pat" Torhorst, Racine County Circuit Court, joked. "Those squirrels are decisions judges didn't make or postponed making." Torhorst, who will retire

May 7, advised new judges coming into the court system to be decisive and be ready to make decisions.

Torhorst said he is proud of the fact that parties who appeared before him were comfortable with, if not always happy with, the decisions he has made over the past 26 years.

"It's easy for a judge to be mean," he said. "As a judge, you need to guard yourself to never be mean."

Torhorst was first elected to the bench in 1991. He had previously worked in private practice and served as a city attorney for Burlington. He has served on the Planning and Policy Advisory Committee and the Uniform Bond Committee of the Wisconsin Judicial Conference. In 2014 he was appointed by the Supreme Court to serve as a chief judge for the Second Judicial Administrative District.

Torhorst said he has enjoyed hearing adoption cases over the years, but his least favorite cases to hear were the homicide and contested divorce cases. Of the people involved in the divorce cases, he said they were often "intelligently capable but emotionally unable to make decisions."

"Memorable moments occur every month," Torhorst said. "The standout moments are erased by new moments in the future. As a judge you go from problem to problem. All these problems are important to the people involved."

Torhorst said working in a county that rotates assignments can be a challenge in terms of trying to stay current on laws and procedures when taking on a new rotation. He said the conversion over the years to an electronic case-management system has been a great asset for judges. He also acknowledged the hard work of the people in the court system, at all levels, who he said he would miss after he retires.

Torhorst said he plans to face the challenges of retirement. These challenges will include staying active and continuing to participate.

Judge David J. Wambach Jefferson County Circuit Court

After almost 31 years in state service, Jefferson County Circuit Court Judge David J. Wambach will retire from the Branch 3 bench on March 31.

"It has been a personal honor and professional privilege to try my best to dispense justice in the matters that I have presided over," Wambach wrote in a note to *The Third Branch*. "It has also been very satisfying and rewarding to have made friends, colleagues and acquaintances within the ranks of the judiciary. Thanks to all of you for everything you have given me during this phase in my career. Please accept my further thanks and encouragement for the work that all of you do," he wrote.

Wambach was first appointed by Gov. Scott Walker in July 2013 and elected in 2014. He previously served as assistant attorney general for the Criminal Litigation Unit, district attorney for



Judge Molly E.
GaleWyrick



Chief Judge Allan "Pat"
Torhorst



Judge David J.
Wambach

AWARDS

Zuidmulder to be honored with 'Lifetime Jurist' award



Judge Donald R. Zuidmulder

The State Bar of Wisconsin's Bench and Bar Committee will present Brown County Circuit Court Judge Donald R. Zuidmulder with its Lifetime Jurist Award during a June 15 ceremony in Wisconsin Dells.

The award acknowledges the contributions of a jurist who has served more than one full term as a circuit court judge and has demonstrated outstanding, long-term judicial excellence and leadership toward improving the quality of justice, according to the Bar.

Zuidmulder is being recognized "for his contributions throughout his career to tirelessly improve the legal profession and the administration of justice for the benefit of the citizens of Brown County and of Wisconsin," the Bar noted in announcing the award.

Zuidmulder has served on the Brown County Circuit Court since 1997. He previously served as chief judge of the Eighth Judicial Administrative District, including a year as chair of the Committee of Chief Judges. The Eighth District encompasses Brown, Door, Kewaunee, Marinette, Oconto, Outagamie, and Waupaca counties.

Before joining the bench, Zuidmulder served 22 years in private practice. He previously served as Brown County district attorney and as an assistant state attorney general.



Judge Frederick C. Rosa

Rosa to receive 'Judge of the Year' award

The Bench and Bar Committee will also present Milwaukee County Circuit Court Judge Frederick C. Rosa with the Judge of the Year Award "for extraordinary service, hard work, and leadership to the citizens of Milwaukee County."

The award recognizes an outstanding circuit court judge who has improved the judicial system during the past year by his or her leadership in advancing the quality of justice, judicial education, or innovative programs.

Rosa is among judges who were recognized in a 2015 *Milwaukee Journal Sentinel* article about improvements made to the efficiency of handling cases involving gun crimes in Milwaukee County.

Walsh recognized by State Bar for article

The State Bar of Wisconsin's Communications Committee will present Brown County Circuit Court Judge Thomas J. Walsh with the Hon. Charles Dunn Author – Award for his article, "In the Crosshairs: Heroin's Impact on Wisconsin's Criminal Justice System," *Wisconsin Lawyer*, January 2016. The award recognizes writing excellence in a *Wisconsin Lawyer* magazine article.

The Bar notes: "Written from the unique perspective of a circuit judge presiding in a treatment court, the article takes the reader deep inside the intersection of an epidemic of heroin abuse and its devastating effect on Wisconsin's criminal justice system."



Judge Thomas J. Walsh

Marquette Law School honors Chief Judge White

Chief Judge Maxine A. White, Milwaukee County Circuit Court, will receive the Marquette University Law School Alumna of the Year award at its annual alumni awards reception and conferral on April 27. The honor is awarded to Marquette alumni who embody the law school's mission of excellence, faith, leadership and service.

White graduated from Marquette University Law School in 1985. Since her appointment to the Branch 1 bench in 1992, she has served as the presiding judge of the family division, director of the Wisconsin Judicial Conference, member of the Judicial Conference Executive Committee and Legislative Committee, chair of the Governor's Task Force on Racial Profiling, co-chair of the Supreme Court Special Committee on Gender Neutrality, member of the Judicial Council, and chair of the Wisconsin Committee of Judicial Selection.



Chief Judge Maxine A. White

Wagner receives Lifetime Achievement Award

Three organizations in Kenosha County will award Kenosha County Circuit Court Judge Mary K. Wagner with a lifetime achievement award at their 2017 Susan B. Anthony – Women of Influence Award ceremony on March 24.

Sawyer County, tribal courts exchange flags

On Feb. 15, Sawyer County Circuit Court Judge John M. Yackel and Lac Courte Oreilles Tribal Judge James Schlender Jr. met to exchange state and tribal flags during a ceremony at the Sawyer County Courthouse.

Members of the Sawyer County Board and the governing board of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians (LCO) attended the ceremony, which also featured speeches and the reading of a message from Wisconsin Supreme Court Justice Michael J. Gableman.

The flags will remain on display in each courtroom as a symbol of cooperation and trust between the two court systems.

In his remarks, Yackel said the two courts had never before displayed each other's flags.

"Yet we live together as brothers and sisters in a rural community set apart from other more urban areas," the *Sawyer County Record* quoted Yackel at the ceremony. "Proving every day that tribal and



Photo credit: Nicole Smith,
LCO Communications Director

Sawyer County Circuit Court Judge John M. Yackel and Lac Courte Oreilles Tribal Judge James Schlender Jr. hold the tribal flag during a flag exchange at the Sawyer County Courthouse Feb. 15.

non-tribal people can support and encourage each other."

The flag exchange came about after Yackel and Schlender each realized neither had respective flags of each others' court systems in their courtrooms.

Gableman, who is the tribal liaison for the Supreme Court, said he has personally visited each tribal court in the state, as well as the corresponding state circuit courts.

"My visits have revealed to me that the challenges faced in the respective communities have far more in common than any superficial differences may suggest," Gableman wrote.

"I thank all members of the Lac Courte Oreilles tribe and all citizens of Sawyer County, especially their leaders, and most particularly, Judge Yackel and Judge Schlender, for taking this most important step of exchanging mutual badges of identity and placing the respective

flags of each jurisdiction on permanent display in their courtrooms." ■

State, tribal court judges connect in-person to foster good relations

On Dec. 28, 2016, Supreme Court Justice Michael J. Gableman met with Forest County Potawatomi Tribal Court Chief Judge Eugene White-Fish and Forest County Circuit Court Judge Leon D. Stenz, as part of an initiative to promote positive relationships between state and tribal courts.

"Justice Gableman, Judge Stenz and I met to discuss many issues of mutual interest and how we can build on the positive relationship that Judge Stenz and I already have," White-Fish told the *Potawatomi Traveling Times*.

Among the topics discussed by the group were drug addiction, drug courts, family law, case transfers, conservatorships, guardianships, and other difficult decisions judges face.

"Judge Stenz and I keep it simple: when one of us has an issue, the first thing we do is call or email and start communicating," White-Fish was quoted as saying. "We both respect each other's authority and jurisdiction. We all have similar interests. We want to provide justice and serve

our respective communities," he told the newspaper.

Gableman, who also attended the January quarterly meeting of the Wisconsin Tribal Judges Association in Milwaukee, said he hopes to continue to meet with White-Fish and Stenz, and believes the continued cooperation and coordination can serve as a model around the state.

Gableman serves as the Supreme Court liaison to tribal courts. ■



Photo credit: Potawatomi Traveling Times

Supreme Court Justice Michael J. Gableman, Forest County Circuit Court Judge Leon Stenz and Forest County Potawatomi Tribal Court Chief Judge Eugene White-Fish met Dec. 28 in Forest County.

WISCONSIN CONNECTS

Retired Flanagan shares knowledge abroad

Retired Milwaukee County Circuit Court Judge Mel Flanagan was recently invited by the International Association of Women Judges to teach at a five day conference in Tunis for women judges from Tunisia and Jordan.

The purpose of the conference, held during February, was to train the judges to teach their colleagues about the wide range of crimes that make up human trafficking. Flanagan was part of a teaching team that presented programs on the nature of trafficking and the impact on the victims who are primarily women, children and young men from vulnerable populations.



Retired Milwaukee County Circuit Judge Mel Flanagan (front row, center) sits with women judges from Tunisia and Jordan during a conference on human trafficking sponsored by the International Association of Women Judges in February.

