

- | | |
|--|---|
| 3 Retirements | 8 PPAC report tracks EBDM progress |
| 4 Counties attend EBDM summit | 9 Grant will help assess interpreter needs |
| 6 Governor appoints two new circuit court judges | 16 Conference provides court security education |

Five contested judicial races on April 1 ballot

Three incumbent circuit court judges are among candidates vying for circuit court seats in five Wisconsin counties on the April 1 spring ballot. Another 36 circuit court candidates are running uncontested, as are three Court of Appeals judges, including Patricia S. Curley, District I; Lisa S. Neubauer, District II; and Gary E. Sherman, District IV.

In Waupaca County, a Feb. 18 primary election narrowed the field of candidates from four to two in the race for the circuit court Branch 2 seat held by Judge Keith A. Steckbauer. Steckbauer, who received 841 votes in the primary, will face Assistant District Attorney Vicki Taggzat, who received 700 votes. Steckbauer was appointed by Gov. Scott Walker in January to fill the seat left open by the retirement of Judge John P. Hoffmann. Hoffmann retired on Nov. 29, 2013, after 28 years on the bench. (See Retirements, page 3).

Candidates eliminated in the primary include Assistant District Attorney Brenda Starr Freeman and Atty. Edmund J. Jelinski.

In Dunn County, two of three candidates advanced to the

spring election for the Branch 1 circuit court seat left open by the retirement of Judge William C. Stewart on Nov. 29, 2013.

Christina M. Mayer, an attorney in private practice, and District Attorney James M. Peterson, both of Menomonie will compete on the spring ballot. Atty. Roger M. Hillestad was eliminated in the primary race.

In the race for Florence-Forest County Circuit Court, incumbent Judge Leon D. Stenz, Crandon, is facing a challenge from former judge Robert A. Kennedy, Jr., also of Crandon.

In Jefferson County, Atty. Joann Miller, of Mediation and Collaborative Law Center, is challenging incumbent Judge David J. Wambach, who was appointed by Walker in June to fill the Branch 3 seat.

Two candidates are vying for the Milwaukee County Circuit Court, Branch 32 seat held by Judge Michael D. Guolee, who is not seeking re-election. Candidates for that seat include Milwaukee County court commissioners Cedric Cornwall and Laura Gramling Perez, both of Wauwatosa. ■

Murray earns national recognition for work with children, families involved in court

Milwaukee County Circuit Court Judge Marshall B. Murray was selected by Gov. Scott Walker as a recipient of the Administration on Children, Youth and Families Commissioner's Award to recognize his work with children and families in the court system. Murray will receive the award at the National Conference on Child Abuse and Neglect in New Orleans in April. The conference will also celebrate the 40th anniversary of the Child Abuse Prevention and Treatment Act.



Judge Marshall B. Murray

The award is given to individuals who have made significant contributions toward the prevention and treatment of child abuse and neglect. Murray has served on the Children's Court Improvement Program and the Wisconsin Judicial Committee on Child Welfare, and as a faculty member of the National Council of Juvenile and Family Court Judges and the National Judicial Institute on Domestic Violence. He has worked to establish the Milwaukee Model Court Project, which works to reduce the number of children placed out of the home and increase efficiency in family court case processing, and Reunification Day, which recognizes families who have regained custody of their children. He has led training sessions for judges across the state on promoting efficiency and youth participation in custody and permanency cases. In 2012, he was named "Jurist of the Year" by the Justinian Society of Lawyers. ■

Siblings bring new meaning to 'family court'

With the recent appointment of Judge Maureen D. Boyle to the Barron County Circuit Court bench, there are now three sets of siblings serving as judges in the Wisconsin circuit courts. The other sibling pairs include Mel and David Flanagan, and Howard and Roderick Cameron.

A little research by the Wisconsin State Law Library staff reveals sibling judges are not a brand new phenomenon to Wisconsin courts.

Wiram Knowlton was elected judge to the newly created Sixth Judicial Circuit in 1850, and as a result, served as a justice on the Wisconsin Supreme Court until a separate state Supreme Court was created in 1853. His brother, James H. Knowlton, served as a probate judge for the newly organized county of La Fayette at the time.

A number of father-son judge pairs have served at various times over the years, and Justice Patience Drake Roggensack and her daughter, Judge Ellen R. Brostrom, Milwaukee County Circuit Court, hold office concurrently.



The musical Boyle family, from left: Tim, Meg, Maureen, and Mark (also an attorney), pictured sometime between 1987-89.

see **Siblings** on page 11



Director's column: Creating awareness of court funding

By A. John Voelker, Director of State Courts

During the last several weeks, I have undertaken an expanded effort to reach out to help create awareness and improve understanding of the Wisconsin court system's difficult funding situation.

I have met with judges, lawyers, clerks of circuit court, legislators, local government officials and others to explain our situation.



A. John Voelker

We are not in the dire situation that some state court systems have reached, but there is little doubt in my mind that we will be there, if our funding situation is not improved. We don't have to look too long or far for examples.

In its report, "Crisis in the Courts," The American Bar Association's Task Force on Preservation of the Justice System found that some states have experienced delays in criminal cases to the point where judges and prosecutors are faced with a choice no one wants to make: "warehousing untried defendants in local jails at additional expense, or releasing potentially violent offenders because lengthier pretrial detention may be unconstitutional or practically impossible."

The task force reported a capital case in Georgia that was delayed repeatedly with the defendant in jail for five years because the state could not pay anyone to represent him. In Washington state, the task force found that a suspect in a violent case was released as a result of speedy-trial concerns, only to sexually assault a woman. A pedestrian was killed in an ensuing high-speed chase involving the defendant.

These are examples involving specific defendants and victims, but the effects of underfunding the courts can be more systemic.

Here are some examples of what the task force found in other states:

- Courts in some parts of New Hampshire put a moratorium on jury trials as a result of budget cuts.
- New York began ending court proceedings promptly at 4:30 p.m. to avoid overtime costs.
- Massachusetts lost more than 1,100 trial court employees through attrition in an effort to save money.
- Lines at courts in Sacramento, California grew so long at one point that people brought in lawn chairs.

The task force, which held public hearings around the country, has identified four crucial areas that can be adversely affected when courts are underfunded: public safety, the economy, the protection of people who need it most, and our system of government itself.

Most states give priority to criminal cases, but civil cases involving public safety, such as protective orders in domestic relations cases, also may be affected.

Cost-cutting measures that appear to help may come with their own costs. For example, in an effort to save \$30 million, California laid off 350 workers, closed 56 courtrooms and eliminated a juvenile court program. The task force concluded that in California, the reductions in court time, increased delays in processing cases, and other

related expenses added up to much more than the projected "savings" to the state. Economic consultants calculated the true costs of state funding cutbacks would lead to the following new costs:

- \$13 billion in lost business activity resulting from decreased utilization of legal services;
- Approximately \$15 billion in economic losses due to additional uncertainty among civil litigants;
- Close to \$30 billion in lost output and more than 150,000 jobs from damage to the Los Angeles and California economies; and
- \$1.6 billion in lost local and state tax revenue.

It's difficult to say exactly what the effect of budget cuts will be in Wisconsin, but if you look at the current funding structure, and the trends related to it, we may be headed for similar problems.

The structure of circuit court funding in Wisconsin is a bit like a three-legged stool. The funding legs are the state, the counties, and fees and surcharge revenue. This structure has provided a comparatively stable base over the years. But each leg is showing signs of weakness, and the stability of each leg affects the others. Continual reductions in state funding are starting to have a destabilizing effect.

Unfortunately, our county partners don't have much wiggle room either. They face strict levy limits. Counties have virtually no ability to adjust to reduced state funding for court services, putting pressure on counties to reduce court system costs. State aid to counties has not increased since 1999, and most critically, has been reduced to some extent during the last several years.

The counties have been good partners. In 2001, they paid 47 percent of court expenses; now they pay 56 percent.

Compounding the problem is that we are in the midst of coping with the largest state budget cut in court system history. In addition to facing a \$5.8 million cut in state appropriations during the current biennium (2013-15), the court system is required to lapse to the state general fund another \$11.8 million. Ironically, it comes at a time when the governor subsequently called a special session to address the potential use of a projected \$900 million surplus.

