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a publication of the Wisconsin Judiciary

The Third Branch



Eight new judgeships created

By Nancy M. Rottier, Legislative Liaison

For the first time in nearly 10 years, the Legislature has created new circuit court branches. Eight new judgeships will be created over the next three years, with five of the judges to be elected at the April 1, 2008 election.

The five counties with 2008 startup dates are: Barron, Chippewa, Dodge, Juneau, and St. Croix. Judgeships will start in Green and Kenosha counties in 2009 and in Monroe County in 2010. All new judges will take office on August 1 of the year elected.

Responding to the Judicial Needs Assessment performed by the National Center for State Courts that showed a need for 18 new judges, the director of state courts put forward legislation to create seven new judgeships. The Legislature responded by overwhelmingly approving legislation creating the new judgeships. Judgeships for Juneau and Kenosha counties were included in the state budget, 2007 WI Act 20. The state Assembly passed Assembly Bill 393 that provided the other six judgeships by a vote of 94-2. The Senate followed two days later, approving AB 393 by a vote of 25-7. That legislation became 2007 WI Act 28, effective on November 14.

Sen. Lena Taylor (D-Milwaukee) and Rep. Garey Bies (R-Sister Bay) were the lead authors of the companion bills. Taylor chairs the Senate Committee on Judiciary, Corrections and Housing; Bies chairs the Assembly Committee on Corrections and Courts. Taylor held public hearings in Eau Claire, Mauston, Fond du Lac, and Madison on the Senate version, allowing more input from

judges and county personnel in the affected counties. Bies held a public hearing in Madison, and his committee unanimously recommended the bill for passage. In addition, the bill required approval from the Legislature's Joint Committee on Finance; that committee voted 15-1 in favor of the bill.

This strong commitment of the committee chairs, along with the backing of the Legislature's leadership, were important factors in the swift action taken by the Legislature this fall. In addition, many legislators commended the Director's office for the objective and comprehensive analysis of the Judicial Needs Assessment Study.

Local contacts also played a significant role in this successful effort. Judges in the counties affected by the bill maintained effective communications with their local legislators and with local officials. Numerous contacts were made by these judges throughout the process, leading to strong support from legislators in the counties included in the bill. County support has been a crucial element in deciding to include a county in the request for additional judgeships, and it proved important in this legislative effort.

No judgeships have been created since the year 2000 when a single judgeship was added in Waupaca County. The last comprehensive legislation to address the need for judgeships was 1997 Act 203, which created six branches that commenced operating on August 1, 1999. ■

RETIREMENTS

Judiciary loses nearly 120 years' experience with five retirements

Five longtime judges will retire in December, January, and February, taking with them decades of experience that will be impossible to replace. Also stepping down is longtime District Court Administrator Gregg Moore, who has served for 24 years. Some of the retirees provided thoughts on their careers and plans for the future (*see sidebar*). The retirees are:

District II Wisconsin Court of Appeals Judge Neal P. Nettesheim, who was first appointed in 1983, and who has been elected four times since then. Nettesheim is also deputy chief judge of the Wisconsin Court of Appeals. Nettesheim came to the Court of Appeals from the Waukesha County Circuit Court, where he served for eight years. He will step down effective December 31.



Judge Neal P. Nettesheim (right) was honored by his Court of Appeals colleagues at a party in November. Here, Chief Judge Richard S. Brown presents Nettesheim with a commendation.

see Retirements on page 8

Director's Column: Budget and judgeship bill demonstrate value of teamwork

In my State of the Director's Office speech at the Judicial Conference in October, I borrowed a quote from Vince Lombardi:

"Individual commitment to a group effort—that is what makes a team work, a company work, a society work, a civilization work."

In our case, I said, that's what makes the court system work.

At the time I had doubts about how successful we'd be in pursuit of some of our goals regarding the timely passage of the judgeship bill and the state budget. I have never been so pleased to be wrong. Within a week of the judicial conference, the legislature passed a budget. Within a month of the judicial conference, the governor signed the judgeship bill. As we stand here today, it is another Lombardi quote that describes our recent efforts with the Legislature.

People who work together will win, whether it be against complex football defenses, or the problems of modern society.

We had a number of victories during the recent legislative session, thanks to teamwork -- the Chief Justice and my office working together with the Voluntary Trial Judges Association, circuit court judges, individual legislators, legislative staff, and the Governor and his staff. Without any one of these, we may have not been successful in adding eight judges in the state. Without any one of these, we may have not been successful in having some problematic provisions stricken from the budget. Without any of these, we may have not gotten a number of new positions to address critical issues facing the court system.