Jordan has laws against trafficking and Tunisia has a new law recently enacted but the problem continues to grow in the region. The participants hope to help judges and prosecutors to better understand, identify and properly respond to trafficking cases in their jurisdictions. It was a “fascinating experience to meet and work with the group,” Flanagan said.

Since retiring from the bench Flanagan has continued to serve women, children and

their families by sharing the lessons she learned and applied on and off the bench at home in the U.S. and now around the world. ■

CCIP to co-host conference on child welfare

The Children’s Court Improvement Program (CCIP), the Wisconsin Director of State Courts Office and the Wisconsin Department of Children and Families are co-hosting the 2017 Conference on Child Welfare and the Courts: *Inspiring Hope and Building Resiliency Among Our Youth* on Oct. 18-20 at the Osthoff Resort in Elkhart Lake.

The well-established link between the child welfare and juvenile justice systems presents unique challenges. The conference provides an opportunity for judicial officers to learn about solutions-based approaches for children and families to overcome adversity by having their needs met in a more individualized and well-tailored manner.

The conference will explore a variety of topics, including adolescent brain development, dual-status youth, the

“school-to-prison pipeline,” youth aging out of care, implicit bias, motivational interviewing, and engagement of youth.

Attendees are encouraged to coordinate attendance with other local stakeholders to help develop approaches to supporting youth and families in their community.

Additional information about the conference, including the full agenda and registration link, will be provided as the event gets closer. Judicial Education and Continuing Legal Education credits will be offered for participants. ■

For more information, contact Justin Wolff, CCIP policy analyst, at justin.wolff@wicourts.gov or 608-264-6905.



Waukesha County Circuit Court Judge Kathryn W. Foster makes a point during a Judicial Education session on writing opinions at the 2017 Wisconsin Court of Appeals Seminar at the Edgewater Hotel in Madison. Other panel members for “Finishing Touches For Opinions: Issues Arising from Motions for Reconsideration Filed in Circuit Courts” include, left to right, Court of Appeals Staff Attorney Jennifer Andrews, St. Croix County Circuit Court Judge Edward Vlack III, and moderator Court of Appeals Judge Brian Blanchard, District IV. About 45 people, including attorneys, court staff and judges attended the March 9 sessions on a range of topics, such as public records, evidence, constitutional challenges, and sentence credits.

Barron County paves Road to Reunification

By Hon. Maureen D. Boyle, Barron County Circuit Court

Editor's Note: This column is part of a joint, ongoing communications outreach program undertaken by judges and court officials in Barron and Eau Claire counties. The program, started in 2012, features monthly columns distributed to area news outlets to help improve understanding of the courts.

In 2016, Barron County Judges James Babler, J. Michael Bitney and I, together with the Department of Health and Human Services child protective services unit, teamed to create the Road to Reunification (RTR) program. This program, aimed at high risk families most in need of intensive support/services, is designed to reduce the time a child is in out-of-home care and to prevent termination of parental rights. Families participating in the program are ordered into the program at the time of disposition in a case in which a child has been found to be in need of protection and services (CHIPs) and placed out of home. Most of these out of home placements are the result of parental use of alcohol and/or other drugs.

In a typical out-of-home placement, court review of the child's out-of-home placement occurs only once every six months through a permanency plan review process. All permanency plans developed by the department begin with reunification, however, many parents, because of issues such as addiction, mental health, or a combination of both, are unable to appropriately address the issues that resulted in the out of home placement of the children. This has resulted in a significant increase in the number of petitions for termination of parental rights filed in the last few years. The costs of these long-term out-of-home placements and subsequent terminations, both financially and emotionally, have been monumental.

The RTR program was created using evidence based practices which include the idea that regular court involvement and review can positively influence outcomes. Through RTR, instead of only having a court review every six months, participating families interact with the court every six weeks. Families are selected prior to disposition of the CHIPs case and the parents must both agree and commit to fully participate in the program. Prior to the hearing, the case manager files a report of the parent(s) progress since the last review and the report as well as any updates are discussed at a court hearing led by the judge. The parent(s) who may have an attorney, the lawyer for the county, children, service providers, case manager, foster parents and guardian ad litem all participate in the hearings. The hearing provides an opportunity for all of those involved to engage in open and honest communication as well as to provide accountability and support. No substantive legal issues are handled at the hearings and the focus is on discovering obstacles and finding solutions as well as rewarding success and providing incentives.

To date, the program has been well received by all of the parties and has resulted in more success than failure. While evaluation and review is ongoing, it appears that the program is doing what it was designed to do: reunifying families and preventing terminations. ■



Judge Maureen D. Boyle

Family drug court *continued from front page*



Chief Judge Maxine A. White

success. Children in the FDTC are 2.5 times more likely to be reunified with their parents and are nearly 50 percent less likely to continue in out-of-home care after a year as compared to children of substance using parents in a traditional court setting.

Deputy Chief Judge Mary Triggiano, Milwaukee County Circuit Court, presides over the Milwaukee County FDTC. Other team members include representatives from the Division of Milwaukee Child Protective

Services, the Milwaukee County District Attorney's Office, private bar attorneys representing parents, and guardians ad litem, as well as substance abuse treatment specialists.

In addition to directly helping participants, the program has created unexpected benefits in how different parts of the justice system relate to each other. The result has been more consistent, honest and open communication among key

stakeholders.

"This is all rooted in a shared commitment to doing things differently and better," Triggiano said.

The Milwaukee County FDTC, which opened its doors on Oct. 1, 2011, was the first of its kind in Wisconsin. It serves as a model for family drug treatment courts developing across the state. Initially, Milwaukee County's FDTC was projected to serve 94 parents over the course of three years. The program has far exceeded its goal, having served more than 265 parents, with an average of about 50 active participants.

Statewide, Wisconsin judges are involved in operating more than 70 problem-solving courts, most aimed at addressing adult drug and alcohol abuse that may contribute toward criminal behavior. ■



Deputy Chief Judge Mary Triggiano

Court staff play key role in collaborative approach to improving criminal justice system

By Katy Burke, Office of Court Operations

There are many signs that Wisconsin's collaborative, evidence-based approach to improving the criminal justice system is taking hold:



Katy Burke



Tommy Gubbin

- The number of counties that receive funding through the state Department of Justice (DOJ) for [Treatment Alternatives and Diversion \(TAD\)](#) programs will increase from 37 counties during 2016 to 46 counties and two tribes during 2017.
- The number of treatment courts in Wisconsin increased from 74 in 2016 to 82 in 2017. Treatment courts involve a cross-discipline effort to target underlying issues, such as drug or alcohol abuse and mental health issues, which may contribute toward criminal behavior.
- In addition to a growing number of county-based Criminal Justice Coordinating Councils (CJCC), Wisconsin has a [state Criminal Justice Coordinating Council](#). Thanks to support from the National Institute of Corrections, Wisconsin is the only state in the country receiving dedicated technical assistance at the state and local level in this criminal justice reform effort.
- Coordination between court staff and agencies in other branches of government is increasing to implement effective strategies to improve the justice system in a number of areas.

None of these developments would be possible without the dedicated efforts of staff of the Office of Court Operations and the relationships built over time with other justice system partners and team members.

Treatment Alternatives and Diversion (TAD)

The TAD grant program provides local jurisdictions with options to offer offenders the opportunity to enter treatment court and diversion programs, involving treatment, case management, and other risk reduction services as a safe alternative to jail or prison.

While the TAD program is funded through the Wisconsin DOJ, court staff plays an important role in supporting TAD and the sites receiving TAD funding.

In late 2016, staff from the Office of Court Operations helped design and deliver a series of TAD grant writing trainings in preparation for the 2017 TAD funding expansion. Katy Burke, the statewide problem-solving court coordinator, and Tommy Gubbin, the special projects coordinator, worked in partnership with the DOJ, the Department of Corrections (DOC), and the Department of Human Services (DHS), to hold regional trainings to assist counties in understanding requirements for an effective TAD grant proposal. Likewise, staff assisted these same partners, along with the Office of the State Public Defender, in reviewing and awarding the 2017 TAD grants.

While the growth in TAD funding has allowed the number of treatment courts to expand from 74 to 82 programs, there

are also a growing number of non-TAD funded programs designed to improve the effectiveness of the justice system.

Treatment Courts

Approximately two-thirds of the treatment court programs in Wisconsin are primarily funded by TAD and rely on a county match. The remaining programs are funded by individual counties or other sources, such as federal funding, donations or other support. However, all rely on hard work, partnerships and teamwork.

"The Wisconsin Department of Justice and the Office of Court Operations have been collaborating extensively to enhance Wisconsin's treatment courts" said Constance Kostelac, Director of the Bureau of Justice Information and Analysis at DOJ. "This is an important and productive partnership for both agencies to provide state resources to help monitor and assist the development and functioning of Wisconsin's treatment courts," she added.

Burke provides technical assistance and training to both TAD funded and non-TAD funded treatment court programs. She assists treatment court programs in designing, implementing, and continuing improvement by facilitating on-site meetings with treatment court teams, observing teams in pre-court staffing and in court, and providing feedback and follow up after the visit.

Observing these courts allows Burke to design trainings according to a treatment court's needs. Her work across the state also allows her to find resources from state and national agencies that can support all treatment court programs in Wisconsin.

For example, in April 2017, the Office of Court Operations will partner with the National Center for Driving While Intoxicated (DWI) courts to facilitate an operational "tune-up" training for current OWI court programs.

Five Wisconsin teams were selected in early March to participate in the program, which reviews national best practices, program structure and makes updates if necessary to adhere to the national and state standards. Counties selected to participate include Columbia, Dane, Monroe, Taylor, and Vernon.