In terms of overall state spending and tax collections, the court system budget is a drop in the bucket. In fact, the entire state court system operates on about 0.85 percent of overall state tax dollars collected – less than one penny of each state tax dollar supports the state court system.

As I meet with various groups to discuss this situation, I try to explain the problem and offer a potential solution as simply as possible: Increasing state investment in the court system to just one penny per dollar total would help reduce stress on our county partners and ensure we are able to provide effective court services. I refer to it as *a penny for justice*.

We may be able to see the problem coming, but we can't directly prevent it by ourselves. Ultimately, we rely on the governor and the legislature. However, we can use the coming months to raise awareness.

I am hoping that our justice system partners and people in the legal profession will be a part of a diverse and active coalition that can change the funding trend. ■

WICWA launches improvement project

By Bridget Bauman, Children's Court Improvement Program

A new Continuous Quality Improvement project has been established by the Children's Court Improvement Program (CCIP) to improve adherence to the Wisconsin Indian Child Welfare Act (WICWA) in the circuit court and child welfare systems. The project also aims to increase collaboration among the circuit courts, tribes, county child welfare agencies, attorneys, and other stakeholders. WICWA, which was enacted in 2009, protects the best interests of Indian children while promoting the stability and security of Indian tribes and families.

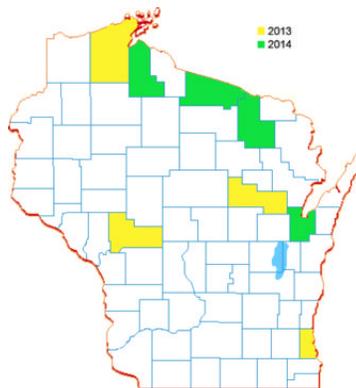
As part of the WICWA Continuous Quality Improvement project, onsite reviews are conducted in the counties with the greatest number of circuit court cases subject to WICWA. The onsite reviews consist of three data collection methods: court file review, focus groups, and surveys. The findings from each review are presented in the form of a written report and summary presentation approximately three months after the onsite review. Technical assistance is provided to the circuit court after the onsite review in an effort to implement practice enhancements.

When schedules permit, staff from CCIP and the Department of Children and Families (DCF) conduct simultaneous WICWA reviews of the same counties. Joint reviews have already occurred in Shawano, Milwaukee, Bayfield, and Jackson counties. Both CCIP and DCF are planning to conduct reviews in Forest, Brown, Ashland, and Vilas Counties in 2014. Court and agency personnel from

these counties will be contacted with additional information about the onsite review.

This project and the partnership between CCIP and DCF will be highlighted at the National Indian Child Welfare Association's annual conference in April.

As part of CCIP's activities to improve adherence to WICWA, the [WICWA Judicial Checklist](#) has been created to help courts determine whether WICWA applies and comply with the provisions of WICWA. It contains key questions for the court to ask in child in need of protection or services, juvenile in need of protection or services, termination of parental rights, guardianship, and adoption proceedings. ■



For additional information about the WICWA Continuous Quality Improvement project, please contact Bridget Bauman, CCIP Policy Analyst, at bridget.bauman@wicourts.gov.

RETIREMENT

Judge John P. Hoffmann Waupaca County Circuit Court

Waupaca County Circuit Court Judge John P. Hoffmann retired on Nov. 29, after 28 years on the bench. Hoffmann was first appointed in 1985 by then-Gov. Tony Earl. He was elected the following year, and reelected four times, most recently in 2010.

Hoffmann is a graduate of the University of Notre Dame and UW Law School. Prior to his appointment to the bench, he was a family court commissioner for Waupaca County and worked in private practice. He has served on the Juvenile Benchbook Committee and the Wisconsin Commission on Children, Families and Courts.

In an interview with the Waupaca County Post, Hoffmann said he has found adoption cases to be the most satisfying, because everyone in the courtroom is happy, as opposed to criminal cases, where he said very few leave happy with the outcome.

"I hope I've made a difference and treated all people fairly," he told the paper. "Hopefully, they all felt they had an opportunity to be heard, even if they didn't agree with the decision I made."

In an email to the Waupaca County Bar Association, Hoffmann said of his decision to retire, "I did not want to be in a position to simply go through the motions or lack the



Judge John P. Hoffmann

enthusiasm or dedication that a position of public trust requires." He went on to tell the bar association that he and his wife, who retired three years ago after their first grandchild was born, hope to spend more time in Indiana where their children and grandchildren live.

"As a Notre Dame football, men and women basketball, and hockey season ticket holder I expect to attend many sporting events. More victories would lift my spirits. Go Irish!" he wrote.

Mary Roderick Supreme Court Judicial Assistant

After serving as a judicial assistant on all three levels of the court system, Mary Roderick retired on Jan. 3.

Roderick began working for the court system in 1994, as judicial assistant for Green County Circuit Court Judge David G. Deininger. When Deininger moved to the District Four



Justice Annette Kingsland Ziegler says goodbye to her judicial assistant, Mary Roderick, at Roderick's retirement party in January.

see **Retirements**
on page 7

Summit sets stage for broader implementation of Evidence-Based Decision Making (EBDM)

By Jon Bellows, District Four Court Administrator

Teams from more than 20 Wisconsin counties met in Madison Jan. 28-29 for the Wisconsin Evidence-Based Decision Making (EBDM) Summit. Sponsored by the National Institute of Corrections (NIC), the summit brought together local justice system teams and partners from throughout Wisconsin.

Attendees met with EBDM site representatives from five other states, Wisconsin state agency representatives, and faculty and staff from the MacArthur Foundation, the Bill and Melinda Gates Foundation, the Center for Effective Public Policy, and the Carey Group to explore the expansion of local EBDM practices and to consider the feasibility of a statewide EBDM effort.

The summit provided the teams with information and a roadmap to integrate evidence-based decision making practices on a local as well as a statewide basis, preparing the teams to apply for technical assistance in 2014. The county-based teams also shared information with a diverse group of state and local officials about the EBDM Framework, which identifies the key structural elements of a system informed by evidence.

The summit is the most recent step in Wisconsin's EBDM effort, which has evolved during the last six years. In 2008, in response to the rising costs of crime and criminal justice, increasing concerns over the impact of crime on victims, and offender recidivism, NIC launched its "Evidence-Based Decision Making in Local Criminal Justice Systems Initiative."

This effort recognized the opportunity offered by an ever-growing body of rigorous research to provide specific, data-driven strategies to address these persistent problems in the criminal justice system. In 2010, NIC provided support to pilot the implementation of this initiative in seven communities throughout the United States. Due in part to Wisconsin's early leadership and involvement with this effort, Milwaukee and Eau Claire counties were selected to

be two of the pilot sites.

At its core, the EBDM Framework envisions a criminal justice system that works collaboratively to make decisions informed by research to improve justice system outcomes and increase the safety of communities. Its four main principles are:

- The professional judgment of criminal justice system decision makers is enhanced when informed by evidence-based knowledge.
- Every interaction within the criminal justice system offers an opportunity to contribute to harm reduction.
- Systems achieve better outcomes when they operate collaboratively at the individual, agency, and system levels.
- The criminal justice system will continually learn and improve when professionals make decisions based on the collection, analysis and use of data and information.

The implications for this approach in Wisconsin are enormous. Research, rigorous data analysis and the development of evidence-based practices could, for example, help the system to identify high-risk offenders who provide a real danger to society and to distinguish these offenders from lower risk defendants who could benefit from community supervision or other alternative services.

David O'Leary, district attorney for Rock County, member of the state Criminal Justice Coordinating Council, and Chair of the state's Evidence-Based Practices Subcommittee, called the summit "a valuable opportunity to share ideas with multiple jurisdictions and various professionals in the field of criminal justice. By applying evidence-based practices to decisions made throughout the criminal justice process, our goals are to reduce recidivism through treatment when appropriate and to focus the use of our limited resources on those individuals who pose the greatest risk." ■

WISCONSIN CONNECTS

Chief Justice attends Dubai conference

Chief Justice Shirley S. Abrahamson served as a panelist during a presentation at the International Conference on Court Management Dec. 9-10, 2013 in Dubai, United Arab Emirates. The International Association for Court Administration (IACA), in association with the Dubai Courts and the Dubai International Financial Centre (DIFC) Courts, co-hosted the conference, which explored the theme "Court Excellence in a Changing World."

