

**DIRECTOR OF STATE COURTS'
ADDRESS
2012**



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A. John Voelker

Yesterday was Election Day – proof our democracy depends on individual participation: one person; one vote. In reading various news articles leading up to the election, I was struck by the number of individuals who indicated that they weren't going to vote. They were going to give up their voice. They were cynical about the whole political environment and the political process. I found it a bit discouraging.

Then, I ran across a somewhat-dated, but insightful editorial by a college student who wrote about the value of one vote. Here is an excerpt:

“When people ask me to prove to them that their vote counts, I usually tell them: ‘think of your vote as a vote not just for you, but for your family, your colleagues, your friends, and your entire generation.’ ... It is a mindset. It is an action we need everyone to take, and we need everyone to believe that what they are doing can affect far more many people than just themselves.”

Of course, my comments today aren't about voting or politics. They are about the idea that one person's actions make a big difference beyond the individual. How do I know this?

I have witnessed this phenomenon first-hand in the court system since I started here more than 20 years ago. Individual judges - many of you in this room - have stepped forward to improve the court system as a whole. Let me demonstrate.

I'm going to name off a number of committees. If you have served on any of these, or are currently a member, I'd like you to stand up:

- PPAC and any of its subcommittees
- Committee of Chief Judges
- Committees of the Judicial Conference (Legislative, Civil and Criminal Jury etc.)
- Judicial Education Committee
- Benchbook Committees
- Committee to Improve Interpreting
- CCAP Steering Committee
- Records Management Committee

Look around the room. Our system operates effectively because individual judges come together to serve the best interest of the entire court system. The result is an innovative, well-managed court system.

Thanks to each and every one of you for volunteering. You are, in effect, among the leaders of the court system. We couldn't operate the system we have without you. Now, please, sit down.

Just as one judge volunteering makes a difference, one leader can help provide direction, especially when times seem tough.

I recently read an article entitled, “Leadership without Fear,” by Hennepin County District Court Judge Kevin S. Burke. This article doesn’t necessarily paint a pretty picture of the judiciary as it operates in its current environment of tight budgets and eroding public trust.

However, this was not the point of Judge Burke’s article. His point was that to be successful in these difficult times, courts need leaders – people who are willing to step up to make a difference.

And I quote:

“To be a part of the judiciary during these times gives each of us, regardless of our role, a unique opportunity to serve the community and to leave a personal legacy. The question is: What kind of legacy do you want?”

Judge Burke continues: *“A court leader without fear seizes the opportunity to leave the courts better for future generations and leaves a legacy well worth remembering.”*

Some days it’s not easy to remember why our work is so important. We feel the daily pressure. Judge Burke says leaders do not fear failure. Instead, he says, they solve problems by creating initiatives and taking risks. In doing so, they create a culture of trust and build legitimacy for the institution as a whole.

In other words, the personalities of individual leaders in effect become the culture of the organization. In Wisconsin, we are fortunate because circuit court judges have long taken this approach, and it continues today. Many of you, as local community leaders, have been willing to take risks and make changes to improve the justice system. You’ve reached out to other justice system stakeholders and worked on innovative solutions.

For example, from 2007 to today, the number of active local criminal justice coordinating councils (CJCCs) more than doubled – from 16 to 36. Most are led by judges, who perhaps better than anyone can effectuate change and participation of others.

The number of problem-solving courts, which address specific concerns in each jurisdiction, also is on the rise. That number has nearly doubled in five years – from 29 to 57, including 12 in the last year alone. The best part of this is that when you succeed at improving the local justice system, the system as a whole also improves. In fact, some of the best ideas come from you at the local level, including the CJCCs.

A recent National Center for State Courts (NCSC) report on Effective Justice Strategies confirmed the effectiveness of CJCCs in Wisconsin, indicating that they prompt better communication among justice system partners on issues large and small.

In recognizing the value in a collaborative approach to improving our criminal justice system, Governor Walker recently established a new Statewide Criminal Justice Coordinating Council – a recommendation that came out of the NCSC report.

Some of your local efforts also have gained national attention. Two Wisconsin communities were among three nationwide that were selected by the National Institute of Corrections to implement evidence based practices designed to give taxpayers a better return on the dollars they invest in criminal justice while holding offenders accountable.

You took on these efforts, despite some significant risk of failure or fear of criticism. You embody the mindset that your actions can affect many more people than just yourself – inside and outside the court system.

Personally, every day I walk into the Capitol, I strive to be a better leader – to look for ways to improve the overall court system with your help. One example of our success together during the past year involved issues at the State Lab of Hygiene.

During a tour of District 10, I heard first hand from several judges and district attorneys about a systemic problem in processing drug tests at State Lab of Hygiene. I found that the turnaround time for testing for some of these cases was nearly a year. Unacceptable indeed.