Criminal Justice Coordinating Councils

There has also been an increase in the number of local CJCCs and counties interested in starting CJCCs. These local CJCC's are crucial to effectively addressing issues across the justice system. During the last two decades CJCCs have expanded to more than 50 counties and tribes. Many of these same counties are also interested in implementing or expanding the use of Evidence-Based Decision Making (EBDM).

Gubbin assists counties in developing and maintaining their local CJCC's, creating and sustaining diversion programs, and implementing evidence-based decision making practices. Tommy is also working closely with the eight counties participating in the National Institute of Corrections's (NIC) initiative to implement effective EBDM

STOP Grant allows judges to attend training

By Amber Peterson, Office of Court Operations

Six Wisconsin judges recently attended a training sponsored by the National Judicial Institute on Domestic Violence: *Enhancing Judicial Skills in Domestic Violence Cases*. The training was held Feb. 5-8 in Valencia, California.

The training was an interactive workshop specifically designed for judges and court commissioners. The training covers the topic of domestic violence using hypothetical case problems, role-play exercises, small group discussions, and faculty demonstrations.

Judges who attended include: Milwaukee County Circuit Court Judge Marshall B. Murray (presenter), Milwaukee County Circuit Court Judge Michael J. Hanrahan, Columbia County Circuit Court Judge Todd J. Hepler, Sheboygan County Circuit Court Judge Angela W. Sutkiewicz, Marathon County Circuit Court Judge Michael K. Moran, Douglas County Circuit Court Judge Kelly J. Thimm, and St. Croix County Circuit Court Judge Edward F. Vlack III.

Vlack said the workshop provided an excellent faculty, a number of resources and stressed that dealing with domestic violence requires a multifaceted approach involving specialized assessments, victim services, including those for children, batterer's intervention and supervised visitation programs, and court monitoring.

Sutkiewicz noted the usefulness of meeting judges from around the county and learning what they are doing in their jurisdictions to address domestic violence. She said the training provided a beneficial look at domestic violence from the perspective of different parties and the importance of fact-finding.

"The emphasis on getting the essential facts necessary to make a decision made me think about my role in making sure judges are getting the right information," Sutkiewicz said.

Since 2004, Wisconsin has sent over 110 judges and court commissioners to the workshop, using STOP Grant funding

awarded to the Director of State Courts Office by the Office of Violence Against Women. Several Wisconsin judges, including Marshall and Milwaukee County Circuit Court Judge Jeffrey A. Kremers have served as faculty for these trainings.

The STOP Violence Against Women Formula Grant is awarded to the Director of State Courts Office on an annual basis. The grant money is managed by the Office of Court Operations and is used to improve the court system's response to domestic violence, sexual assault, and human trafficking cases. ■

For more information about the STOP Grant or national training opportunities, contact Amber Peterson in the Office of Court Operations at (608) 267-7764 or

amber.peterson@wicourts.gov.



Judges attending recent training on the handling of domestic violence cases include, from right to left: Milwaukee County Circuit Court Judge Marshall B. Murray (presenter); Milwaukee County Circuit Court Judge Michael J. Hanrahan; Columbia County Circuit Court Judge Todd J. Hepler; Sheboygan County Circuit Court Judge Angela W. Sutkiewicz; Marathon County Circuit Court Judge Michael K. Moran; Douglas County Circuit Court Judge Kelly J. Thimm; Amber Peterson, Office of Court Operations; and St. Croix County Circuit Court Judge Edward F. Vlack III.

EJS *continued from page 8*

practices.

For example, in Green County, which recently received a TAD grant to create a drug court and a CJCC, Gubbin met with county stakeholders explaining the purpose, authority, need, structure, and benefits of a CJCC. He answered questions from the county board member, district attorney, service providers, public, and judges, and provided a checklist and resources on how to form a CJCC.

An indicator of the effectiveness of this effort is that Wisconsin is the only state in the country receiving dedicated technical assistance at the state and local level, thanks to NIC.

State Partners

During 2017, as the number of TAD grants and treatment courts expand in Wisconsin, the Office of Court Operations will continue working with national, state and local partners to help strengthen treatment courts and CJCCs in Wisconsin.

Burke is coordinating work with the DOJ, DOC, as well as Department of Health Services, state Public Defender and Wisconsin Association of Treatment Court Professionals to update the state Treatment Court Standards. She is also helping to plan a statewide treatment court conference and

two treatment court standards training session. The first track of the training will focus on new treatment courts and treatment court professionals that have not previously participated in the training. The second track will offer a refresher course for treatment courts and professionals who have already completed the standards training offered in the past two years. The state team also intends to observe at least two treatment court programs per month.

The collaborative relationship between the Office of Court Operations and state agencies is pivotal in supporting treatment courts and CJCCs, providing training, technical assistance, and the most current information to help programs operate effectively and according to established evidence-based standards. The Office of Court Operations will continue to support counties as they seek to implement or enhance local CJCC's, treatment courts, and diversion programs across the state. ■

For more information on treatment courts or CJCCs, please contact Katy Burke at katy.burke@wicourts.gov or 608-266-8861 or Tommy Gubbin at tommy.gubbin@wicourts.gov or 608-261-0684.

Courts work to optimize juror utilization

By Tyler Brandt, Office of Court Operations

The jury selection process can be a bit unpredictable, not only for potential jurors who set aside time to carry out their civic duty, but also for judges, clerks and court staff who must “guesstimate” how many jurors may be needed on a given day.

Summon too many jurors, and time and resources will be wasted – jurors may miss more work than necessary, or drive to the courthouse just to be dismissed. Summon too few, and the start of a trial may be delayed, creating more expenses and other problems.

Juror utilization is a measurement of effective jury management. It calculates the number of jurors questioned in voir dire as compared to the total number of potential jurors who appear when summoned for jury service. The National Center for State Courts (NCSC) sets a goal of 81 percent of utilization of jurors, which is considered ambitious by some. Using Wisconsin-specific data, the Director of State Courts Office developed a goal of 72 percent utilization for the state.

Understanding juror utilization is important because of the cost, and potential savings, in finding improvement.

For example, in Wisconsin each year, about 65,000 people report for jury service at an estimated cost of \$4.7 million. The expenses consist mostly of mileage reimbursement paid to jurors by the counties at the rate of about 51 cents per mile and a small juror per diem.

Of those 65,000 jurors summoned in 2015, only 59 percent reached the jury box for voir dire. This underutilization of jurors is estimated to have cost \$582,000. To help judges strike a good balance, the Office of Court Operations analyzed jury data to help judges to make more informed decisions on how many jurors to call.

This analysis was used to calculate the appropriate jury panel size needed to cover 95 percent of the jury cases in each of the major case types.

A panel is defined as the number of jurors arriving in the courtroom for the voir dire process. The table above breaks down the panel sizes necessary to cover 95 percent of circumstances for each of the major case types. For example, in a felony case a 33-person panel will provide enough jurors to cover a 12-person jury trial 95 percent of the time.

To cover the other 5-percent of cases that do not fall into the table above, judges must rely on their knowledge and experience in overseeing those cases. For example, additional jurors may be needed in high-profile cases or cases with a greater likelihood of potential jurors dismissed for cause.

Chief Judge Scott Needham, St. Croix County Circuit

Court, said juror utilization information can be very helpful in managing a county’s jury pools and conserving financial resources.

“In the Tenth (Judicial Administrative) District alone, the cost of underutilization in 2015 was approximately \$100,000. Although it is difficult to think outside the ‘but we’ve always done it this way’ paradigm, the statistical analysis, i.e. evidence provides an opportunity to reevaluate our thinking,” Needham said.

Clerks of circuit court can also influence juror utilization.

When a judge determines the panel size they wish to call, it is up to the clerk to summon the proper number of jurors to cover the judge’s request. If the clerk summons too many, jurors go unused. If the clerk summons too few jurors, the judge may run short.

Clerks must use their knowledge and previous experiences to satisfy a judge’s request. This includes having a general idea of how many jurors may need postponements or excusals and what proportion of potential jurors generally fail to appear.

To help clerks in making these determinations, the Office of Court Operations is working

with the district court administrators to refine clerks’ summoning practices. The goal is to produce a bench card that can be used in courts statewide. Jury data is being reviewed to identify current efficiencies and how to decrease the number of people who fail to appear for jury service when called.

While determining how large a jury panel should be and identifying how many jurors to summon are both important steps in improving juror utilization, communication between judges and clerks is crucial so that each party knows what to expect. For example, if a judge asks the clerk to summon 35 jurors, it may not be clear whether this means to send a jury summons to 35 people or whether a panel of 35 is desired. While this may be a simple miscommunication, it could result in underutilization. Therefore, it is important that clerks and judges work cooperatively to improve juror utilization.

Ultimately, each individual court is charged with determining how many jurors to call and how those jurors are utilized. However, focusing on improving juror utilization can help reduce unnecessary costs to counties, while also improving the experiences of jurors in Wisconsin. ■

For more information, contact Tyler Brandt, policy analyst for the Office of Court Operations at tyler.brandt@wicourts.gov or 608-267-7336.

Case Type	Coverage for 95% of Cases
Felony	33
Misdemeanor	27
Criminal	
Traffic	27
Traffic	20
Civil	33
Mental Commitments	16
Termination of Parental Rights	33

Recommended juror panel sizes by case type

New video informs prospective jurors about value of jury service, what to expect

A recently released video will help prospective jurors statewide better understand the crucial role they play in our system of justice and what to expect if they are selected to serve on a jury. “Wisconsin Jury Service” replaces a previous juror orientation video that was produced in 2004.

Each year, about 65,000 people are summoned to courthouses in counties statewide to be available for jury service. Prior to beginning their service, most jurors go through a juror orientation and view the video. The video, featuring an introduction by Chief Justice Patience Drake Roggensack and seven circuit court judges, is also publicly available on the court system’s [website](#), with additional information about jurors and juries available [here](#).