The conference provided an opportunity for judicial organizations to share in and gain knowledge about best practices, latest strategies for change and successful examples of court efficiency from all over the world. Participation included judges, officials of the Ministries of Justice, supreme court managers, lawyers, consultants, academics and representatives of the



Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson with H.E. Judge Essa Mohammed Sharif, Chief Justice of Appeal Court, Dubai Courts.

see **Wisconsin Connects** on page 9

Photo credit:
Dubai Courts

Three court system staff members say goodbye

Amanda K. Todd, who helped establish the court information office in 1993, has left the court system to become a speechwriter for UW-Madison Chancellor Rebecca Blank.

As court information officer, Todd helped improve public understanding of the courts by developing a variety of initiatives and outreach programs that still serve as models for other court systems. Her efforts have helped engage students, teachers, members of the media and the general public.

“Amanda designed award-winning public outreach projects and built an infrastructure for the courts’ effective communications with the media, the public, lawyers, legislators and other constituencies,” said Chief Justice Shirley S. Abrahamson. “We shall miss her high standards and outstanding work.”

Todd managed a multitude of public education projects over the years, including an Emmy-nominated documentary, “Stand the Storm,” based upon a famous Wisconsin case involving a fugitive slave named Joshua Glover. She oversaw development of an original play on the Glover case and a script for, “Lavinia,” a play about Lavinia Goodell, Wisconsin’s first woman lawyer. She also oversaw production of video programs about the Supreme Court and jury service, and she produced a national award-winning traveling exhibit about the Court that was displayed throughout the state.

Other programs initiated by Todd include *Justice on Wheels*, which brings Supreme Court oral arguments to communities across the state, and *Court with Class*, a national-award-winning program that brings high school students to Madison to sit in on Supreme Court oral arguments and meet with a justice.

Todd also has run training programs for court systems in developing democracies, including Algeria, Bahrain and Slovakia. In 2003, she was named among the *Wisconsin Law Journal’s* top Women in the Law – the first-ever non-lawyer honored in the category.

After 13 years of service to the Wisconsin court system, Tenth District Court Administrator **Scott Johnson** has left to become deputy



Scott Johnson



Court Information Officer Tom Sheehan (center) roasts Amanda K. Todd (right) on her last day in the Court Information Office as Supreme Court Commissioner Nancy Kopp (left) looks on.

director of state courts for North Dakota.

Johnson first served as district court administrator in District 6 in 1999, and eventually transferred to District Nine. In 2007, he left after accepting a position with the federal court in Iowa, but returned to Wisconsin to serve as the district court administrator for the Tenth District in 2008 after the retirement of Gregg Moore.

In addition to his work with the court system, Johnson holds the rank of U.S. Air Force colonel, commander of the Mission Support Group, 128th Air Refueling Wing. Johnson has served in the military for more than 30 years and has been deployed over 40 times to such locations as Afghanistan and Iraq. In 2008, he was called to active duty for the Iowa Air National Guard to assist with flood relief, and was deployed for several months to an air base in Europe in 2011. In November 2012, his duties included greeting President Barack Obama when he flew in to Milwaukee for an appearance.

During his time with the court system, Johnson has served on committees addressing issues such as interpretation, *pro se* litigation, caseload management, effective justice

see **Goodbye** on page 7

Udell exemplifies dedication of court staff

By Patrick Brummond, District Seven Court Administrator

It is often said that an organization is only as good as its people. My 19 years as a Wisconsin court administrator have uniquely positioned me with many opportunities to witness excellence and dedication among administrators, clerks, court staff, judges and justices throughout our court system. At a time when fiscal constraints and attacks on public sector employees and institutions are common, I contend that excellence and dedication are the rule in the Wisconsin courts and not the exception.

My most recent example of court system excellence and dedication centers on the retirement of Grant County’s Chief Deputy Clerk of Court Jan Udell after 33 years of court service. While impressive, her 33 years of service to the citizens of Grant County and the state are not the pinnacle

of her dedication, but the past few years are. You see, Jan contemplated retirement in 2010 when her boss at that time, and for most of her career, Clerk of Circuit Court Diane Perkins, retired. Jan ultimately decided to stick around and assist with the transition of a new clerk of court. That transition occurred seamlessly and the new clerk, Kim Kohn, wisely convinced Jan to stay on as her chief deputy.

After a few years, Jan announced her retirement set for



see **Dedication** on page 6 Patrick Brummond

NEW FACES

New judges appointed in Walworth, Waupaca counties

Gov. Scott Walker announced the appointment of two new circuit court judges in January to replace retired judges in Waupaca and Walworth counties.

Kristine E. Drettwan was appointed to fill the Branch 3 bench opened by the retirement of Judge John R. Race, (*see The Third Branch, fall 2013*).

At the time of her appointment, Drettwan was serving as family court commissioner for Walworth County. A graduate of UW-Madison



Judge Kristine E. Drettwan

and the University of Minnesota School of Law, she has also served as a Walworth County judicial court commissioner, legal assistant for the Walworth County Circuit Court judges, and assistant district attorney for Douglas and Walworth counties.

“As a former prosecutor and a family court commissioner, Kristine Drettwan is incredibly prepared to handle the work of a circuit court judge,” Walker said in a press release. “She is an active member of her community in Elkhorn, and I know she will serve the people of Walworth with diligence and a firm commitment to the rule of law.”

Walker named Keith A. Steckbauer to fill the Waupaca County Circuit Court Branch 2 vacancy created by the retirement of Judge John P. Hoffmann (*see Retirements on*

see New faces on page 10

New court administrator chosen for District 2



Theresa Owens

Atty. Theresa M. Owens has been chosen to serve as the new district court administrator for the Second Judicial District. Owens had been serving as executive assistant to the Chief Justice Shirley S. Abrahamson since 2008. She had previously served as chief deputy clerk of the Office of the Clerk of the Supreme Court and Court of Appeals, and as the federal district clerk for the western district of Wisconsin.

Owens received her law degree from Drake University Law School. Last spring, she was inducted as a Fellow of the Institute for Court Management (ICM) at a ceremony in Washington, D.C. in May. The ICM program was designed 40 years ago at the behest of then-U.S. Supreme Court Chief

Justice Warren Burger to improve the management of state court systems. To become a Fellow, Owens completed 12 courses on a variety of court-related topics ranging from caseload management to strategic planning, then designed, completed and presented a masters-level research project on appellate court rule-making.

Owens replaces former District Two Court Administrator Andrew Graubard, who moved back to the east coast this summer (*see The Third Branch, summer 2013*). Retired District Court Administrator Kerry Connelly stepped back in to the role on a part-time basis until Graubard’s replacement was found.

Chief Judge Mary K. Wagner, Kenosha County Circuit Court, said she is glad to have a new DCA on board, and Owens brings a great deal of court-related experience and insight to the job.

“We are fortunate to have someone of Theresa’s caliber to help with administration of the Second Judicial District,” Wagner said. ■

Dedication *continued from page 5*

January 2013. Tragically, Kim was diagnosed with leukemia in December of 2012. Jan stepped up and postponed her retirement to “help Kim through her illness.” Again, the clerk’s office continued to function effectively and efficiently. Unfortunately, Kim lost her battle with cancer in June of 2013. Deeply saddened, Jan was faced with another transition to a new boss. This time Clerk of Circuit Court Tina McDonald was the beneficiary of Jan’s dedication and experience in the office. Working together with Jan, Tina quickly got up to speed on her role and responsibilities as the new leader of the clerk’s office and Jan’s retirement got back on the calendar for January of 2014.

In the 17 years Tina has worked with Jan, she found that Jan’s dedication and

willingness to mentor and train others that have passed through the office has been unsurpassed. Her wealth of knowledge, work ethic, and leadership will be deeply missed by not only her “family” in the clerk’s office but by all those in the court system.



Jan Udell (right) celebrates her retirement from the Grant County Clerk of Courts office with Brian Kohn (left), whose wife, former Grant County Clerk of Court Kim Kohn, passed away in December 2012.

