

MINUTES
PLANNING and POLICY ADVISORY COMMITTEE
Thursday, November 3, 2008
Wisconsin State Bar Center
Madison, WI

Members Present: Chief Justice S. Abrahamson, Hon. C. Ashley, Mr. O. Boldt, Mr. W. Collins for Mr. A. Gerol, Ms. K. Deiss, Hon. W. Johnston, Hon. J. Kessler, Hon. E. Leineweber, 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 Ms. M. Wolverson

Members Absent: Hon. A. Bates, Mr. J. Dwyer, Hon. T. Dugan, Hon. B. Gordon, Ms. L. Hoskins, Hon. D. Koval, Hon. J.D. McKay, and Hon. L. Van De Water,

Guests Present:

Staff Present: Ms. D. Brescoll, Ms. M. Cyrulik, Ms. S. Gervasi, Ms. P. Radloff, and Ms. E. Slattengren

Meeting Materials Distributed Prior to Meeting:

1. Agenda
2. August 2008 Meeting Minutes
3. Legislative Council summary of draft municipal court legislation
4. Municipal Court Bill Review by Committee of Chief Judges and District Court Administrators

Meeting Materials Distributed at the Meeting:

1. Update from Court Security Subcommittee

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 August 2008 PPAC meeting were approved as submitted.

3. Membership Update

Chief Justice Abrahamson welcomed Atty. Mary Wolverton from Peterson, Johnson & Murray SC in Milwaukee as a new appointee from the State Bar. She is replacing Atty. Hannah Dugan.

4. Planning Subcommittee

Judge Ashley provided the update on the activities of the Planning Subcommittee. At the last PPAC meeting, the Planning Subcommittee presented and PPAC approved an enhanced strategic planning process that is scheduled to begin in early 2009. This recommendation includes the current 2 year critical issue planning cycle as well as an enhanced more long-range process which will take place every 6 years. Also included in this process is the added responsibility of PPAC to develop action steps and priorities for each critical issue which will then be monitored and adjusted as necessary. As a review, roles and responsibilities with the new plan are as follows:

Planning Subcommittee

- Develop the plan

PPAC

- Approve, make recommendations and oversee plan implementation

Director of State Courts

- Adopt and implement recommendations

The Planning Subcommittee is proposing a change to its membership policy. Currently, members serve two consecutive two-year terms resulting in half of the membership turning over at the end of each two year critical issue plan. The subcommittee would like to amend the current policy and provide members with an optional *third* two-year term, subject to the approval of PPAC. This change will make planning membership terms similar to PPAC in that members would have the option of a third term. It is especially fortuitous as this amendment would provide an opportunity for some members involved in the development of the enhanced plan to stay on and at the same time create a more staggered membership rotation.

PPAC voted to approve the Planning Subcommittee Membership Term Amendment without opposition.

Chief Justice Abrahamson communicated that the Supreme Court was pleased with the 2009-2011 Critical Issues document and thanked the subcommittee for its hard work.

5. Effective Justice Strategies Phase II

There is a lot of activity this month. The subcommittee is responsible for a plenary session at the Judicial Conference with a goal to dispel some of the reasons why judges choose not to support effective justice strategies. The AIM Site Visit Conference is scheduled for later this month.

Teams from Oregon, Missouri, and Virginia will be coming to present information on their risk assessments and processes. There are currently six counties working on the AIM pilot: Marathon, LaCrosse, Portage, Milwaukee, Eau Claire, and Iowa. Other counties have expressed interest and could be brought before the end of the year. A database is nearing completion and training at the county level will begin in December.

Evidence based practices was the focus of a meeting last year where experts spoke of the interaction between addiction and the court system specifically how drugs effective an individuals behavior. This training promoted the development of criminal justice coordinating councils and their ability to support decision making processes so as not to make it all one person's responsibility when a decision goes wrong but rather to create a system of accountability and effective decision making.

The State Public Defender recently sponsored a one day session highlighting the Buffalo Veteran's Court. It's a problem-solving court whose target population is veterans who are also suffering from addiction and /or mental health problems. There is funding available through the Department of Veterans Affairs to send a delegation from Wisconsin to visit the court in Buffalo later this year. Mr. Tobin is hopeful there will be a few judges able to participate. Chief Justice Abrahamson asked staff to prepare a letter to send to all circuit court judges encouraging them to contact the county veteran's officer when addressing veteran issues in court. One of the challenges facing not only the courts but the entire criminal justice system is how to identify veterans.

The Director of State Courts just selected the National Center for State Courts to do consulting work as identified through the Effective Justice Strategies Subcommittee using the funding from the JEHT Foundation.

Work continues on the creation of a statewide criminal justice collaborating council. EJS is looking at this concept and seeking information on how best to go about creating this state level entity. This is also a strategy that the National Center for State Courts will be looking at a part of their consulting work.

A team from Wisconsin will be attending the first meeting of the Council of State Government's Criminal Justice and Mental Health Initiative in January. After that meeting a task force including treatment providers, judges, sheriff's and law enforcement will be convened to begin work on this issue.

Lastly the EJSS will be presenting a plenary session at the Judicial Conference.

6. Court Security Subcommittee

Judge Marik reviewed the handout that was prepared by Judges O'Brien and Bohren for today's meeting. The first portion of the work of this subcommittee is information gathering and that includes the State of Security survey that was recently completed. Survey results are currently being analyzed and PPAC can expect a full report out of results at the January meeting.

7. Videoconferencing Subcommittee

On behalf of the subcommittee, Judge Leineweber updated PPAC on the session the he is planning for the Judicial Conference addressing the new Supreme Court rule on videoconferencing. Judge Leineweber and Ms. Cyrulik have had discussions with Judge McMonigal and Mike Neimon about updating the technical specifications of Bridging the Distance as well as other sections of that publication to reflect the new rule.

8. Municipal Court Legislation

As part of the Critical Issues report a few years back there was a discussion about municipal courts and their future. Municipal judges have been working on a bill to be introduced next legislative session for quite a while. A summary of the Committee of Chief Judges as well as the draft of the bill were distributed to you in advance of this meeting. It is anticipated that there will be lots of movement on this issue next year. Staff will keep PPAC up to date on this item as things move forward.

9. Budget Update

The Supreme Court met in conference on September 5 to review budget proposals and all were approved then submitted to the Governor and the legislature on September 26. On October 15th the Governor announced a budget shortfall for budget years 2009-2011. It is uncertain at this time what this means for the courts.

10. Legislative Update

In Nancy Rottier's absence John Voelker provided the legislative update. For the first time the courts will have a formal legislative agenda. There will likely be legislation introduced to look at strengthening operating while under the influence laws. Things have been relatively quiet and will continue to be until the new session begins in January.

11. Other Items

There we no additional items for discussion