“Juries are a cornerstone of our democracy and as a juror you play a direct role in ensuring our justice system works as intended under both the Wisconsin and United States Constitutions,” Roggensack tells viewers in introducing the video. “We appreciate your contribution and the support you may have received from family, friends, and employers to enable you to be here today.”

Each judge explains a part of the process involved in a jury trial. “I’m always impressed with how seriously jurors take their responsibilities,” said Dane County Circuit Court Judge Juan B. Colas, one of the judges who appears in the video. “When the trial is done most of them are glad they had the experience, no matter how they felt when they reported. The new orientation video is an important part of supporting them in their role as citizen judges.”

Other judges who appear in the video include: Chief Judge Maxine A. White, Milwaukee County Circuit Court; LaCrosse County Circuit Court Judge Ramona A. Gonzalez; Racine County Circuit Court Judge Emily S. Mueller; Dane County Circuit Court Judge William E. Hanrahan; Milwaukee County Circuit Court Judge Carl Ashley; and Dane County Circuit Court Judge Nicholas McNamara.

Many of the actors who appear in the video were recruited from local community theater groups, including the Verona Area Community Theater and the Stoughton Village Players. One of the actors who responded to the casting call was Jerry Lapidakis, who is the father of CCAP Customer Services Manager Andrea Olson. Two Dane County attorneys volunteered to play the attorneys, and Marathon County Court Reporter Karla Sommer played the court reporter. Dane County Clerk of Circuit Court Carlo Esqueda also recruited members of his staff to appear in the



Chief Justice Patience Drake Roggensack records the introduction to a new juror orientation video at the Dane County Courthouse last fall. The video is available for playback online and at each courthouse throughout the state.

video.

The appearance of so many Wisconsin circuit court judges helps emphasize the importance of jurors and jury service.

Before taking on the administrative role of chief judge of the First Judicial Administrative District, White said one of her most cherished duties as a judge was to speak to jurors at the conclusion of their service. She discussed how our democracy at its best is dependent on our acceptance of jury service as a core responsibility of our citizenship.

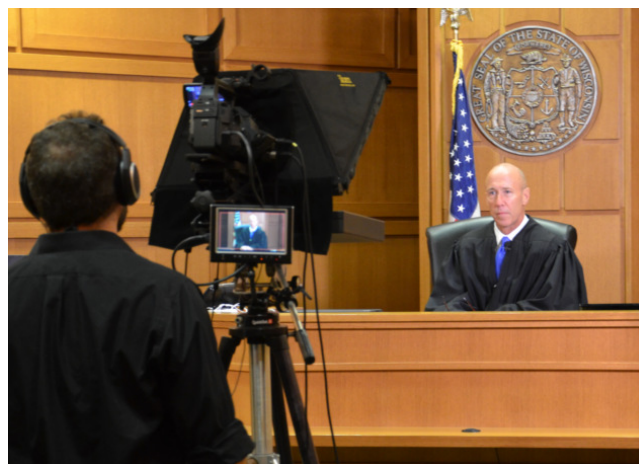
“Having my voice on the new jury video gives me the

rare opportunity to be part of our collective efforts to continue to impress upon our citizens just how much their service matters,” White said.

Marsha Heuer, a social studies teacher at Sun Prairie High School, was one of the local actors who appeared in the video. Not only was it interesting and exciting for her to be a part of the process, but she has now incorporated the video into her teaching.

“The process of filming the video was very informational and gave me a chance to see what it might be like to be part of an actual jury. I feel fortunate that I am now able to use this video in my Foundations of American Democracy class that I teach to juniors and seniors. The quality of the video is excellent, and it is very educational,” Heuer said.

“It’s precise and to the point, while providing a lot of details from a variety of Wisconsin judges. I wish more people had the opportunity to understand how our legal system works better. We are so fortunate to live in a country that allows every citizen the opportunity to give back and participate actively in our court system.” ■



Dane County Circuit Court Judge William D. Hanrahan is among seven circuit court judges who play a role in a new juror orientation video.

Winnebago County Courthouse projects designed to improve security, add space

A new Winnebago County Courthouse security checkpoint is scheduled to open April 3, and several other projects will be underway soon to bring county court functions under one roof.

The 1,332-square-foot security checkpoint is an addition to the historic courthouse built over a six-month period at a cost of about \$1.1 million. The project is the result of about 20 years of effort by Winnebago County Courthouse Security Committee, said Winnebago County Circuit Court Judge Karen L. Seifert. Until now, the courthouse was one of just two of the state's 12 largest counties that did not screen visitors.

Once open, the security checkpoint will be the only entrance available to the courthouse, and visitors to the building will go through security screening.

Other improvements are being made to the courthouse, including construction of a dedicated room in the lower level of the building, where suspects can be fingerprinted, photographed and DNA samples can be taken.

The project will save defendants a trip to the Winnebago County Sheriff's Department jail complex, which is several miles from the courthouse. Additional remodeling of the inside of the courthouse will continue in 2017.



A new security checkpoint is among projects being undertaken at the Winnebago County Courthouse. Other improvements include construction of a dedicated room where suspects can be processed.

Branch 6 and the court commissioner, both currently housed in the city-owned Safety Building across the street, will move into the courthouse. At that point, all courts will then be secured and under one roof. ■

Wisconsin joins courts nationwide in studying issues related to non-payment

By Peggy Hurley, Office of Court Operations

Wisconsin has joined a growing number of states examining its practices relating to the collection of legal penalties and costs to ensure such efforts pass constitutional muster. Legal costs include fines, forfeitures, surcharges, and fees that are imposed on people who commit criminal, civil, or municipal code violations. In some cases, penalties also may include periods of imprisonment or loss of drivers' or other licenses.

The topic is gaining attention after the U.S. Department of Justice (U.S. DOJ) issued a critical report on its findings relating to the municipal court practices in Ferguson, Missouri. The practices there included imposing highly burdensome legal costs for relatively minor infractions and relying heavily on arrest warrants and jail time to coerce people into paying their legal costs.

In March 2016, the U.S. DOJ issued a directive to courts and legislatures across the country, urging them to examine their own statutes, ordinances, and local practices surrounding legal costs. The U.S. DOJ urged courts and legislatures to ensure that, by statute and in practice, no person is incarcerated or subject to a consequence such as losing his or her driving privileges, for failing to pay a legal cost unless the person is able to pay, but chooses not to do so.

Across the country, various stakeholders in the justice system are looking into ways to improve compliance with these constitutional mandates and improve the efficiency and effectiveness of imposing and collecting legal costs. In

early 2016, the Conference of Chief Justices and the Conference of State Court Administrators formed a National Task Force on Fines, Fees, and Bail Practices.

In February, the task force published a series of resources, including a Bench Card, designed to help judges and court commissioners impose and collect legal costs in a fair and efficient manner. These resources are available at <http://www.ncsc.org/Topics/Financial/Fines-Costs-and-Fees/Fines-and-Fees-Resource-Guide.aspx>

In Wisconsin, the Committee of Chief Judges has formed a Subcommittee on Jail for Nonpayment of Court Imposed Legal Fees in order to study these issues in our state. The subcommittee adopted as its mission statement: "To clarify statutory and constitutional obligations for imposing and collecting court-imposed financial obligations, to identify alternatives to jailing and license suspension for failure to pay, and to establish recommended practices for imposing and collecting court-imposed financial obligations in circuit and municipal courts."

Additionally, as part of a grant from the State Justice Institute, the Office of Court Operations will work with the National Center for State Courts (NCSC) to conduct an in-depth analysis of how legal costs are imposed, collected, and enforced in Wisconsin.

The grant will fund a three-pronged approach to this analysis:

NEW FACES**Bonnie Anderson**
Budget and Policy Director

Bonnie Anderson

Bonnie Anderson joined the Court System as budget and policy director, replacing William D. Walker on Jan. 9.

Anderson returns to Wisconsin after five years in California, where she served as a public sector finance consultant for local governments including the city of Santa Monica and the Los Angeles County Metropolitan Transportation Authority (Metro).

Anderson previously worked for the state of Wisconsin, starting at the Department of

Transportation (DOT) in 1998 as a program and policy analyst in the Bureau of Transportation Safety. She also worked for the DOT's Research Program Section, the Division of Motor Vehicles and the State Patrol. In 2006, Anderson became budget and policy supervisor for the Division of Transportation System Development, overseeing the state's highway operating budget. In 2009, she joined the state Department of Justice, where she served as budget and finance director.

Anderson holds a Master's degree in policy analysis from the UW-Madison, La Follette Institute; a master's degree in economics from Michigan State University; and a bachelor's degree in quantitative economics from California State University. Anderson lives in Madison with her wife, Connie, and is pleased to be back in the best biking community in the country.

Peggy Hurley
Office of Court Operations

Peggy Hurley has joined the Office of Court Operations as a legal advisor to circuit courts. In doing so, Hurley leaves the legislative branch of government, where she served for 16 years as a drafting attorney for the Wisconsin Legislative Reference Bureau. Prior to that, Hurley worked in private practice. She earned an undergraduate degree from Rockford College and her law degree from UW Law School. Hurley also has a prior connection to the court system. While earning her law degree, Hurley worked as a student intern for then-Chief Justice Nathan S. Heffernan.