At the recent retirement celebration for Jan, I had the opportunity to ask her why she selflessly postponed her retirement for the court system and she responded “one word....Love.” How can anyone argue with a response like that? However, I will argue that people like Jan Udell are represented throughout our court system in every office at every level because I’ve seen them. I challenge each of us to look around, identify our “Jans” and recognize them for their excellence and dedication. These are the people who define our organization. Give them praise because they will not seek it. ■

WSLL marks 12 years in Risser Justice Center

By Julie Tessmer, State Law Librarian

On Jan. 22, the Wisconsin State Law Library (WSLL) marked its 12th anniversary in the Risser Justice Center. To me it seems like we just moved in and considering the library has been around since 1836, those 12 years represent a mere 7 percent of the time we've been serving the citizens of Wisconsin. Having said that, each year we serve more people, add new services, and make improvements on what we already do.

The Milwaukee Legal Resource Center (MLRC) and Dane County Legal Resource Center (DCLRC) continue to boast

heavy visitor traffic. In October DCLRC overhauled its [shelf layout for increased accessibility](#). Looking ahead to 2014, MLRC will move to its new location in the Milwaukee Courthouse. MLRC's new space will be almost twice as large as their current, temporary space and will have a room reserved for attorneys.

Each library now provides WestlawNext, the new Google-like Westlaw platform, on our public computers.

see **Law Library** on page 9

RETIREMENTS *continues from page 3*

Court of Appeals in 1996, Roderick went along and continued to serve as his judicial assistant.

When Deininger planned to retire, Roderick took a position as the executive assistant to Director of State Courts A. John Voelker in 2005.

In 2007, after Justice Annette Kingsland Ziegler was elected to the Supreme Court, Roderick became her judicial assistant. She continued to work for Ziegler until her retirement.

"The court system was fortunate to have the benefit of her skills and dedication for the 20 years she served," Deininger said of Roderick. ■



Former Chief Deputy Clerk of Court Barbara Miller (right) presents retired Clerk of Green County Circuit Court Carol Thompson a plaque from the Supreme Court. Thompson retired Dec 31, 2013 after 13 years. The judges in the county appointed Miller as clerk of court to succeed Thompson.

Goodbye *continued from page 5*

strategies, and alternatives to incarceration. In May of 2008, he spoke about Wisconsin's pro se initiatives at the Equal Justice Conference, sponsored by the American Bar Association and National Legal Aid and Defender Association.

"I am personally and professionally saddened by his departure and will miss his expertise, knowledge, practical approach to problem solving, and friendship," said Tenth District Chief Judge Scott R. Needham, St. Croix County Circuit Court. "Scott seamlessly filled the void created by Gregg Moore's retirement and has provided yeoman's service to the district and state. His value to the district and state is immeasurable."

At the end of December, Wisconsin State Law Library (WSLL) staff said goodbye to **Connie Von Der Heide**, director of reference and outreach services. Von Der Heide began her 16-year career at the law library in the fall of 1997, having worked previously in both university and public libraries in Texas, Arizona, Michigan and Wisconsin.

Von Der Heide wore several hats at WSLL. As the head of Reference she guided, trained and mentored the seven librarians who provide outstanding reference services to judges, attorneys and the public. In her outreach role she led many tours of the library for new attorneys, law clerks, interns, externs and students. She also gave presentations about WSLL services and materials to groups of state agency staff, librarians, and local bar associations around the state. Von Der Heide also edited and regularly contributed to WSLL's award-winning monthly electronic newsletter, *WSLL @ Your Service*.

Von Der Heide taught several classes every year, both at

the library and offsite. Judges and court staff regularly saw her at Judicial Education seminars and conferences, staffing the library's information table to assist with individual research questions and distribute library cards and occasionally presenting programs on using online legal research tools.

She served the library profession by working on many committees and as an officer in several local, state and national library and law-related organizations.

Von Der Heide and her brother have assumed ownership and operation of their family's business, Gempeler's Supermarket, located in their hometown of Monticello. ■



Wisconsin State Law Librarian Julie Tessmer (right) presents Director of Reference and Outreach Services Connie Von Der Heide (left) an original piece of artwork the Law Library staff had created for her, at her retirement party in December.

PPAC subcommittee report details progress

By Bonnie MacRitchie, Office of Court Operations

At the Nov. 13, 2013 PPAC meeting, Milwaukee County Circuit Court Judge Carl Ashley, chair of the Effective Justice Strategies (EJS) Subcommittee, presented the Phase II: Progress and Accomplishments report of the subcommittee to the Planning and Policy Advisory Committee (PPAC).

In 2004, PPAC created the Alternatives to Incarceration Subcommittee, now known as the EJS Subcommittee, to “explore and assess the effectiveness of policies and programs, including drug and other specialty courts, designed to improve public safety and reduce incarceration.”

During Phase I, the EJS Subcommittee focused efforts on studying, developing resources, and making recommendations in regard to collaborative problem-solving approaches to the criminal justice system.

The Phase II report details the significant progress EJS has made in collaborating with multiple agencies to advance evidence-based practices and decision making in the Wisconsin court system. The accomplishments highlighted by Ashley in his presentation to PPAC and incorporated in the report include: the Assess, Inform, and Measure (AIM) pilot project, implementation of recommendations of National Center for State Courts (NCSC) in their report on EJS in Wisconsin, published in early 2012; and development of Wisconsin standards for problem-solving courts with the Wisconsin Association of Treatment Court Professionals

(WATCP).

The Phase II Report was accepted by PPAC. EJS continues to work toward the implementation of evidence-based policies and practices in the Wisconsin court system and criminal justice system at large.

The EJS subcommittee has been awarded a grant to develop state-wide drug court performance measures, with guidance from the NCSC, which is the foundation work for a state-wide evaluation of Wisconsin’s drug and hybrid courts.

The subcommittee has also received a grant from the Department of Justice to develop an evidence-based sentencing curriculum, specific to Wisconsin. EJS continues to work with the local criminal justice coordinating councils (CJCC), adding two local CJCC coordinators to its membership in 2011.

At the January 2014 PPAC meeting, Vernon County Circuit Court Judge Michael J. Rosborough, chair of the PPAC Planning Subcommittee, presented the 2014-16 Critical Issues report. The four issues that were chosen include:

- Judicial Independence, Ethics and Selection
- Court Security
- Use of Technology
- Evidence-based Practices ■

State grants support treatment court programs

Twelve Wisconsin counties and the Lac du Flambeau tribe have been awarded grants by the state Department of Justice (DOJ) to either start new drug treatment court programs or to support Treatment Alternatives and Diversion (TAD) programs.

“These programs have a proven track record of reducing recidivism, making good use of public dollars and meeting the needs of offenders while ensuring accountability,” Atty. General J.B. Van Hollen said in a press release.

The total \$1.5 million in grant money that was awarded was included as part of the 2013-15 state biennial budget to continue funding the TAD program, originally developed in 2005 to create and maintain problem-solving courts around the state, under the collaboration of the DOJ, Department of Corrections, Department of Health Services and the Director of State Courts Office. The programs target non-violent offenders dealing with drug and alcohol addictions, and focus on addressing their issues while providing treatment, with the goal of keeping them out of prisons and jails while reducing recidivism.

According to DOJ, the TAD program has saved \$1.97 in incarceration fees for every dollar invested in the program. TAD has also been successful in reducing recidivism rates, with 81 percent of program graduates not having new convictions within three years of completing the program, and 91 percent staying out of prison.

The 36 applicants were screened by a 15-member panel, which selected four new drug court programs and nine

programs under the TAD category.

The counties and tribe receiving funding are: Jefferson County (drug court - \$112,714); Eau Claire County (TAD - \$132,326); Pierce County (TAD - \$82,120); Marinette County (TAD - \$124,502); Waukesha County (TAD - \$142,883); St. Croix County (TAD - \$74,584); Waushara County (drug court - \$125,000); Dodge County (TAD - \$140,800); Trempealeau County (TAD - \$58,303); Columbia County (drug court - \$132,096); Walworth County (TAD - \$157,609); Lac du Flambeau (tribal court drug court - \$130,190); and Kenosha County (TAD - \$86,873).