Between the budget and the judgeship bill, judges will be added to the following counties in the coming years:

- 2008 Dodge, St. Croix, Chippewa, Barron, and Juneau



A. John Voelker

- 2009 Green and Kenosha
- 2010 Monroe

While the judgeship bill culminated with a flurry of recent activity, the team effort on this issue started a few years ago. In light of the fact that the weighted caseload study was dated, the Committee of Chief Judges made a valiant effort to update the information and ultimately recommended that my office contract with a consultant to complete the complex analysis necessary to update the methodology.

In October 2005, 240 judges made a critical difference by participating in one of the most comprehensive judicial time studies ever completed.

Throughout our discussions with legislators, it was clear they appreciated the fact that we took the time to do a comprehensive, objective analysis. This could not have been done without circuit court judges working together with my office.

In recent weeks, circuit court judges also did an excellent job of talking with their local legislators. These discussions, followed by communication with my office about the political landscape, allowed us to develop a convincing message for legislators.

The judgeship bill and the budget are just the latest in a series of examples that makes me more convinced than ever that a coordinated grassroots approach provides us with the best chance for success when working with the Legislature.

Now that these most recent challenges are behind us, it is time to turn to other issues, including judicial compensation. As is evident by my speech at the judicial conference, I am not very good at predicting what the Legislature might do on any given day. What I do know is that as we put forth legislation or react to proposed legislation I will likely need your help to be successful.

I look forward to working together with all of you. I agree with Mr. Lombardi - it is a winning approach. And it's working for us. ■

Crime prevention organizations repeal advances

Legislation to repeal a sentencing court's authority to order contributions to crime prevention organizations (CPOs) passed the Assembly on October 30.

Assembly Bill 472, co-sponsored by Rep. Sheryl Albers (R-Reedsburg) and Sen. Dave Hansen (D-Green Bay), passed on a voice vote and was sent to the Senate. It has been referred to the Senate Committee on Judiciary, Corrections and Housing.

At a public hearing on October 18, Judge Gary Carlson spoke in favor of the bill on behalf of the Committee of Chief Judges. Carlson noted the chief judges studied the issue extensively in 2004 and concluded the problem with crime prevention organization (CPO) assessments is the nature of the process. The most appropriate public policy to recommend, they said, was to request that these assessments be eliminated.

The chief judges emphasized that this legislation should not be viewed as a judgment about the work or worth of CPOs, but rather as a statement of the appropriate role for the trial judge. Most judges feel collecting money for non-court organizations is not the proper role for a court, regardless of the value of the organization, Carlson noted. Judges have found themselves subject to lobbying by various groups seeking funding, and that is of significant concern.

In addition to eliminating CPO authority for judges, AB 472 contains a prohibition against district attorneys basing their prosecution decisions on payments to organizations or agencies. Both provisions of AB 472 are designed to prevent a public perception that defendants could buy their way out of either more serious charges or more serious sentences. ■

Biennial budget is enacted

By Deborah Brescoll, budget and policy officer

After months of partisan debate, Governor Jim Doyle signed the 2007-09 biennial budget bill into law on October 26. Except where otherwise provided, 2007 Act 20 became effective the next day. It covers state spending from July 1, 2007 through June 30, 2009.

Because of the Governor's personal involvement in the final budget negotiations, compared to previous budgets there were relatively few partial vetoes. The Legislature may override any veto with a two-thirds vote of members present in both houses; however, a budget veto override has not been adopted since the 1980s.

Court employees have received a detailed summary of the budget act. Here is an overview of the court provisions in Act 20:

- Require the court to appoint interpreters when needed in all cases at public expense. Authorize state reimbursement to counties for interpreters provided to non-indigent parties.
- Create two additional judgeships: one in Juneau County effective August 1, 2008 and one in Kenosha County effective August 1, 2009.
- Authorize the director of state courts to institute a standardized program for the reporting and auditing of annual county court costs

and revenues. Require counties to adhere to a uniform chart of accounts when recording court financial transactions. Provide a two-year auditor position for program implementation.

- Provide a justice initiatives coordinator position to work with counties, circuit courts and other justice providers to implement multiple initiatives relating to assistance to self-represented litigants, alternatives to incarceration and alcohol and drug abuse programming.
- Provide state match funding and a training coordinator position to allow the Supreme Court to apply for additional federal grant dollars under the federal Children's Court Improvement Program, an initiative designed to improve the handling of child abuse and neglect cases in the court system.
- Provide one-time funding to design a multimedia courthouse safety training program to be shared, using the Internet, with counties and employees who work in courthouses around the state.
- Authorize the director of state courts to establish and charge fees for electronic filing of court documents. ■

Conference brings together judges, legislators



Legislators including Rep. Donald Friske, R-Merrill, and Rep. Mark Pocan, D-Madison, along with Deputy Attorney General Raymond Taffora and Milwaukee County District Atty. John Chisholm, joined Milwaukee County Circuit Court Judge Carl Ashley and Chief Justice Shirley S. Abrahamson for a panel discussion at a recent legislative-judicial symposium. The symposium included discussion of challenges facing the criminal justice system and emerging strategies for reducing recidivism, improving public safety, and providing cost-effective alternatives to incarceration.