Peggy Hurley

Dean Stensberg
Executive Assistant to the Chief Justice

Chief Justice Patience Drake Roggensack has appointed Dean Stensberg to serve as her executive assistant. Before joining the court system, Stensberg served as chair of the Wisconsin Parole Commission. He previously served as executive assistant and director of policy and public affairs for former state Attorney General J.B. Van Hollen. Before that, he served as executive assistant to former state Department of Corrections Secretary Michael J. Sullivan, and as special assistant to former Gov. Tommy G. Thompson. Stensberg began his public service career as a legislative assistant to the Caucus Chair in the Wisconsin Assembly. ■



Dean Stensberg

OBITUARIES**Judge Marvin C. Holz**
Milwaukee Court Circuit Court

Former Milwaukee County Circuit Court Judge Marvin C. Holz died Dec. 10, 2016 at the age of 99.

Holz began serving on the Milwaukee County Circuit Court in 1965, and served for 28 years. He continued to serve as a reserve judge after his retirement. While on the bench, he served as a dean of the Wisconsin Judicial College.

In 1966, Holz worked with fellow Milwaukee County Circuit Court Judge Elmer W. Roller on the historic case involving the Milwaukee Braves relocating to Atlanta. Roller signed the decision, which ordered that the Braves had to return to Milwaukee, or the National League must guarantee a new franchise for the city.

The Wisconsin Supreme Court would later overturn the decision.

Holz was preceded in death by his wife, Soph. He is survived by his daughter, Barbara; son-in-law, Paul; and grandson Michael.

Judge John S. 'Jack' Jude
Racine County Circuit Court

Retired Racine County Circuit Court Judge John S. "Jack" Jude died on Feb. 11 at the age of 71.

Jude retired from the Branch 4 bench on July 31, 2016 after serving 12 years.

"He had an open heart and he was open to the good in people," Racine County Circuit Court Judge Mark F. Nielsen, who took over the Branch 4 bench after Jude retired, told *Racine County Eye*. "He looked for it and he was confident that it was there, but he wasn't naive. He lived in the real world. If there was one tenet that drove him it was this: Most people are good and if they weren't good, he knew that they could be better."

In 2004, Jude won a five-way primary and general

Judge John S. "Jack"
Jude

Winter/
Spring
2017

Election *continued from front page*

unopposed for their first full terms: Brian K. Hagedorn, District II; and Judge William W. Brash, III, District I. Both were appointed to the Court of Appeals in 2015.



Judge William W. Brash, III



Judge Brian K. Hagedorn



Judge Michael R. Fitzpatrick

Brash previously served on the Milwaukee County Circuit Court bench from 2001 to 2015. Hagedorn previously served as chief legal counsel to the governor, an assistant state attorney general, and as an attorney in private practice.

Rock County Circuit Court Judge Michael R. Fitzpatrick is unopposed in his bid for the District IV Court of Appeals seat being vacated by the retirement of Judge Paul B. Higginbotham on July 31.

Fitzpatrick was first appointed to the Rock County Circuit Court in 2008. He was elected in 2009 and re-elected in 2015. Fitzpatrick serves as deputy chief judge of the Fifth Judicial Administrative District.

Thirty-seven incumbent circuit court judges will run unopposed this April. Two non-incumbents are unopposed in Jefferson and Milwaukee counties.

Jefferson County

Atty. Bennett J. Brantmeier will run unopposed for the Branch 4 seat on the Jefferson County Circuit Court. Brantmeier, a private practice attorney from Jefferson, will fill the vacancy being created by Judge Randy R. Koschnick, who has been named Director of State Courts, effective Aug. 1.

Milwaukee County

In Milwaukee County, Atty. Michelle Ackerman Havas will run unopposed for the vacant Branch 10 bench formally held by District I Court of Appeals Judge Timothy G. Dugan. Havas was previously appointed to the Branch 45 bench in 2015, but was defeated by Milwaukee County Circuit Court Judge Jean M. Kies last spring.

Dodge County

Dodge County Circuit Court Judge Martin J. De Vries will face a challenge from Atty. Randall E. Doyle. De Vries was appointed in the fall to fill the vacancy created by the retirement of Judge John R. Storck. Doyle works in private practice in Beaver Dam.

Kenosha County

In Kenosha County, private practice Atty. John Anthony Ward will challenge Kenosha County Circuit Court Judge Jodi L. Meier. Meier is running for her first full six-year term after being appointed last year to fill the vacancy created by the death of Judge S. Michael Wilk.

Polk County

Polk County Circuit Court Judge Daniel J. Tolán will face Atty. Malia Malone. Malone serves as Polk County corporation counsel. Tolán was appointed after the retirement of Judge Molly GaleWyrick (*see Retirements on page 3*) Atty. David D. Danielson was eliminated in the

primary.

Washington County

Washington County Circuit Court Judge Todd K. Martens is challenged by private practice Atty. Robert T. Olson. Martens was first appointed in 2010, and elected to a full six-year term in 2011.

Burnett County

Two private practice attorneys will run for the Burnett County Circuit Court bench seat vacated by Judge Kenneth L. Kutz, who retired last November. Atty. Melissa R. Mogen and Atty. David Gridell both practice in Siren.

Dane County

Madison Atty. Marilyn Townsend, who also serves as a municipal judge for the village of Shorewood Hills, and Atty. Jill J. Karofsky, who serves as the executive director of the Office of Crime Victim Services, will run for the Branch 12 seat on the Dane County Circuit Court. Judge Clayton P. Kawski, who was appointed in August 2016 to fill the seat following the retirement of Judge David T. Flanagan, chose not to run for a full six-year term.

Manitowoc County

After a three-way primary in February narrowed the field to two, Atty. Robert P. Dewane and Atty. Patricia A. Koppa will run for the Branch 3 seat on the Manitowoc County Circuit Court bench now held by Judge Jerome L. Fox, who is retiring at the end of July. Dewane serves as an assistant district attorney for Manitowoc County. Koppa serves as a Manitowoc County court commissioner and register in probate. Atty. Donald J. Chewing was eliminated in the primary.

Milwaukee County

In Milwaukee County, Atty. Scott A. Wales and Atty. Kashoua “Kristy” Yang will face off for the Branch 47 seat of Judge John Siefert, who did not seek re-election. Wales and Yang both have private practices in Milwaukee. Wales also serves as a municipal judge for the village of Fox Point.

Trempealeau County

Trempealeau County Circuit Court Judge Charles V. Feltes was defeated in the three-way February primary by Trempealeau County Corporation Counsel Rian W. Radtke and private practice Atty. Richard Schaumberg. Feltes was appointed in 2016 to fill the vacancy created by the retirement of Judge John A. Damon.

Vernon County

Private practice Atty. Darcy Rood and Vernon County District Atty. Timothy J. Gaskell are vying for the Vernon County Circuit Court bench seat that will be vacated by Judge Michael J. Rosborough at the end of his current term in July.

Waupaca County

Waupaca County Judge Philip M. Kirk’s Branch 11 bench seat is being sought by State Public Defender Troy L. Nielsen and private practice Atty. Eric D. Hendrickson. Kirk will retire at the end of his current term in July. ■

Free class promotes court reporting

The Wisconsin Court Reporters Association, in conjunction with the National Court Reporters Association, is hosting a free eight-week introduction to stenographic theory, starting April 12 at Fox Valley Technical College in Appleton.

“A to Z Intro. to Machine Shorthand Program,” provides a foundation for people who may be interested in court reporting as a career to learn some of what’s involved, said program leader Lori L. Baldauf, an official court reporter in Winnebago County.

In addition to providing a basic understanding of court reporting skills, part of the goal of the program is to encourage participants to later enroll in a formal two- to three-year court reporter training program at a technical college.

The overall goal is to help meet the growing demand for court reporters throughout the state, said Karla Sommer, an official court reporter in Manitowoc County and program coordinator for Wisconsin Court Reporters Association.

Classes will be held from 6 p.m. to 8 p.m. April 12 through May 31. For more information, contact

Karla.Sommer@wicourts.gov or wicourtreporters@gmail.com
Space is limited. ■



Court reporters throughout the state celebrated Wisconsin’s Court Reporting and Captioning Week during February. In Marathon County, official court reporters (left to right) Kim Lentz-Grau, Amy Downs (front), Miriam Leute (back), Lyssa Bassett, and Karla Sommer pose during an occasion at the courthouse on Valentine’s Day. The reporters decorated the courthouse and treated about 50 people, including judges, court commissioners, court staff and others, to an “open-house” style hot breakfast.

Non-payment study *continued from page 12*

- NCSC will parse large amounts of financial data to determine which legal costs are imposed in Wisconsin, how they are collected, rates of payment, which collection methods are more or less efficient, and where there is variation between counties, what are the factors of variability.
- The Office of Court Operations will send out a survey to circuit court judges and circuit court clerks to determine how they impose legal costs, what types of payment plans they employ, how they determine a defendant’s ability to pay legal costs, and what kinds of consequences they impose on defendants who fail to pay. The chief judges’ subcommittee will send the same survey to municipal court judges and clerks.
- The Office of Court Operations will conduct personal interviews with circuit court judges and clerks to get more detailed information on how they personalize payment plans and determine when to impose consequences for failure to pay legal costs.

The overarching theme among those evaluating how legal

costs are imposed and enforced is to ensure that negative consequences for failure to pay are borne by those who can afford to pay the costs but choose not to pay. Courts may offer alternatives to defendants who are unable to fully pay legal costs due to poverty. Options may include reasonable payment plans that take individual economic circumstances into account or community service that is proportionate to offenses. However, a variety of factors, including the availability of funding for community service options, can often determine whether these alternatives are feasible in a number of communities.

The chief judges’ subcommittee will use the information gleaned by the study to establish best practice guidelines for circuit and municipal courts across Wisconsin.

The subcommittee will examine which alternatives are available to impoverished defendants across the state and determine whether legislative changes and/or new guidelines for local practices can help ensure that legal costs in Wisconsin are imposed in a fair and effective manner. ■

New judges *continued from page 2*

best of an able generation of criminal prosecution who have represented the people of Racine over the last two decades,” Racine Circuit Court Judge Mark F. Nielsen said in support of the appointment. “Repischak has the experience to handle the many demands upon a judge combined with that good-humored pragmatism necessary to solve complex problems.”