Jefferson County Circuit Court Judge William Hue said the grant will help support the program that the county has been looking to fund for some time. Hue, who will serve as the OWI court judge in Jefferson County, said the program began with his initial inquiry to the county executive and corporation counsel, board of supervisors chair, sheriff, human services director, district attorney, and public defender’s office, all of whom supported the idea.

Hue said they envision the court program serving about 30 individuals with three or more OWI offenses, and will work in conjunction with the criminal court judges.

“Should an individual successfully complete the program, they will have the skills to enable them to live a productive, alcohol-free lifestyle and have a significant amount of time reduced from their jail sentence,” Hue said. ■

Grant to help evaluate interpreter needs

By Carmel Capati, Court Interpreter Program Manager

The Director of State Courts Office has received a State Justice Institute (SJI) grant totaling \$24,390.00 from the National Center for State Courts (NCSC) to conduct a needs assessment throughout the circuit courts. Grant funding will be used to evaluate video and audio technology capabilities that may lead to implementation of remote interpreting pilots in selected counties.

The project is currently underway and in the pre-assessment phase. The Court Interpreter Program assembled a working group to create a survey questionnaire, which was disseminated to the clerks of court on Feb. 7. The purpose of the survey is to gather information from the counties that will allow the Director's Office to:

- Assess the county-provided hardware, software and connection capabilities existing in the courthouses that could be used to provide access to remote interpreting services.
- Gauge the willingness of counties to explore or in some instances expand their use of technology to provide quality interpreting services.
- Recognize barriers to utilizing technology to provide access to remote interpreting services.
- Identify practical technology solutions that can help reduce the cost of interpreting services in the counties while maintaining the high quality of the service needed to ensure equal access to court users with limited English proficiency.
- Identify potential counties to participate in a remote interpreting pilot project for interpreting services.

Law Library *continued from page 7*

Researchers can choose between Westlaw Classic and WestlawNext. WestlawNext is also available on WSL's Wi-Fi network, allowing users the convenience of accessing the legal database from their own laptops while working in the library. An additional Wi-Fi antenna boosted the signal in WSL's [second floor conference room](#), a popular room to reserve for meetings. These improvements throughout the library help ensure users can get their work done efficiently.

We developed and presented our very first webinar style training class on the HeinOnline database. The webinar format allowed participants to connect to the class from anywhere via the internet, which was especially convenient for our users outside of the Madison area. Moving forward, we plan to offer more of our [classes](#) online. In collaboration with the Milwaukee Public Library, the MLRC now offers a

The current working group consists of 7th Judicial District Court Administrator Patrick Brummond, Court Interpreter Program Manager Carmel Capati, Dane County Clerk of Circuit Court Carlo Esqueda, Walworth County Clerk of Circuit Court Sheila Reiff, and Consolidated Court Automation Programs Customer Services Supervisor Warren Sveum, along with two NCSC consultants.

Once the survey is closed, the group will analyze the survey results along with interpreter data from the Office of Management Services to determine if remote interpreting is a feasible option in our courts. If so, members will develop an action plan to pilot technology-assisted interpreting services in counties where the existing infrastructure and court culture are amenable to such an initiative.

In 2012, Wisconsin counties reported spending approximately \$1,723,657 on interpreter services. During the first six months of 2013, the courts provided interpreting services in almost 60 different languages. Locating qualified interpreters in rare languages who live within a reasonable distance from the courthouse is challenging for courts. Many court proceedings are short in duration. Therefore, bringing interpreters in-person for short hearings is not a cost-effective use of the courts' tight budgets when interpreter travel expenses are high compared to the length of the court proceeding. The use of technology to provide interpreting services will expand the courts' access to a larger pool of certified court interpreters and could result in a more efficient use of financial resources. ■

continuing series of legal research classes. MLRC provides the lecturers, while the Public Library provides the classroom, promotional materials, and class registration.

Both MLRC and DCLRC hosted internships for Milwaukee and Madison paralegal students. DCLRC continues to partner with the Dane County Bar Association on its family law and small claims legal clinics.

Looking back on the year, I am most proud of the continued high level of service all our staff provides to our users. Everyone at WSL, the MLRC and the DCLRC are committed to serving the many people who use our libraries daily. I feel so fortunate to be able to work with such energetic, resourceful, and friendly professionals.

I invite you to come see what the State Law Library and its branches can do for you in 2014 and beyond. ■

WISCONSIN CONNECTS *continued from page 4*

judicial systems from more than 50 countries across the world.

Conference presentations discussed institutional independence of the courts and standards of court excellence, efficiency, and transparency.

Abrahamson served on a panel presentation entitled "Enhancing Stakeholder Alignment," which discussed managing the interests of stakeholders and their impact on achieving excellence in the work of court systems. The panel members identified the government, the private sector and educational institutions as important partners. The panel noted that collaboration with these entities requires the development of effective programs to ensure a positive

effect on courts' performance.

Other sessions at the conference included "Leadership and Change Management," which focused on the roles and challenges in change and transformation management and leadership; and "Role of Strategic Planning and Performance Management in Raising the Efficiency of Courts."

The conference was the first of its kind in the Middle East region and the sixth International Conference to be held by IACA since its establishment in 2004. The objective of IACA, a non-profit organization, is to encourage the pursuit of excellence at an international level in cooperation with global court officials to develop institutional frameworks and operational efficiency of courts. ■

Kremers, Murray selected to present web trainings



Chief Judge Jeffrey A. Kremers

Two Milwaukee Circuit Court judges have been selected to serve as faculty for the newly created Effective Adjudication of Domestic Abuse Cases web course offered by the American Judges Association (AJA). The course is presented in five modules, and was developed with the assistance of Futures Without Violence and the National Center for State Courts.

Judge Marshall B. Murray presents the Dynamics of Domestic Violence and Child Custody modules.

Chief Judge Jeffrey A.

Kremers presents the Evidentiary Issues module, along with Loyola University

School of Law Professor Zelda Harris. Other topics addressed in the web course are Civil Protection Orders and Sentencing.

The course, funded by the Bureau of Justice Assistance, is offered at no cost to judges. The AJA is the largest independent judges organization, representing courts across the county, as well as over 120 members in Canada.

More information, as well as the web course, can be found at: www.education.amjudges.org. ■



Judge Marshall B. Murray

NEW FACES

continues from page 6

page 3).

“Keith Steckbauer understands the legal issues facing families and businesses in Waupaca County, and he will combine that experience with a commitment to the



Judge Keith A. Steckbauer

Constitution and rule of law,” Walker said in the press release announcing the appointment. “I am confident he will serve the community well.”

Steckbauer, a graduate of St. Norbert College and UW Law School, has worked in private practice and was the owner of the Steckbauer Law Firm in Dale. He recently completed a term as the president of the Waupaca County Bar Association. ■

Pro Bono initiatives gets volunteer boost

Lisa M. Winkler, DCLRC Librarian

In January, training sessions were held in the Dane County Courthouse for volunteers who serve more than 500 self-represented litigants a year at two ongoing *pro se* legal assistance clinics: Small Claims Assistance Program (SCAP) and Family Law Assistance Center (FLAC). Both programs offer bilingual Spanish assistance twice a month.

The training sessions for volunteer attorneys, paralegals, and coordinators were divided into segments: an ethics topic, a substantive issue, and a third part which included input from the respective court manager and logistics of running the clinic itself. Each training session was approved for three CLE credits, including one ethics (EPR), and we sweetened the sessions with treats and coffee.

This annual training provides an important opportunity to bring together varied perspectives from within the justice system. Advocates, practitioners, court management, and court officials are together in one room. Ideas are discussed, procedures are questioned, and most importantly information is shared so it can be delivered to the growing stream of *pro se* litigants in the courthouse. Volunteers give their time and expertise in order to bring justice within the reach of those who struggle to comprehend even basic court procedures. In turn, the volunteers are rewarded with the satisfaction of helping those in need. Timely information from the training prepares the volunteers to provide accurate information about Dane County court actions, which then helps those without any legal counsel to better navigate through the court system.

The idea is simple. Attorneys and paralegals commit to staffing a two-hour clinic throughout the year. The implications of this are profound. These men and women actively enable access to justice through the clinics on a weekly basis.