Statutory changes ensure equal access to justice for non-English speakers

By Carmel Capati, Interpreter Program manager

While the 2007-09 state budget may have been overdue by four months, the Committee to Improve Interpretation and Translation in the Wisconsin Courts has been waiting almost eight years to change the law governing how courts provide interpreters.

Within the Governor's budget bill, Wis. Stat. 885.38 was amended to require circuit courts to appoint spoken language interpreters at public expense in any kind of case once the court makes a determination the person has limited English proficiency. In the past, courts were only required to appoint interpreters for criminal, juvenile, CHIPS, guardianship, and commitment cases. Appointment of interpreters in other cases was inconsistent and resulted in unqualified family members or friends acting as interpreters and general confusion as to whose responsibility it was to provide interpreters in civil cases. The greatest impact of change is expected to be in family, traffic, and small claims cases.

This statutory modification is both a necessary response to the rapid demographic changes of this state and a testament to the tenacity of Chief Justice Shirley S. Abrahamson and members of the Interpretation Committee, chaired by Judge Elsa C. Lamelas from 1999-2006. For the past four budget cycles, these statutory changes were included in the courts' budget request. This goal was a joint effort supported by judges, court commissioners, clerks of court, district attorneys, public defenders, law enforcement officers, district court administrators, domestic violence advocates, legal aid attorneys, victim/witness staff, community activists, county boards, and interpreters around the state. All these individuals provided written and oral testimony to members of the joint finance committee to help them understand the reliance on quality interpretation services in the courts.

A role reversal

To emphasize the language barriers non-English families face in court, a creative approach was used at a public hearing in Rhinelander by Judge Gary Carlson (Taylor County), Clerk of Court Diane Sennholz (Marathon County), and certified Spanish interpreter Saul Arteaga. The three engaged members of the joint finance committee in a brief

courtroom scenario in which Arteaga played the role of a judge. Carlson directed the committee to envision themselves traveling in a Spanish-speaking country where they found themselves in the unfortunate position of being in a courtroom as a party—perhaps, because of a speeding ticket, a crime, or an issue with a hotel.

Joint finance committee members were introduced to *Juez Arteaga* (Judge Arteaga), who called the case, explained the nature of the proceeding, stated appearances, and performed other routine matters judges initially do to begin a case—in Spanish. Judge Carlson said committee members stared back open-mouthed unable to understand a word. After about a minute of Arteaga's rendition, Judge Carlson interrupted him and told members this scenario was exactly the situation many people in our courts are faced with every day, whether they are Hispanic, Hmong, or Chinese. Two committee members later told Carlson it was an impressive display of real-world implications, since the things people talk about at hearings don't always translate (pun intended) effectively to legislators.

Good news for counties...

The new law regarding interpreters went into effect October 27. The provision allowing the court to appoint an interpreter at public expense regardless of indigency is good news for counties, which will now receive state reimbursement for more interpreter expenses. The ability for counties to receive reimbursement for all cases, not just indigent cases, is a huge step forward for courts because it relieves pressure on judges within the counties to order the county to pay.

...and for judges

The Committee to Improve Interpretation and Translation is now under the leadership of Judge Ralph M. Ramirez of Waukesha County, replacing outgoing Chief Judge Richard S. Brown who presided over his last committee meeting in October. Brown called this change in the law a fantastic "going away" present for him and "icing on the cake for all past committee members who hoped that this day would finally arrive." ■

Records Management Committee approves massive overhaul of forms

About 100 forms have been drafted and approved by the Records Management Committee in response to three new laws that required a massive overhaul of the forms used in guardianship proceedings.

Leading this effort is the Registers in Probate (RIP) Association, which formed a guardianship forms subcommittee to review existing forms and draft new forms. The subcommittee is continuing to draft a handful of additional required forms.

The core members of the guardianship forms subcommittee are Robert Knoll (retired RIP from Milwaukee County), Pat Koppa (RIP and court commissioner, Manitowoc County), Sally Lunde (RIP, Waukesha County), Ellen Henningsen (Coalition of Wisconsin Aging Groups) and Terri Borrud (forms officer, Office of Court Operations). ■



The Records Management Committee (RMC) Forms Subcommittee includes (front row, l-r): Vicky Daniels, CCAP; Manitowoc County Register in Probate/Court Commissioner Patricia Koppa; Dane County Court Manager/Juvenile Clerk Vicki Gilbertson; Judge Shelley Gaylord, Dane County Circuit Court. (Back row, l-r): Judge Edward F. Vlack III, St. Croix County Circuit Court; Clerk of Circuit Court Diane Fremgen, Winnebago County; Assistant District Atty. Ruth Kressel, Oneida County; Forms Officer Terri Borrud, Director of State Courts Office; Clerk of Circuit Court Kris Deiss, Washington County; District Court Administrator Kerry Connelly; Judge Kevin Martens, Milwaukee County Circuit Court; Judge James Kieffer, Waukesha County Circuit Court (RMC chair).