Repischak previously served as an assistant district attorney for Racine County. He received his undergraduate degree from UW-Stevens Point and his law degree from Hamline University School of Law. He lives in Waterford with his wife and two daughters.

Former Polk County Assistant District Attorney Daniel J. Tolan was appointed to fill the vacancy created on the Polk County Circuit Court by the retirement of Judge Molly E.

GaleWyrick (*see Retirements on page 3*).

Barron County Circuit Court Judge Michael Bitney wrote in support of Tolan: “Dan has the experience, knowledge, and demeanor to be an outstanding circuit court judge. Dan is also an honest and hardworking attorney who oftentimes puts the needs of others before his own. He is committed to serving on the bench with fairness and integrity.”

Tolan, whose appointment began on Jan. 9, is a graduate of UW-Green Bay and Hamline University School of Law. He and his wife live in the village of Luck. ■



Judge Daniel J. Tolan

Judges, staff throughout state volunteer to help with mock trial competitions

Nearly 30 state and federal judges from around Wisconsin helped judge the 2017 High School Mock Trial competition in county courthouses throughout the state. Brookfield Academy took first place in the championship round, which was held March 13 in the Wisconsin Supreme Court Hearing Room at the State Capitol.

Supreme Court Justice Daniel Kelly served as the head judge in the final round, with help from fellow mock trial judges: Court of Appeals Judge Brian W. Blanchard, District IV; Atty. Kevin Lonergan, chair of the State Bar of Wisconsin's Public Education Committee; U.S. Magistrate Judge Stephen L. Crocker, Western District of Wisconsin; and Winnebago County Circuit Court Judge John A. Jorgensen.

Brookfield Academy narrowly defeated River Falls High School in the final round and will represent Wisconsin at the 2017 National Mock Trial Championship, May 11-13, in Hartford, Connecticut.

Other judges who volunteered in earlier rounds of the competition include: Court Commissioner Brian Figy, Outagamie County; Rock County Circuit Court Judge Barbara W. McCrory; Rock County Circuit Court Judge



Photo credit: State Bar of Wisconsin

High School Mock Trial State Champions from Brookfield Academy pose before contest judges in the Supreme Court Hearing Room, where finals were held on March 13. Judges included, left to right, Court of Appeals Judge Brian W. Blanchard, District IV; Atty. Kevin Lonergan, chair of the State Bar of Wisconsin's Public Education Committee; Supreme Court Justice Daniel Kelly (head judge); U.S. Magistrate Judge Stephen L. Crocker, Western District of Wisconsin; and Winnebago County Circuit Court Judge John A. Jorgensen.

Michael A. Haakenson; Dodge County Circuit Court Judge Joseph G. Sciascia; Retired Judge John Storck; Dodge County Circuit Court Judge Martin J. DeVries; Dodge County Circuit Court Judge Brian A. Pfitzinger; La Crosse County Circuit Court Judge Elliott M. Levine; Dane County Circuit Court Judge John D. Hyland; Dane County Circuit Court Judge Ellen K. Berz; Retired Judge Charles Kahn; Milwaukee County Circuit Court Judge Carolina M. Stark; U.S. Judge Magistrate Nancy Joseph; Judge G. Michael Halfenger, Eastern District of Wisconsin; U.S. Judge Magistrate William E. Callahan; Judge Pamela Pepper, Easter District of Wisconsin; Milwaukee County Circuit Court Judge Jane Vinopal Carroll; Milwaukee County Circuit Court Judge Laura Gramling Perez; Milwaukee County Circuit Court Judge Thomas J. McAdams; Racine County Circuit Court Judge Mark F. Nielsen; Langlade County Circuit Court Judge John B. Rhode; Lincoln County Circuit Court Judge Jay R. Tlusty; Marathon County Circuit Court Judge Michael K. Moran; Wood County Circuit Court Judge Nicholas J. Brazeau Jr.; Wood County Circuit Court Judge Gregory J. Potter; Oneida County Circuit Court Judge Michael H. Bloom; Outagamie County Circuit Court Judge Mitchell J. Metropulos; Eau Claire County Circuit Court Judge John F. Manydeeds; and Douglas County Circuit Court Judge Kelly J. Thimm. ■



Supreme Court Marshal Tina Nodolf explains procedures of oral argument to competitors in the final round of the State Bar of Wisconsin's 2017 State Mock Trial Tournament. The final round was held in the Supreme Court Hearing Room in the state Capitol.



Wisconsin Supreme Court Chief Justice Patience Drake Roggensack, former Justice Louis B. Butler and Oregon Supreme Court Justice Rives Kistler were among judges in the final round of the UW Law School's Evan A. Evans Constitutional Law Moot Court competition. The judges and competitors posed in the Hearing Room after the March 5 competition.

Back row, left to right: Chelsea Fischer, a third-year law student who co-wrote the moot court problem; Magistrate Judge David Jones, Eastern District of Wisconsin; Oregon Supreme Court Justice Rives Kistler; U.S. District Judge Lynn Adelman, Eastern District of Wisconsin; Wisconsin Supreme Court Chief Justice Patience Drake Roggensack; former Wisconsin Supreme Court Justice Louis B. Butler, and U.S. Magistrate Judge William E. Duffin, Eastern District of Wisconsin.

Front row, left to right are second place winners from UC Hastings College of the Law: coach Eric Schmoll, competitor Jillian Kaltner, competitor Fiona Duffy, and coach Ronnie Shou.

Milwaukee County Circuit Court Judge Christopher T. Dee presides over a mock trial program in Waukesha County during regional competition. Milwaukee County Circuit Court Judge David L. Borowski and Milwaukee Atty. Michelle Ackerman Havas also volunteered in Waukesha, along with courthouse staff to make the competition possible.



Ozaukee County staff and students participate in a mock trial event. Seated at the tables from left to right are Public Defender Rachel Boaz, Court Commissioner Barry J. Boline, District Attorney Legal Assistant Sarah Storck, Deputy Sheriff Jeff Sauer, Assistant District Attorney Patti Wabatsch (front right table) and District Attorney Adam Gerol.

NEWS AND NOTES

Bayfield County Circuit Court Judge **John P. Anderson** was honored by the Wisconsin Athletic Directors



Bayfield County Judge John P. Anderson holds the plaque presented to him by the Wisconsin Athletic Directors Association for his volunteer work coaching youth athletics.

Association for his continued work as a volunteer coach with the Washburn School District's athletic department.

"I nominated Judge Anderson because he volunteers an enormous amount of time to help our students, especially in athletics, but really he is a big supporter of all things in the school.

He knows the importance of a good education and how athletics can be a part of that educational-experience," Washburn High School Principal and Athletic Administrator **Heidi**

King said. "He's very humble about this award, but he is truly, truly deserving. He has been a role model for our students and a strong advocate for our athletic programs and the whole school through his volunteerism."

Anderson began coaching when his children began playing basketball in elementary school. After his children stopped playing, he continued to volunteer serving as assistant coach for the junior varsity basketball team, line judge for the volleyball team, and working with the elementary athletic programs.

In 2015, he served as the assistant boys basketball coach for the Washburn Castle Guards as they competed in the



Justices of the Wisconsin Supreme Court met with the Committee of Chief Judges and District Court Administrators at their 2017 joint meeting at the Concourse Hotel in Madison on Jan. 18. Topics of discussion included district updates and discussion of administrative issues affecting the circuit courts.

WIAA Division 5 State Semifinals at the Kohl Center in Madison.

WKOW-TV's coverage of a homicide case before Dane County Circuit Court Judge **Nicholas J. McNamara** includes video of a court interpreter at work – a role that doesn't often receive much media attention.

The interpreter is shown sitting next to **Jose Vazquez-Garcia**, translating McNamara's English to Spanish and translating Vazquez-Garcia's responses from Spanish to English. Vazquez-Garcia pled guilty to reckless homicide in the death of Christina Hatcher.

The coverage can be found at: www.wkow.com/story/34034332/2016/12/13/vazquez-garcia-pleads-guilty-to-lesser-homicide-charge

Dane County Circuit Court Judge **Everett D. Mitchell** was featured in a recent cover story in the Madison weekly *Isthmus*. The article explores Mitchell's role as a minister, activist and now judge.

Mitchell, who served as a mentor for the Young, Gifted and Black Coalition prior to his election to the bench, continues to serve as a Baptist pastor, according to the article. He also meets with Madison students to educate them about the judicial system.

"The kids were happy, because they thought I was like Judge Judy. Everything they know about judges is what they see on TV," he told the paper after reading to students and answering questions at Hawthorne Elementary School. Earlier that same day he had met with parents at Mendota Elementary School as part of National African American

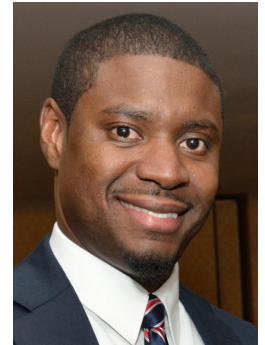
Parent Involvement Day, according to the article.

Mitchell told the paper he believes that his role in the community helps him to be a better judge.

"I think it's important for a judge to really be involved so that people can get a vision of the judiciary that isn't distant and apart from the community," he was quoted as saying. "It is a different approach, and I don't think it's an approach that every judge has taken."

Mitchell recently worked with fellow Dane County Circuit Court Judge **Shelley Gaylord**, who is the presiding juvenile judge, to change the policy for handcuffing juvenile offenders when they are brought into court.

"This was a decades-, maybe centuries-old policy that shifted in a



Judge Everett D. Mitchell

RETIREMENTS *continued from page 3*

Jefferson County, and as an assistant district attorney for Jefferson and Wood counties.