The SCAP and the FLAC are made possible by a

partnership of the Dane County Bar Association, Dane County Legal Resource Center, and the State Bar of Wisconsin. We thank all of those people who have and continue to volunteer with our *pro se* legal clinics in Dane County and we celebrate your contributions to accessing justice.

Speakers at the Dane County Volunteer Training Sessions: Family Law Assistance Center - Jan. 14, 2014

- Prof. Marsha Mansfield, clinical professor, UW-Madison Law School - Ethics of Legal Clinics and FLAC Training
- Dan Floeter, Dane County lead commissioner - Commissioner Stipulated Divorce Process: One Year Later
- Holly Kuhl, Dane County Family Court manager - How to Avoid the Most Common Pro Se Filing Errors

Small Claims Assistance Program - Jan. 15, 2014

- Jeff Brown, State Bar of Wisconsin Pro Bono coordinator - Ethics & Limited Scope Representation in Legal Clinics
- Assistant Attorney General John S. Greene, director of Consumer Protection Unit - Overview of Wisconsin Consumer Protection Laws
- Jill Anderson, Dane County Civil Court manager - How to Avoid the Most Common Pro Se Filing Errors
- Associate Professor Sarah Orr, UW Law School Consumer Law Clinic - Identifying Consumer Protection Issues and Consumer Law Clinic Students
- Jennifer Binkley, managing attorney at Community Justice Inc. - SCAP Training ■

Siblings *continued from front page*

But the idea of having three pairs of siblings serving as judges in the state court system at the same time seemed unique enough for *The Third Branch* to explore.

The Boyles

Maureen's brother, Racine County Circuit Court Judge Timothy D. Boyle, had the honor of swearing his sister in.

"Tim and I have always been close and have shared lots of wonderful times together, but the day he swore me into the bench has to be the greatest," Maureen said of the event. "We've always had so much in common and shared a similar perspective on life. We are truly blessed indeed."

But as Timothy Boyle pointed out during her investiture, neither sibling had a career in law in mind originally.

"Rather we always thought we were destined to be rock stars or at the very least have our own show like Donny and Marie," Timothy said in his remarks. "Well, this original dream of being a dynamic duo actually started in a coat closet in our home, when we were about eight and ten respectively, where we sat for what seemed like hours singing at the top of our lungs Barry Manilow's hit 'Mandy' as a duet."

Eventually, their two other siblings, Mark and Meg, joined in, and the four put together a family band.

"Unfortunately, there really wasn't much hope of making any money at it so we all had to continue in the real world, earn degrees and get real jobs," he continued.

Both Boyles credit their father, Dennis R. Boyle, for their decision to pursue a legal career. The Boyle Law Office was started by their grandfather, Edwin J. Boyle, as a small town general practice firm, where their uncle Joseph also practiced until his death.

After graduating law school, Timothy also joined the family practice, where he continued to work until his election to the circuit court in 2012.

Maureen has fond memories of the family practice, where her father would some times bring them on weekends.

"I remember he had a closet in the office with some old toys, including Mr. Potato Head. So we would play with that while Dad worked in his office," she recalled. "I also remember going to court with Dad and was awed by the huge courtroom and the judge up on the bench. I thought it was pretty cool when Dad was up at the table talking with the judge."

The Flanagans

Dane County Circuit Court Judge David T. Flanagan and Milwaukee County Circuit Court Judge Mel Flanagan also followed in their father's footsteps. The elder Flanagan practiced law in Missouri when they were children. David

earned a degree in civil engineering from the Missouri School of Mines, and has worked as a radio announcer, land surveyor, deep sea diver, and septic tanker welder.

Eventually, he settled in Wisconsin and attended UW Law School. Mel moved around a bit, including New York City, where she attended art school, Japan, Alaska, and Hawaii, where she received her bachelors degree from the University of Hawaii-Manoa, before also attending UW Law School. Both were appointed to the circuit court bench by former Gov. Tommy Thompson, Mel in 1993, and David in 1999.

Mel has served as a member of the National Association of Women Judges and the International Association of Women Judges. In 2011, she was able to meet with members of the Bangladesh Women Judges Association while visiting her daughter, who was working in the country with UNICEF.

David was among a group of judges invited to attend the Sir Richard May Seminar on International Law & International Court in the Hague, Netherlands in 2006. He has also served as a guest lecturer for the Shanghai People's High Court.

David Flanagan explains he and Mel Flanagan "come from an Irish family of seven children, and the other five find that two siblings in the law is quite enough."

The Camerons

Not surprisingly, law is also a family business for brothers Howard W. "Billy" Cameron (St. Croix County Circuit Court), and Roderick A. "Rory" Cameron, Chippewa County Circuit Court. Their father's uncle, William, received a law practice in Rice Lake as a graduation gift from his father in 1927. Their father, Howard Sr., joined the practice in 1947.

After majoring in mathematics at Trinity College in Hartford, Conn., Roderick Cameron received his law degree from UW Law School. In 1983, he was appointed to the Chippewa

County Circuit Court bench by Gov. Anthony Earl.

Howard Cameron did not originally intend to practice law. Instead, he earned a degree in agricultural education and became a herdsman on a dairy farm in Michigan. After teaching high school vocational agriculture and trying his hand at dairy farming, he eventually decided to attend UW Law School. In 2008, he decided to run for the newly created Branch 4 in St. Croix County.

Rory told him that campaigning would be "like having a second full-time job." But Howard survived the five-person primary, and was sworn in by his brother that August. ■



Big brother David (right) distributes presents to all 7 siblings as two-year-old Mel (left) holds court from her highchair, circa 1954.



Four-year-old Rory in back, and 22-month-old Howard (Billy) in the front, in 1953.

PEOPLE

Court Interpreter **Farah Elahi** spoke with *The New York Times* during December as part of the newspaper's "Vocations" series. Elahi, who lives in Waukesha, told the newspaper of her work as a court interpreter, which she began when she moved to the U.S. in 2008. She and her family first lived in New York, but moved to Wisconsin when her son started college.

Elahi told the *Times* she practiced law in her native Pakistan, but would have had to go back to law school and earned her degree in order to continue to practice in this country.

Instead, she looked in to interpreting. Elahi, who speaks Punjabi, Urdu and Hindi, told the paper she interprets civil, criminal, and family court cases.



Judge Charles H. Constantine



Michelle Pinzl, right, interprets for a male defendant at a court hearing, while Adriana Candia, who hopes to become an interpreter, observes. Trempealeau County District Atty. Taavi McMahon sits at a table to their left.

"People of my background, especially women, appear relieved when they see me," she told the *Times* when asked what she liked best about the job. "They seem to open up to me because I'm a woman. Also, this job gives me the opportunity to look into people's lives. You realize that no matter where a person is from, we all have the same needs."

Racine County has seen a rise in the need for interpreters, according to the *The (Racine) Journal Times*.

"There is no question the need for interpreters has increased. Primarily Spanish interpreters," Racine County Circuit Court Judge **Charles H. Constantine** told the *Journal Times*.

According to numbers provided to the paper by the Director of State Courts Office, 91 percent of the interpreter hours for the first half of 2013 were for Spanish interpreters and 14 different languages were used in the Racine Court Circuit Court in that same time period. Those

languages included Arabic, American Sign Language, Gujarati, Burmese, Hindi, Portuguese, Tagalog, Russian, Korean, Serbian and Vietnamese, according to the article.

"I think there's a certain heightened awareness among lawyers," Constantine is quoted as saying on the need for interpreters. "When you think about it, legal concepts – even when you speak English – can be complicated."

The *Eau Claire Leader-Telegram* reported on the increase in demand for interpreters in

Trempealeau County.

"We've been at this for a number of years, and we've worked courtroom issues out pretty well," Trempealeau County Circuit Court Judge **John A. Damon** told the paper. "We've always wanted to make sure everyone involved in the process understands what's going on. These interpreters do a great job."

According to the article, the area has a large Hispanic population, but there are only three certified interpreters in the western-central counties.

"Yes, there is a need," **Carmel**

Capati, Wisconsin court interpreter program manager, told the *Leader-Telegram*. "You are more fortunate in the western counties, as they can rely on a pool of interpreters



Judge John A. Damon

from the metro area of Minnesota."