After visiting the lab and asking enough questions, I was invited to be on a task force to look into how these turnaround times could be improved. The work of the task force has resulted in a change in testing policy which will save hundreds of hours of testing, more than 900 samples being outsourced, additional funding for staff overtime and equipment, and up to three additional chemists. I would expect that within months you will see a noticeable improvement in turnaround times. Together, we addressed a problem that at one time seemed largely out of our control.

Similarly, my office responded to increasing problems we were experiencing with the state payroll system, which was operating on an antiquated programming language. Not wanting to risk a system-wide failure and seizing an opportunity to strengthen our independence as a branch of government, we rolled out our new payroll and human resources system on-time and within budget. Since then, we have done several demonstrations of the system to executive branch agencies as they look to follow our lead. This initiative, as any involving technology was not without some risk, but it paid off.

Looking forward, I see e-filing as another opportunity to use technology to improve the way the courts do business – with people inside and outside the courthouse.

We now have 18 counties, including Milwaukee, that offer e-filing in at least some case types. Admittedly, this has not been without some challenges. But each time a new county comes online with e-filing, we learn, and each time, we improve the system based on the feedback. Eventually, the result will be a statewide e-filing system that is responsive and useful to the needs of the Wisconsin court system and its users.

This process of testing, learning, and adjusting is similar to the approach that led to the successful implementation of CCAP's statewide case management system in all 72 counties.

I've explained to you how I think just one person can make a big difference to the system as a whole. Now, let me explain the importance of *1 percent*. I recently ran across a summary of a conference that was entitled *The Power of One Percent*.

This conference focused on how with less than 1 percent of the federal budget USAID has contributed to improving or saving millions of lives around the world. This caught my eye because the Wisconsin court system gets less than 1 percent of state tax dollars. As we continue to demonstrate, 1 percent of the state budget makes a difference in the lives of many people in this state.

With ideas from many of you and guidance from PPAC, our efforts to make the most of state resources continue with our 2013-2015 budget submission. Let's look at how these initiatives would make a difference.

- The first initiative is to ensure equitable compensation for the judiciary. This request seeks funding to provide a 6.54 percent increase in judicial compensation. This modest request is designed to raise judicial salaries to the national average. This seems almost counterintuitive at a time of financial constraints and budget pressure. But it's time judges received an increase that brings Wisconsin more in line with our counterparts nationally. We can't be afraid to raise this significant institutional issue.
- The second initiative is to increase state resources to the counties to assist in supporting circuit court operations. This request includes an additional \$7.3 million dollars annually, streamlines the current payment programs into one, and modifies the funding formula to better represent court workload. There is risk in this because it would change the status quo, and when money is involved, people get nervous. But change is necessary to help our county partners who also face budget constraints.
- Our third initiative is to gain access to state funds that will allow the court system to address the eroding compensation of non-judicial employees. This request includes a statutory change to allow the judicial branch to access funding for merit pay increases for non-judicial staff. This funding has been available for the executive branch for a number of years.
- A fourth initiative would ensure the court of appeals has adequate support to handle the workload. This request asks for an additional staff attorney for the court of appeals.

Even if these requests are approved, we will not exceed 1 percent of state tax dollars. So, for less than 1 percent of state tax dollars, we provide the people of this state a fair and efficient system that looks out for the best interests of a child, provides for public safety, protects people's rights, and fairly and peacefully resolves disputes, according to the law. Now that is value.

Those of you who know me, know that I enjoy sports analogies. Most often, I draw on baseball, but in closing today, I'm going to talk a little football.

Some of you may be familiar with the situation facing the Indianapolis Colts. The Colts started this season with low expectations. First-year coach Chuck Pagano is not on the field coaching the team because he is undergoing chemotherapy for leukemia. Pagano, who was diagnosed on Sept. 26, has watched several games from the hospital as the Colts have exceeded expectations.

On Sunday, Pagano was able to attend his first regular season game and watched from a skybox. After a narrow victory over the Miami Dolphins, Pagano met with his team in the locker room.

He described a winning attitude in light of difficult circumstances, telling his team:

“You refused to live in circumstances, and you decided consciously, as a team, and a family, to live in a vision. And that's why you bring things home like you brought home today. That's why you're already champions, and well on your way.”

Then, Pagano described his vision for himself, and it wasn't a prognosis. He talked about seeing two more of his daughters getting married, about dancing at their weddings, and hoisting that Lombardi trophy – *several times*.

Now I am not suggesting we are dealing with life and death, but the attitude he describes is what I continually see throughout our court system. We think about what is possible, not the challenges.

Thank you.