After spending most of his career as a prosecutor, Wambach said he enjoyed hearing the large-claim civil cases after he took the bench.

"I enjoyed being exposed to different areas of law," he said. "It was a nice combination of new variety and intellectual challenge."

Wambach said he found it challenging at times to let lawyers arguing before him try their cases their way, after spending so many years in litigation himself. But he said he is proud of having managed well the power and prestige of being a judge, and it was a goal of his when he took the bench to remain the same person.

He said he and his partner, Mary Beth Deering, plan to split their time between their home in Menomonee Falls and their vacation home in Northern Wisconsin. He said he hopes to devote more time to outdoor activities, spending time with family and friends, and reading for pleasure.

**Patti Gotrik
Judicial Assistant**

Patti Gotrik, judicial assistant to Chief Justice Patience Drake Roggensack, retired on Jan. 6 after 21 years with the court system.

"She is unfailingly professional, and that has been a great help" Roggensack said of Gotrik at a retirement party. "But what I have to say I've probably enjoyed more is getting to have Patti as such a good friend."



Retired Judicial Assistant Patti Gotrik poses with Chief Justice Patience Drake Roggensack in the Supreme Court Hearing Room.

Gotrik's work with the chief justice began in 1995, when Roggensack joined the law firm where Gotrik had already worked as a legal secretary for 10 years. The two stuck together as Roggensack's judicial career took off.

Gotrik became Roggensack's judicial assistant when she was elected to the Court of Appeals in 1996, and

again made the move when Roggensack was elected to the Supreme Court in 2003. Gotrik also remained with Roggensack when she was selected to serve as chief justice in 2015.

"She wasn't sure she wanted to leave the law firm, but she did. She came along," Roggensack said of their move to the Court of Appeals. "But you know what," Roggensack joked, "she didn't like her office when she got there. And then someone called me up and asked me to run for Bill Bablitch's seat. Patti said, 'Oh would you please?' So because of her I ran," Roggensack said with a smile.

Gotrik said she plans to spend some of her time in retirement with her three grandchildren. She'll also travel, volunteer, take classes, and spend more time on her hobbies of scrapbooking and photography.

**Terry Wester
Ozaukee County Deputy Clerk of Court**

After 41 years serving as the deputy clerk of court for Ozaukee County, Terry Wester retired on Feb. 3.

Wester told the *Ozaukee Press* that she has worked for six clerks of court, eight Ozaukee County judges, and three court commissioners since she began working in the clerk of courts office on Sept. 8, 1975.

"Terry Wester was an outstanding employee," Ozaukee County Circuit Court Judge Paul V. Malloy said. "She treated each person that came to the clerk of courts office with respect. She also had an unbelievable historical perspective on the Ozaukee County court system. I would hire five Terry's if I could."

In addition to personnel changes over the past four decades, Wester said she has observed the addition of a third court branch in 1979, and the shift from paper files to electronic files.

Wester told the paper she stayed at the job for so long because she enjoyed helping people and found the work interesting.

"When you're at the front and center, you have to be able to multi-task, and deal with being interrupted all the time," she was quoted as saying. "You see all different kinds of people at not the best times in their lives." ■



Judge Sandy Williams, Judge Paul V. Malloy, Terry Wester, Court Commissioner Barry Boline, and District Court Administrator Michael Neimon gather in honor of Wester.

OBITUARIES *continued from page 13*

election to the Racine County bench. He had previously worked in private practice for 27 years and served as a juvenile court commissioner. Prior to receiving his law degree, he worked as a probation officer and a program development specialist of the Racine Center for Urban Concerns.

Jude received his undergraduate degree from St. Francis Seminary in Milwaukee and his law degree from Marquette

University Law School.

Jude served as a member of the Racine Collaborative for Children's Health, chair of the Racine County Court Security Committee, board president for Family Services of Racine, and set up review panels for organizations seeking funding from the United Way of Racine County.

Jude is survived by his wife, Peggy; their five children; and seven grandchildren. ■

NEWS AND NOTES *continued from page 18*

matter of months so we can return back to these kids a sense of humanity,” Mitchell told the *Isthmus*. “If we don’t want them to become adult criminals, we shouldn’t treat them like adult criminals.”



Justice Shirley S. Abrahamson

The career of Supreme Court Justice **Shirley S. Abrahamson** was highlighted in madison.com’s Wisconsin Women Making History feature in March. Abrahamson was the first woman to serve on the Supreme Court when she was appointed in 1976 by then-Gov. Patrick Lucey, and served as the first female chief justice from 1996-2015.

According to the article, “Abrahamson has been involved in deciding more than 10,000 petitions for review, bypass, certifications, and lawyer and judicial discipline cases.”

The website also noted that she became the state’s longest serving justice in 2013, surpassing the record of 36 years previously held by Justice Orasmus Cole, who served from 1855-1892.

The Wisconsin Women’s History feature on the website

was created by a partnership with the Wisconsin Historical Society, the Wisconsin Humanities Council, Wisconsin Public Television, Wisconsin Media Lab, UW Women’s Studies Consortium and the UW Gender and Women’s Studies Library.

On March 6, Milwaukee County Circuit Court Judge **Ellen R. Brostrom** was one of three guests who discussed eviction-related issues on the *Lake Effect* on WUWM radio, Milwaukee. The program was an off-shoot of the station’s larger project on segregation in Milwaukee.

Other guests included Atty. **Raphael Ramos**, of Legal Action, which recently launched a free legal support program for people facing eviction, and Atty. **Dawn Caldart**, Director of Pro Bono & Professional Development for Quarles and Brady.

Ramos discussed his group’s Eviction Defense Project, which provides free

legal aid for low-income tenants in Milwaukee County who are facing eviction. The program relies on volunteer attorneys and operates at the courthouse three hours a day two or three times a week.

“It really came out of people’s realization that there’s this gap in terms of legal service and assistance that’s being provided to low income tenants for eviction,” Ramos said.

Caldart said eviction cases need to be handled effectively because housing instability may also affect a person’s education, healthcare and employment situation.

Brostrom explained the important role lawyers play in the proper functioning of the legal system, including proceedings in eviction cases. Without lawyers, parties who are not qualified to do so may end up representing themselves in court without comprehending the legal issues at stake, she said.

Lawyers who take on pro bono cases make a big difference in our adversarial legal system, Brostrom added.

“From a humanitarian standpoint, from a pro bono obligation standpoint, there are really a lot of benefits that flow from this, above and beyond just the service to the individual client,” Brostrom said on the show.

Lawyers gain from the experience, and the system also works better as a result, she said.

The eviction defense project was also the subject of a front page article in the March 21 edition of the *Milwaukee Journal Sentinel* that also quotes Brostrom.

The *Milwaukee Journal Sentinel* was on hand to document the 41st (and possibly the last) performance of the No Strings Attached musical ensemble in the rotunda of the Milwaukee County Courthouse on Dec. 14, 2016.

see News and Notes on page 21



Judge Ellen R. Brostrom

Judges follow case to U.S. Supreme Court

Three Wisconsin judges traveled to Washington, D.C. on March 20 to hear oral argument before the U.S. Supreme Court in *Murr v. State of Wisconsin*, a 2012 Fifth Amendment takings case involving parcels along the St. Croix River.

Chief Judge Scott R. Needham, St. Croix County Circuit Court, presided over the case as state court trial judge; Court of Appeals Judge Thomas M. Hruz, District III, was a member of a three-judge appeals’ panel that affirmed in 2014; and St. Croix County Circuit Court Judge Michael R. Waterman was an attorney representing the property owners at the time.

The Wisconsin Supreme Court denied review of the Court of Appeals decision, and the case remained stagnant for a couple of years until a public interest law firm in California decided to seek review at the U.S. Supreme Court, Needham said.

“The entire experience was extremely humbling. To have a case that originated in my courtroom dissected and analyzed by some of the most capable and intelligent jurists and attorneys in the nation was incredible. It is a once in a career event that I will never forget,” Needham said.

See front page photo: Right to left, St. Croix County Circuit Court Judge Michael R. Waterman; Chief Judge Scott R. Needham, St. Croix County Circuit Court; Court of Appeals Judge Thomas M. Hruz, District III; and Nathan Petrashek, a law clerk for Hruz.



Wisconsin Supreme Court Chief Justice Patience Drake Roggensack delivers the 2017 E. Harold Hallows Lecture in Eckstein Hall at the Marquette University Law School. The lecture, “Tough Talk and the Institutional Legitimacy of Our Courts,” is featured, along with a Q&A session on the [law school’s website](#).

NEWS AND NOTES *continued from page 20*

The group first formed in 1976, when now-retired Milwaukee County Circuit Court Judge **Victor Manian**, Atty. **Chuck Blumenfield**, and Atty. **Barbara Berman** began playing violin together. The name for the group came about because at the time, Blumenfield was serving as a prosecutor, and Berman served as an assistant public defender.

“The name occurred to us just in case anyone thought there were any conflicts of interest,” Blumenfield said. “Not, as some may have ventured, because we would have sounded better without strings attached.”

The group has performed holiday music in the courthouse every winter, as well as some state and local Bar functions. Other musically inclined courthouse staff and legal professionals have come and gone over the years. Past members include now-retired Vilas Circuit Court Judge **Timothy Vocke** and Milwaukee County Circuit Court Judge **Stephanie Rothstein**, both who play cello, as well as local attorneys and federal court staff.

“We used to play at different Judicial Conferences. That was when the court was allowed to spend a few dollars,” Manian said. “Judge Vocke was present at one of the conferences. He had a reputation for being an accomplished cello player. I asked him if he would honor us by joining the group. To my astonishment he agreed. Whenever No Strings Attached played at a conference, he played with us. When I saw him at a Government Accountability Board meeting in June 2016 (we were both members of the board), he told me that he still had the music we played.”



