

MINUTES
PLANNING and POLICY ADVISORY COMMITTEE
Thursday, May 29, 2008
GAR Memorial Hearing Room
Madison, WI

Members Present: Chief Justice S. Abrahamson, Hon. C. Ashley, Hon. A. Bates, Hon. M. Bohren, Mr. O. Boldt, Ms. K. Deiss, Mr. J. Dwyer, Hon. B. Gordon, Mr. Tim Baxter for Mr. A. Gerol, Ms. L. Hoskins, Hon. J. Kessler, Hon. D. Koval, Hon. P. Madden, Hon. W. Marik, Comm. D. McManus, Hon. R. Nuss, Hon. G. Potter, Ms. G. Richardson, Hon. B. Stewart, Mr. M. Tobin, Mr. J. Voelker, and Mr. J. Walsh

Members Absent: Hon. D. Bain, Ms. H. Dugan, Hon. T. Dugan, Hon. W. Johnston, Hon. E. Leineweber, and Hon. J.D. McKay

Guests Present: Hon. B. Kluka, Ms. D. Brescoll, Ms. M. Cyrulik, Ms. S. Gervasi, Ms. P. Radloff, Ms. N. Rottier, and Ms. E. Slattengren

Meeting Materials Distributed:

Prior to Meeting:

- Meeting Agenda
- February 2008 Meeting Minutes
- 2008-2010 Critical Issues Final Report May 2008
- Videoconferencing Subcommittee Report

1. Welcome and Introductions

Chief Justice Abrahamson, PPAC Chair, led an introduction of PPAC members, guests and staff.

2. Previous Meeting Minutes

The minutes from the February 2008 PPAC meeting were approved as submitted.

3. Membership Update

Chief Justice Abrahamson welcomed Judge Daniel Koval as the new representative from the Wisconsin Municipal Judges Association. He is replacing Judge David Nispel. She also thanked Judge Bohren for his service to PPAC as this will be his last meeting. He will remain co-chair of the Court Security Subcommittee. Third-terms were approved for Judge Leineweber and Judge Bates.

4. Planning Subcommittee Update

Judge Barbara Kluka, Planning Subcommittee Chair, presented the final draft of the 2008-2010 Critical Issues report. She called attention to the pages and items that had been changed or added since the last presentation of this document. Mr. Boldt expressed concern that the immediacy of the funding issues facing the courts is not strong enough in this document.

Chief Justice Abrahamson thanked the Planning Subcommittee for the report and commended them for a job well done.

5. Effective Justice Strategies Phase II

Judge Carl Ashley, chairperson of the Effective Justice Strategies Subcommittee, reported that the subcommittee has begun its Phase II work. This Phase focuses upon the recommendations and proposals from Phase I: the Assess, Inform, and Measure (AIM) pilot project; the development of criminal justice collaborating councils (CJCC); and identification of criminal justice programming. For this phase, subcommittee membership has been reconfigured a bit to better equip the committee to work on recommendations.

A project manager has been hired to manage the AIM pilot project to provide support and outreach to the six participating counties (Eau Claire, Iowa, La Crosse, Marathon, Milwaukee and Portage). Additionally work is being completed towards the development of a centralized web-based database for which to track county data and develop outcome measures. Participants are currently working on identifying data elements to be collected. Funding for the project manager and database development has been provided through the JEHT Foundation grant.

Another area of focus for Phase II is the development of criminal justice collaborating councils (CJCC) and perhaps the development of a statewide CJCC. There have been a number of educational presentations on evidence based practices including one at Criminal Law and Sentencing, the joint meeting of Districts 5 and 7 and the upcoming training in District 2. The key on this area is education. Not only educating the judiciary but also the county board and other local policy makers. One thing that is clear is that if we are going to do anything meaningful statewide, we should take advantage and acknowledge that counties have the best insight locally to get this done. The subcommittee will be looking at designing what a statewide collaborating council would look like, who would be at the table, and what they would need and

bring it back to PPAC for consideration. Ms. Richardson reported on the recent joint meeting of Districts 5 and 7 which included a session by Mark Carey. Perhaps a statewide meeting of CJCC's would be something that could be part of the subcommittee's work. Mr. Dwyer reminded PPAC of the property tax increase limits imposed upon local governments by the state legislature and encouraged further collaboration with and utilization of the Wisconsin Counties Association. Mr. Baxter stressed the importance of keeping small and rural counties in mind when creating and encouraging the development of these mechanisms for collaboration and programming. Chief Justice Abrahamson encouraged small counties to form regional partnerships in order to create programming. Judge Stewart noted that counties are looking for a state example and repository of information as well as a venue to seek and submit feedback from state agencies. Most justice partners are willing to come to the table and problem-solve but Judge Stewart is specifically seeking state partners to be at the table. Chief Justice Abrahamson encouraged communication to state agencies from the local level to see what mutual solutions can be achieved. Mr. Tobin suggested contacting the Wisconsin Association of Treatment Court Professionals as a place to begin with the identification of players from around the criminal justice system to be at the table to initiate discussion.