Eau Claire County Clerk of Court

Kristina

Aschenbrenner told the paper that her office makes use of the interpreter list, but having a larger pool of interpreters in the area would make scheduling much easier.

"In some special cases we use a language line with an 800 number, where we can do translations over the phone," Aschenbrenner said.



On Jan. 5, 2014, the Court of Appeals, District II, judges braved the below-zero weather to attend a UW-Madison basketball game at the Kohl Center. Chief Judge Richard S. Brown, Judge Paul F. Reilly, Judge Lisa S. Neubauer and Judge Mark D. Gundrum watched the Badgers narrowly defeat the Iowa Hawkeyes.

see **People** on page 13

PEOPLE *continued from page 12*

“Unattended duffel bag evacuates courthouse,” was the headline on an article on Channel3000.com. According to the report, the Oneida County Courthouse was evacuated on the afternoon of Feb. 10 after a duffel bag was left unattended in the waiting room of the Department of Social Services. The bag was found not to be hazardous, unless diapers are to be considered hazardous. The courthouse reopened the next day, according to the report.

Washington County Clerk of Court **Theresa M. Russell** reported her office received more than 100 calls in January regarding an email the callers had received. The email message stated they were required to appear in “the court of Washington” and advised them to open the email attachment. The scam has been reported since late December in jurisdictions nationwide, including Wisconsin.

The website Madison.com reported on a phone call scam after a news release from the Dane County Sheriff’s Office said residents were receiving a call from a man claiming to be a lieutenant named William Hall.

“He goes on to tell them they neglected to report for jury duty today, and to avoid an arrest warrant, they need to go to the nearest Walgreens and wire a payment to him within the hour,” Dane County Sheriff’s Office Spokeswoman

Elise Schaffer was quoted as saying.

The sheriff’s office urged anyone who received the call to contact the 911 Center.

In December, *Milwaukee Journal Sentinel* columnist **James E. Causey** wrote about how he had spent a day at the Milwaukee County Drug Treatment Court to observe how the program works. He also spoke with one of the program’s first graduates, **Bobby Strickland**.

“Before he completed drug treatment, he was a law enforcement nuisance,” Causey wrote of Strickland. “He had been arrested 88 times before he entered Milwaukee County Drug Treatment Court two years ago.”

Causey uses Strickland as an example of what he writes is the “best grass-roots approach” he’s seen to solving the problem of the large population of non-violent drug offenders in the prison system.

“Since completing the process, Strickland has not been

arrested, and now he is helping others who were just like him: drug addicts who became petty thieves to support their habits,” Causey continues.

According to Causey, 80 percent of the increase in the prison population in Wisconsin since 1996 is connected to drug and alcohol abuse. While he says he understands there is some controversy surrounding drug court programs, he writes about being able to see first hand the support these programs provide when he visited.

“One of the best things I heard was this: A young man went up to his older brother for advice for the first time in along time,” he quotes Milwaukee Circuit Court Judge **Carl Ashley** as saying. “It was something he could not do in the past because of his brother’s drug addiction. Now he has his brother back.”



Judge Carl Ashley



Director of State Courts A. John Voelker, right, addresses members of the State Bar of Wisconsin’s Board of Governors about state funding concerns at the group’s meeting in Madison on Jan. 31. Also pictured, from left to right, are board chairperson Sherry Coley of Green Bay, State Bar President Patrick J. Fiedler of Madison, and State Bar President-elect Robert R. Gagan of Green Bay.

“OWI court marks two years, 18 graduates,” headlined an article on MyWalworthCounty.com. The article focused on the progress of **Joseph Pugh**, who entered the Walworth County program in 2012, after his third OWI offense, and graduated Oct. 2.

According to the article, 55 people have participated in the program since it began in 2011. Only four of those who started the program did not continue with it.

For the first six months in the program, participants in the

program report every two weeks to Walworth County Circuit Court Judge **David M. Reddy** for a status hearing. The program also involves regular drug screenings and random home visits. Gift cards and gas cards are given out to participants who have met their objectives.

“It’s the use of positive reinforcement,” **Katie Behl**, the program’s treatment coordinator told the website.

According to the article, Department of Transportation data shows that in 2012, 34.4



see **People** on page 14 Judge David M. Reddy

PEOPLE *continued from page 13*

percent of the OWI convictions in Walworth County were repeat offenders.

"If you just take the jail time, you're going to come out of jail with an attitude and go back to drinking and probably re-offend," Pugh told the website.

Supreme Court Justice **Annette Kingsland Ziegler** shared her story of making a rather unique charitable contribution with WTMJ radio, Milwaukee. For the past seven years, Ziegler has donated locks clipped from her head to organizations such as "Locks of Love" that create wigs for those who have lost their own hair while battling serious health issues.



Justice Annette Kingsland Ziegler shows off the hair she cut off to donate to make wigs for those who have lost their hair while undergoing medical treatments.

"I started in 2007 when I ran for the Wisconsin Supreme Court and I did not have time to cut my hair," Ziegler told the station. A hair stylist friend of hers suggested she donate her hair.

"The idea resonated with me, so I did....I think I have donated my hair about 5 or 6 times now."

Ziegler told WTMJ her family and friends have been very supportive of her efforts, including her son, who thinks it's cool.

Progress on the repairs to the Milwaukee County Courthouse may have hit a speed bump, according to the *Milwaukee Journal Sentinel*, which reports that a lack of funds may require the county to use some reserve funds to complete the project.

The *Journal Sentinel* wrote the repairs from the fire in the building last July have to date totaled \$13.5 million, but the insurance has only paid \$12.5 million so far, with the final bill expected to be over \$16.5 million. The money from the county would theoretically be paid back once more insurance funds come in.

But some county officials are not so happy with the idea of picking up the tab, according to the paper.

Gov. **Scott Walker** arrived to fulfill his civic duty at the Milwaukee County Courthouse this January. According to the Associated Press (AP), Walker was not selected to sit on the jury for a murder trial, but was selected for a personal injury lawsuit trial.

Walker did not get to deliberate with his fellow jurors, though. After informing the court that he had received campaign contributions from the insurance company involved in the case, he served as an alternate juror and was dismissed after closing arguments, according to AP.

Walker told AP that this was the third time he has been called for jury duty, he had previously been called while he was serving as Milwaukee County executive and while he was an Assembly representative. He was not selected to sit on a jury either of those times.

U.S. Senators **Ron Johnson** and **Tammy Baldwin** have announced their recommendations to fill the empty seat on the Eastern District of Wisconsin bench for the U.S. Federal District Court, according to a press release from Baldwin.

Among the nominees are Milwaukee County Circuit Court Judge **William S. Pocan**. Pocan has served on the circuit court since his appointment in 2006. He is a member of the Planning and Policy Advisory Committee (PPAC), the Wisconsin Trial Judges Association Board of Directors, and the Thomas E. Fairchild American Inns of Court. He has served on a variety of committees for the court system and the State Bar of Wisconsin, among other organizations.



Judge William S. Pocan

According to the press release, two other names have been submitted by Baldwin and Johnson, including private Atty. **Beth J. Kushner** and Chief Judge **Pamela Pepper**, U.S. Bankruptcy Court for the Eastern District of Wisconsin. The three nominees were among those chosen by the Federal Nominating Commission created by Baldwin and Johnson in April 2013.

Some of the couples who showed up at the Milwaukee County Courthouse faced a short delay before saying their vows on Valentine's Day, the *Milwaukee Journal Sentinel* reported. The courthouse entrance was closed by sheriff's deputies after a report of an armed man outside the building.

Once the area was determined to be safe, the courthouse was reopened, and wedding plans went ahead.

According to **Beth Perrigo**, deputy district court administrator for the First Judicial District, 52 couples were married in the courthouse on Feb. 14, up from about 40 couples in 2013.

Director of State Courts **A. John Voelker** was featured prominently in the cover story of the *Wisconsin Law Journal's* March edition under the headline: "State courts director makes push for more money."

The article describes his recently undertaken "1-percent tour" to help create awareness and understanding of the

PEOPLE *continued from page 14*

court system's budget situation, including a requirement to lapse \$11.8 million to the state general fund by the end of the state budget biennium on June 30, 2015.

Voelker already has visited with judges, clerks of circuit court, and the State Bar of Wisconsin's Board of Governors, among others.