Justice Shirley S. Abrahamson (front row, fourth from left), met with a group of high school students from Janesville to discuss the judiciary on March 3 at the Madison Club. Abrahamson meets each year with the advanced placement government class students, who also visit legislators and other state officials. The program is organized by former Janesville Gazette state government bureau reporter Stan Milam, far left.

This last performance almost didn't happen. As Manian wrote to the current group, no one had contacted him about performing, and changes in court staff over the years led him to believe their audience had diminished.

“The annual concerts in the courthouse were a continuous joy to us and to the audiences for whom we played,” he wrote. “We often played to ‘standing room only’ audiences. I heard nothing but praise and appreciation for our efforts. The personnel, from our point of view, at the courthouse has now changed. The audiences have diminished considerably, especially last year, and our popularity appears now to be a historical masterpiece in memory.”

But after a staff member in Chief Judge **Maxine A. White**'s chambers inquired about the holiday performance, the group decided to get together again to perform.

[see News and Notes on page 24](#)



The founding members of No Strings Attached Atty. Chuck Blumenfield, Atty. Barbara Berman, and now-retired Milwaukee County Circuit Court Judge Victor Manian practice in Manian's judicial chambers in 1975.



Members of the No Strings Attached ensemble performing in December 2015. From left to right: retired Milwaukee County Criminal Division Chief Deputy Clerk Robert Erdmann, Atty. Colleen Wentworth Jones, Atty. Charles S. Blumenfield, Wisconsin Crime Lab Forensic Scientist Supervisor - DNA Eva M.L. King, U.S. District Court Human Resources Administrator Sarah Gunn, Milwaukee County Chief Deputy District Atty. Kent Lovern, Retired Milwaukee County Circuit Judge Victor Manian, Court Interpreter Patrick O. Ryan, U.S. District Court Law Clerk Margo Kirchner, and Atty. David Wells.

AWARDS *continued from page 4*

The Kenosha Women's Network, the American Association of University Women – Kenosha branch, and Tempo Kenosha, will sponsor the award ceremony, which honors the achievements of women in the county, as well as raises money for grants and scholarships to promote women's higher education.



Judge Mary K. Wagner

"Judge Wagner has devoted her life to public service – from working as a school teacher, to serving as Kenosha County clerk, in the state Assembly and now as a Wisconsin circuit court judge," Guida Brown, president of SBA Awards Inc., which organizes the event, told *Kenosha News*.

"She is an inspiration to women and girls that you can achieve your goals through hard work, dedication and passion."

Wagner was first elected to the Branch 6 bench in 1991. She is a former chief judge and deputy chief judge for the Second Judicial Administrative District. She has served as the chair of the Kenosha County Community Justice Workgroup, as a member of the Judicial Council, and the Legislative and Juvenile Jury Instruction committees of the Wisconsin Judicial Conference.

Mitchell receives MLK Humanitarian Award

Dane County Circuit Court Judge Everett D. Mitchell was awarded the City-County Humanitarian Award honoring the Reverend Dr. Martin Luther King, Jr. Mitchell shares the honor with the Rev. Dr. Carmen Porco, executive director of the Housing Ministries of American Baptists in Wisconsin and anti-poverty activist.

The award, which is given to individuals who have

exemplified King's philosophies and made outstanding contributions, was presented on Martin Luther King, Jr. Day at the Overture Center Capital Theater in Madison.

Mitchell was elected to the Branch 4 bench in 2016. A Baptist minister, Mitchell previously worked as the director of community relations at UW-Madison. He has also provided pro bono legal services in Dane County.

Mitchell also was featured on the Feb. 13 episode of *Here and Now* on Wisconsin Public Television.

"I think the role that I play in the judiciary branch here in Dane County and working with the juveniles is one place I really want to put a lot of energy," he told show host Frederica Freyberg. ■



Dane County Circuit Court Judge Everett D. Mitchell poses with his daughter, Sydney (left), and wife, Dr. Mankah Zama Mitchell (right), after receiving the City-County Humanitarian Award presented in honor of the Rev. Dr. Martin Luther King, Jr. The award was presented at a Martin Luther King Day ceremony by the King Coalition of Madison and Dane County.



Supreme Court Justice Daniel Kelly administers the oath of office to newly elected and re-elected state senators during a ceremony Jan. 3. Chief Justice Patience Drake Roggensack performed the same role in the state Assembly that day.

Budget *continued from front page*

bill before sending it to the full Legislature for final consideration.

Among court items in the bill:**Minor Program Revenue Adjustment**

The governor included a request initially made by the Supreme Court to streamline the process for depositing revenues related to the consolidated court automation program (CCAP). The change would simplify accounting by combining what is now three CCAP revenue appropriations into one.

Business Court Pilot

The bill asks that the Supreme Court promulgate rules for a pilot business court program by Jan. 1, 2019. Such a rule was proposed by the Business Court Advisory Committee late last year. The Court has given its approval to [Rule Petition 16-05](#).

The pilot program will create dedicated circuit court judicial dockets for large claim business and commercial cases. The advisory committee proposed a three-year pilot program to be established in Waukesha County Circuit Court and the Eighth Judicial Administrative District.

Judicial Compensation

The bill would change the method by which judicial compensation is set. Currently, the annual salary for judges and justices is reviewed and established in the same manner as provided for classified service positions under s. 20.923(2)(b). Under the governor's budget bill, the judges and justices would be removed from the annual salary establishment and revision process under s. 230.12 (3).

The bill would create a new process, s. 758.19 (8), by which the Director of State Courts would develop a compensation plan for judges and justices to be submitted, on behalf of the Court, directly to Joint Committee on Employment Relations (JCOER).

Wisconsin Judicial Commission

Under the governor's budget bill, the Wisconsin Judicial Commission's appropriation structure is renumbered into the Supreme Court's appropriation structure to eliminate the

Judicial Commission as a separate entity. The Judicial Commission's two general purpose revenue (GPR) positions transfer to the Supreme Court, making it an independent court system department.

Under the current appropriation structure the Judicial Commission is a separate and independent state agency with two authorized positions.

Wisconsin Judicial Council

The governor's budget bill would repeal the statute by which the Wisconsin Judicial Council was created as a state agency and transfer the council's position authority, which is unfunded, to the Director of State Courts Inter-agency and Intra-agency Assistance appropriation. The governor's budget document states that, "The court has the authority to create an advisory council if deemed necessary."

Under the current appropriation structure the Judicial Council is a separate and independent state agency with one PR appropriation and one authorized position.

The budget bill also includes a number of items that are not part of the court system budget, but may affect the courts:

Labor and Industry Review Commission

The budget bill as introduced would eliminate the Wisconsin Labor and Industry Review Commission. Under the current structure the Labor and Industry Review Commission (LIRC) reviews Department of Workforce Development (DWD) administrative decisions. Review by LIRC is a prerequisite to judicial review. The effect of this proposal on the courts is undergoing further study.

Department of Justice

The governor's budget bill would provide \$2 million in one-time GPR funds in each year of the biennium for continued expansion of Treatment Alternatives and Diversion Programs (TAD). This funding would not continue after the biennium under the proposal. The bill also would provide \$150,000 in one-time GPR funds in each year of the biennium to the state Department of Justice for continued expansion of drug treatment courts. (*See more about the TAD program and drug treatment courts on page 8.*)



Chief Justice Patience Drake Roggensack discusses the Judiciary with newly elected legislators in the Supreme Court Hearing Room as Justice Rebecca Grassl Bradley and Court Legislative Liaison Nancy Rottier look on. The December 2016 visit was part of the Wisconsin Legislative Council's new legislator orientation program.

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This performance had a special dedication, as the groups learned that Berman was scheduled to have surgery on the day of the performance.

“Barbara has gone on to great success in the law, and in life,” Blumenfeld said. Even after leaving Milwaukee she would return whenever possible if our group had a “gig,” including for a number of holiday sing-along concerts in the Milwaukee Courthouse rotunda.

Racine County Circuit Judge **Timothy D. Boyle** has been appointed to the Wisconsin Access to Justice Commission, *The Racine Journal Times* reported.

The commission, created in 2009 by the Supreme Court, works to expand legal access to under-represented, low-income citizens across the state.

“I’m confident that Judge Boyle will be a very valuable member of this important commission,” Assembly Speaker Robin Vos, R-Rochester, told *The Journal Times*. “He’s well-respected in our community and brings a wealth of

knowledge to the commission.”

Boyle has served on the Branch 10 bench since 2012, and as the chair of the Racine County Criminal Justice Coordinating Committee.

The Executive Committee of the Judicial Conference has chosen to appoint Racine County Circuit Court Judge Eugene A. Gasiorkiewicz to fill the Wisconsin Judicial Council opening that resulted from Racine County Circuit Court Judge Gerald Ptacek’s retirement. The Executive Committee also voted to appoint Chief Judge Scott R. Needham, St. Croix County Circuit Court, to the council vacancy that will arise when Deputy Chief Judge Michael R. Fitzpatrick, Rock County Circuit Court, takes the Court of Appeals bench on Aug. 1. Both of these appointments are temporary, under the Judicial Conference bylaws, and will be effective until next fall’s conference. ■



Judge Eugene A. Gasiorkiewicz



Chief Judge Scott R. Needham



Judge Timothy D. Boyle



Photo credit: Greg Anderson

Supreme Court Chief Justice Patience Drake Roggensack speaks in the Rotunda during a Jan. 31 kick-off ceremony celebrating the Centennial of the State Capitol. Roggensack was among dignitaries, including past and present governors and legislative leaders, to discuss the value of the building to the people of Wisconsin.