

MINUTES
PLANNING and POLICY ADVISORY COMMITTEE
Thursday, January 23, 2014
State Bar Center
Madison, WI

Members Present: Chief Justice S. Abrahamson (Chair), Hon. A. Bates, Hon. J. Bolgert, Mr. C. Esqueda, M. Wolverton, Hon. E. Levine, Atty. K. Thompson, Municipal Judge R. Othrow, Hon. M. Wagner, Hon. D. Reddy, Ms. L. Hoskins, Mr. J. Bellows, Mr. J. Voelker, Hon. W. Brash, Ms. D. Treis-Rusk, Hon. B. Blanchard, Hon. D. Borowski, Hon. T. Hinkfuss

Members Absent: Mr. G. Moore, Hon. L. VanDeWater, Hon. T. Flugaur, Mr. J. Boll, and Hon. P. Madden, Ms. D. Bomrad, Hon. W. Pocan, Mr. J. Altenburg, Hon. J. Colas, Hon. E. Harrington

Guests Present: Mr. C. Battles, Ms. S. Lonergan, Hon. M. Rosborough.

Staff Present: Ms. D. Brescoll, Ms. B. MacRitchie, Ms. P. Radloff, Ms. N. Rottier, Ms. S. Ward-Cassady, Mr. Jacob Wilson.

Meeting Materials Distributed Prior to Meeting:

1. Agenda
2. November 2013 Meeting Minutes
3. 2014-2016 Critical Issues Report
4. Directions to the State Bar Center

Meeting Materials Distributed at the Meeting:

1. State – County Funding Handout

Welcome and Introductions

Chief Justice Abrahamson welcomed everyone to the meeting.

Approval of November 2013 PPAC Meeting Minutes

The minutes of the November 2013 PPAC meeting were approved by unanimous consent.

Legislative Update

Ms. Rottier let the committee know there are not many days left of floor period and many bills are waiting passage. She anticipates there will be a special session for the budget.

The Mental Health Task Force has a number of bills waiting passage. They have the support of leadership and contain additional funding for mental health services beyond TAD funding for alcohol and drug treatment. Chief Justice Shirley Abrahamson expressed her thanks to PPAC, the Effective Justice Strategies (EJS) subcommittee and the Association of Treatment Court Professionals (WATCP) for all their hard work on TAD initiatives.

Assembly Bill 387/Senate Bill 308 relating to jurisdiction of 17 year olds who are alleged to have committed non-violent, first time offenses have bipartisan support and were unanimously voted out of committee.

Ms. Rottier conveyed there may be funding for veterans courts through the Department of Veterans Affairs; however she has not seen any formal proposals.

Planning Subcommittee

Judge Rosborough, Chair of the PPAC Planning Subcommittee, presented the 2014-2016 Critical Issues report. He let the committee know the survey was constructed in order to be as user-friendly as possible, however it does require some thinking on behalf of the respondent.

The four issues that were chosen for this cycle are:

- a. Judicial Independence, Ethics and Selection
- b. Court Security
- c. Use of Technology
- d. Evidence-based Practices

Ms. Linda Hoskins suggested the court also provide some training to court staff regarding sensitivity and diversity.

Judge Wagner commented the response rate (to the survey) was low, however Chief Justice Abrahamson commented in comparison to the average survey response rates; the rate for the Critical Issues survey was pretty good. Mr. John Voelker added additional input was sought at the Judicial Conference in November. Judge Rosborough let the committee know the results from the Judicial Conference information gathering can be found in Appendix A of the report.

Chief Justice Abrahamson and other PPAC committee members praised the report's new easier-to-read format.

John Voelker added the timing of the completion of the report is very helpful in planning the 2015-2017 Biennial Budget.

Chief Justice Abrahamson asked for a motion to accept and to applaud the report. Judge Bates made a motion to accept and to applaud the report. Ms. Linda Hoskins seconded. None opposed.

State-County Funding Discussion

Mr. John Voelker let the committee know work on the 2015-2017 Biennial Budget has already begun. He shared the most effective method for affecting change in the last budget cycle was through grassroots efforts. What they found is there must be much more information shared and conveyed about how our system is funded.

Mr. Voelker presented a chart compiling information about the Wisconsin Judicial Branch Funding Structure and focused on the three challenges the courts are facing:

- a. Lapse requirements – the 2013-2015 state biennial budget requires the court system to lapse \$11.8 million to the state general fund over the next two-year period.
- b. Decreasing revenue/collections and most court-collected revenue goes to state for non-court programs
- c. Levy cap combined with decreasing state support

Currently the counties provide 56% of funding for courts; John would like the funding to return to closer to a 50/50 state-county partnership in the next budget cycle.

John is concerned Wisconsin may end up like other states that have significant reductions in service due to budget reductions and referenced the work of the ABA Task Force on the Preservation of the Justice system.

Judge Borowski asked Mr. Voelker why a state-county partnerships is better than a state-funded system. Mr. Voelker responded it is usually more effective for judges at the local level to convince a county board of a need for funding and that relying on one funding source can be risky. Mr. Voelker shared a few experiences of other states with full state funding, demonstrating severe cuts in services.

Mr. Esqueda shared Dane County has cut many positions already due to reductions in the budget. He added it would be helpful if counties knew the worst case scenario so they could begin planning.

Mr. Voelker then led the committee through an exercise based on the question “What would the committee prioritize if in the future the state court system were to receive 1% of the state budget?”

The areas Mr. Voelker included in his exercise were:

1. Court Interpreters
The Wisconsin Court System would be able to more fully fund interpreter costs for counties.
2. Court Ordered Medical, Witness, and Expert Fees
The Wisconsin Court System could provide funding for these fees that the counties currently pay.
3. Guardians Ad Litem
The Wisconsin Court System could provide additional reimbursement for these costs in which the current GAL program does not cover.
4. Judicial/Legal Resources/Research
The Wisconsin Court System could provide funding to counties to cover these costs.
5. Jury Costs
The Wisconsin Court System could provide funding to counties to cover these costs.
6. Family Court Counseling
The Wisconsin Court System could provide funding to counties to cover these costs.
7. Court Commissioners/Reporters/Supplies
The Wisconsin Court System could provide funding to help offset court commissioner costs at a county level.
8. Center for Evidence-Based Practices
The Wisconsin Court System could establish a resource center within the state office to assist with implementation of Evidence-Based Practices efforts around the state.
9. Technology Innovation (i.e. e-filing, videoconferencing)
The Wisconsin Court System could provide CCAP money to establish a statewide videoconferencing system or offset costs associated with e-filing.

The overall priority ranking was:

1. Technology Innovation (i.e. e-filing, videoconferencing) (18%)
2. Court Interpreters (16%)
3. Judicial/Legal Resources/Research (14%)
4. (Tied) GAL and Center for Evidence-Based Practices (12%)
6. Court Commissioners/Reporters/Supplies (10%)

7. Family Court Counseling (9%)
8. Court Ordered Medical, Witness, and Expert Fees (8%)

Other Business

LSR Mediation Subcommittee Membership Ideas

Ms. Mary Wolverton asked the committee for membership ideas for the new LSR mediation subcommittee. Ms. Linda Hoskins volunteered to serve on the subcommittee.

Agenda Items for the March meeting with the Supreme Court Justices

Chief Justice Abrahamson asked the committee members to forward any ideas for agenda items for the March meeting with the Justices to Ms. Bonnie MacRitchie.

The meeting was adjourned.