"I think what we have to do is have a discussion about what happens, Voelker was quoted as telling the *Law Journal*. "What qualities in your community are affected if the court system isn't strong?"

Also quoted was Chief Judge **Jeffrey A. Kremers**, Milwaukee County Circuit Court, who told the *Law Journal*: "We need to be appropriately funded... To impose these kinds of cuts to the courts is unfortunate and not appropriate."

The *Appleton Post-Crescent* ran an article in its Sunday, March 2 edition entitled, "The Bigger Picture: Court innovation stymied by state budget cuts."

The article quoted Outagamie County Circuit Court Judge **John A. Des Jardins** raising concerns about budget cuts that have resulted in a reduction in the number judicial education offerings available to Wisconsin judges.

Des Jardins explained the importance of judicial educational opportunities and how they can improve the way

courts operate. He cited the recent summit on evidence-based decision making (EBDM) held in Madison as an example.

"In the past, what we relied upon was primarily judges' instincts, knowledge and experience to set bond to assure the person's future appearance in court and the community's safety," Des Jardins was quoted as saying. "But as a result of this seminar, we are trying to implement a new way of handling criminal defendants, and the first step is establishing a different way of setting bonds for offenders based on risk analysis," he told the *Post-Crescent*.

The number of judicial education day offerings through the Office of Judicial Education has dropped 35 percent this year and is expected to remain near that lower level through 2015, the *Post-Crescent* noted.

About a half dozen representatives from Madison-based media outlets and about as many Dane County Circuit Court judges gathered for a court-media roundtable discussion Dec. 19 at the State Law Library in Madison.

The gathering, organized by former Court Information Officer Amanda Todd, provided an opportunity for circuit court judges and members of the media who cover Dane County Circuit Court to discuss areas of mutual interest and concern, including online court records, camera coverage and problem-solving courts.

Fifth Judicial Administrative District Chief Judge **James P. Daley**, Rock County Circuit Court, presided. He discussed firearm surrender protocol and Rock County Veterans Court. Dane County Circuit Court Judge **Juan B. Colás** discussed a reorganization of Dane County's drug court treatment program, which he said is being reorganized to improve effectiveness and broaden access.

Rock County Circuit Court Judge **R. Alan Bates** described how that county's OWI Court is designed to promote public safety through alcohol treatment. ■



Chief Judge Jeffrey A. Kremers



Chief Judge James P. Daley



Judge R. Alan Bates



Judge John A. Des Jardins



Judge Juan B. Colás

Court security conference explores case studies, emphasizes safety

About 200 people representing court staff and law enforcement gathered March 4-6 at Paper Valley Hotel in Appleton for a court security conference entitled *Living and Working Safely in Today's Society*.

Presenters discussed case studies in court security, including the George Zimmerman homicide trial in Florida and a courthouse shooting in Wilmington, Del.

First Judicial District Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, and Deputy District Court Administrator Beth Perrigo presented on collaborative responses and recovery of business operations after a fire and smoke heavily damaged parts of the Milwaukee County Courthouse.

Among other topics discussed: victim/witness protection, prisoner transport, firearms surrender protocol, multiple jurisdiction security planning, collaboration with county government, and incidents related to custody and family trials.

Fox Valley Technical College has become a partner with the court system in helping provide court security education and training for students, court staff and the law enforcement community. ■



Glenn McGovern, senior investigator for the Santa Clara County (Calif.) District Attorney's Office, presents during a session titled "Personal Vulnerability and Target Hardening for the Justice Community" at a court security conference in Appleton on March 5. McGovern discussed ways to help detect and prevent potential attacks on public officials, including judges.

Oral arguments draw interest

An overflow crowd visited the Capitol on Feb. 25 to hear oral argument before the Supreme Court in two cases challenging voter photo identification laws.

A fourth-floor hearing room was opened to accommodate visitors who were not able to fit into the Supreme Court hearing room, and a second-floor hearing room was made available to accommodate overflow media and distribution of the news pool video feed.

Both involved cases challenges to the validity of 2011 Act 23's photo identification requirements under the Wisconsin Constitution.



Chief Justice

Shirley S. Abrahamson

Director of State Courts

A. John Voelker

Editor

Tom Sheehan

Associate Editor

Sara Foster

Contributing Writers

Bridget Bauman

Patrick Brummond

Jon Bellows

Carmel Capati

Sara Foster

Bonnie MacRitchie

Sharon Millermon

Tom Sheehan

Julie Tessmer

John Voelker

Lisa Winkler

Editorial Advisor

Hon. Michael J. Rosborough

Vernon County Circuit Court

Graphic Design/Layout

Sara Foster

The Third Branch is a quarterly publication of the Director of State Courts Office, providing news of interest to the Wisconsin court system.

Send questions, comments, and article ideas to:

Tom Sheehan

Court Information Officer

P.O. Box 1688

Madison, WI 53701-1688

phone

(608) 261-6640

e-mail

tom.sheehan@wicourts.gov

fax

(608) 267-0980

Legal information vs. legal advice by court staff

By Sharon Millermon, Barron County Clerk of Circuit Court

Editor's note: *Court officials in Barron and Eau Claire counties have written nearly two dozen public education columns for local newspapers since launching the "Community Communications" outreach project in 2012. The program was developed after Barron County Circuit Court Judge James C. Babler, Clerk of Circuit Court Sharon Millermon and Eau Claire County Clerk of Circuit Court Kristina Aschenbrenner attended*

Improving Rural Courts: A Network Approach in Napa, Calif., Oct. 23-26, 2011. This article was distributed for publication during February 2014. Previous columns are posted on CourtNet under Publications and Manuals and the Courts Connecting with Communities heading.

Throughout the state, more individuals are coming to court offices without an attorney. Court staff have an obligation to explain court procedures to court users and are expected to provide the best customer service possible for all individuals to have access to justice without giving legal advice.

Court staff may not provide legal advice for the following three reasons:

- **Neutrality:** Staff cannot suggest a particular course of action. If they were to do so, court staff would risk favoring one party over the other.
- **Impartiality:** Court staff may not provide or withhold assistance for the purpose of giving one party an advantage over another.
- **Unauthorized Practice of Law:** Laws prohibit the unauthorized practice of law. Only attorneys licensed by the state are permitted to practice law and give legal advice.

Wisconsin Supreme Court Rule 70.41 sets forth the dos and don'ts, but the line between legal information and legal advice is not always clear for court staff. Please note the examples below indicate what court staff **shall** provide and also what court staff **may not** provide:

- Court staff **shall** provide general procedural information, but **may not** provide specific procedural advice. Court staff cannot advise an individual to take a specific course of action. Court staff cannot answer the question, "What would you do?" Court staff cannot advise whom to

file an action against, the amount to claim or to appeal a judge's decision. Court staff may not predict the outcome of a case, strategy or action.

- Court staff **shall** provide definitions of legal terms, but court staff **may not** discuss if, how, or why a term relates to an individual's particular situation.

- Court staff **shall** provide information on where to find statutes, but **may not** provide advice on statutory relevance or conduct legal research. Court staff may not advise whether a particular statute is applicable or interpret the statute and apply it to an individual's case.

- Court staff **shall** provide county and state approved forms and instructions, but **may not** fill out the form (unless assisting someone who is disabled) or recommend information to be included or how it should be stated.

- Court staff **shall** provide information about court deadlines, but **may not** calculate court deadlines. Court staff may inform an individual that an Answer in a civil action must be filed within 20 days, but cannot indicate a specific date on which it is due.

- Court staff **shall** provide general referrals to lawyer referral service phone numbers or other resources known to staff, but **may not** provide specific or biased referrals to a specific attorney based on the facts of a particular case.

Court staff must also guard against ex parte communication (only one side is present). Neither parties nor attorneys may communicate with a judge without the other side present. Often individuals will request to speak to a judge individually believing if the judge only heard what they had to say, the judge could solve the problem/issue immediately. The judge can see a party only at a hearing or trial when the other side is also present.

Individuals who come to the courts seeking legal assistance can be assured court staff will do the best job possible in providing legal information, but not legal advice. ■

For more information, the Director of State Courts Office has published a guide for court staff entitled, [Legal Information vs. Legal Advice](#).