This third major undertaking of the subcommittee's work during Phase II will be to identify programs that work which also includes the development and maintenance of a database of programming being done across the state. The Office of Justice Assistance (OJA) is working to create a database of programming being done in the counties. Initially it was thought that the audience for this work would be internal court users but now discussion has shifted to perhaps including those external to the court system. More work will be done on this item in the coming months. Mr. Voelker suggested asking the Department of Corrections and Department of Health and Family Service to have ex-officio representations attend PPAC.

6. Court Security Subcommittee

Judge Michael Bohren, co-chair of the subcommittee, presented this update to PPAC. The subcommittee is moving forward with the security survey which is nearing its final form. It is being designed to be answered and submitted online. Additionally it is set up to allow for the collection of information from counties with more than one courthouse facility. The goal of the survey is to get an idea of what each county is doing in relation to security and evaluate how SCR 70.38 functions in each county and across the state. Survey results will provide an outline of the types of facilities and security within them and perhaps lead to the identification of any rule modifications. Results will be collated, analyzed, and provided back to the counties for use locally. A representative from the U.S. Marshals office will be attending the subcommittee's July meeting to do a presentation on federal court security and the subcommittee will be taking a tour of the Dane County Courthouse. Chief Justice Abrahamson, through her visits to almost 50 counties, has seen a great range in the types of security. Mr. Voelker added that there is some funding for the training of courthouse personnel on courthouse security. This statewide training will be done in collaboration with Fox Valley Technical College and is tentatively scheduled for a 2.5 day meeting in March 2009. Ms. Rottier mentioned that the Court Security Improvement Act of 2007 is currently going through the federal appropriations process and may create some opportunity for states to acquire funding for improvements and other related security activities.

7. Videoconferencing Subcommittee

Chief Justice Abrahamson referred the committee of the written update submitted by Judge McMonigal previously distributed to the committee. No action was taken on this update.

8. Budget Update

Ms. Brescoll, the courts budget and policy officer, updated the committee on recent budget related activities. The budget adjustment bill became Act 226 and will not be overridden. Act 226 does not have any direct impact upon the state courts but that does not mean that some of the unspecified lapses that agencies are going to have to take may not trickle down. With this bill behind us, staff is now working on the 2009-2011 budget requests. Ms. Brescoll will be briefing the PPAC Planning Subcommittee later today on the status of budget requests. At the next PPAC meeting, which will be joint with the Planning Subcommittee, Ms. Brescoll will be presenting the courts budget requests and asking for recommendations to move forward to be formal requests to the Supreme Court then the legislature.

9. Legislative Update

Ms. Rottier provided a brief update on legislative matters. In all this session the legislature had 1600 bills introduced compared to 2000 in the previous session. There are still special session items that they could come back for but it is not likely. In all including contracts there will be 242 new acts passed by this legislature; compared to 492 from the last session. Ms. Rottier is in the process of doing a summary of acts impacting the court system which will be distributed and posted on Courtnet upon completion. The Court system was successful on two primary items. The first is the judgeship bill creating 8 new judgeships. The second, based on a recommendation of the Committee of Chief Judges, is the repeal of the authority to order contributions to crime prevention organization contributions at sentencing. Ms. Rottier is looking toward next session and the legislative committee of the Judicial Conference is soliciting input from all court agencies and committee on items they would like to see considered next session; particularly items that might be changed or repealed in order to increase efficiencies within the court system that do not have a financial cost attached to them. Another area that might see some activity in the next session is changes to the operating while under the influence (OWI) statutes due to recent high profile cases. Statute changes could impact the work load of the court system. Almost certainly there will be efforts in the area of creating a Community Corrections Act or similar criminal justice studies.

Future Meetings

Thursday August 7, 2008 from 10:00 to 12:00, joint with PPAC Planning Subcommittee (location to be determined).