State budget restores Wisconsin Judicial Council

Attorney staff position and separate agency status approved

By Judge Edward E. Leineweber, Richland County Circuit Court

Some things are worth waiting for, even when they are 12 years in coming. That's how present and past members of the Wisconsin Judicial Council feel about provisions in the new state budget that re-create the Judicial Council as a separate state agency, no longer attached to the Judicial Commission. The Judicial Council lost its staff positions and separate agency status in 1995.

Originally created by the Legislature in 1951, the Judicial Council is a 21-member body with representatives from all three branches of government. It is charged with fostering fairness and efficiency in the courts of Wisconsin by monitoring and suggesting changes in the rules of practice and procedure. The Judicial Council traces its roots to a 1913 special commission headed by Chief Justice John Winslow created to study the reorganization of Wisconsin courts, which was followed in 1929 by the Advisory Committee on Rules of Pleading, Practice and Procedure.

Since its organization 56 years ago, the Judicial Council has played a prominent role in many court-related reforms and code enactments, including the 1969 Criminal Procedure Code, the 1974 Rules of Evidence, the 1976 Rules of Civil Procedure and the 1978 Rules of Appellate Procedure. Even since its loss of funding, the Judicial Council has continued to function with the voluntary support of its members and the gracious help of the Judicial Commission staff, including Executive Director James Alexander.

The story of the restoration of the Judicial Council is one of persistent effort and cooperation. Leading the charge were former Judicial Council member Justice David T. Prosser Jr., current member Justice Ann Walsh Bradley, and current member Sen. Lena Taylor. Taylor and Rep. Scott Suder, both members of the Joint Committee on Finance, worked toward approval of the necessary budget provisions for the Judicial Council, which passed with a remarkable 16-0 vote. One reporter observing the often-contentious Joint Finance Committee proceedings said of the restoration vote: "You had to be there to believe it."

Activities are now underway to implement the Judicial Council restoration, including recruiting the staff attorney who will act as executive director, finding office space, and transferring operations from the offices of the Judicial Commission. After a prolonged period of difficulty, the Judicial Council is poised to enter a new era of energetic contributions to the courts and people of Wisconsin. ■

Judge Edward E. Leineweber is one of the Judicial Council's six judges-members. The others are Justice Ann Walsh Bradley; District I Court of Appeals Judge Ted E. Wedemeyer Jr.; and Circuit Court Judges Michael J. Gableman, Burnett County, Mary K. Wagner, Kenosha County, and Maxine A. White, Milwaukee County.



Judicial Council Chair Marla Stephens briefs council members on the many tasks that lie ahead.



Twelve years after losing its status as a separate agency, the Wisconsin Judicial Council has been restored.

NEW FACES

Washington man is new District 6 DCA

Ron Ledford is the new District Six court administrator. Ledford brings to the job a solid knowledge of the court system and 27 years of court management experience in small and large counties. He has served as a clerk of court and court administrator in several states including Texas, Illinois and Iowa. Most recently, he worked for the State of Washington court system.

Ledford joined District Six on October 15. He is based in Stevens Point and is responsible for administration of the courts in Adams, Clark, Columbia, Dodge, Green Lake, Juneau, Marquette, Portage, Sauk, Waushara, and Wood counties. He replaces Susan Byrnes, who now serves in District Nine.

North Carolina man joins Children's Court Initiative

Atty. John Strange will be joining the court system on December 3 as a coordinator for the Children's Court Improvement Program. He will conduct court file reviews, focus groups, and court observations as part of the Children's Court Initiative with fellow coordinator Bridget Bauman.

Strange is an Indiana native who has spent the last two years prosecuting child abuse, neglect, and dependency cases in Wake County, North Carolina. He and his wife, Meredith, and infant son relocated to Madison in October.

New, simpler small claims forms now available

By Ann Zimmerman, *pro se coordinator*

Another key step toward ensuring access to justice for people who do not have lawyers has been reached with the release of a new package of statewide *pro se* small claims forms. The forms are available at <http://wicourts.gov/forms1/circuit.htm#small>.

In addition to developing more than 15 new forms, such as a Stipulation and Order for Dismissal and an Answer and Counter Claim, the *Pro Se* Small Claims Task Force reviewed content and added instructions to the existing small claims forms to make them more user friendly. As with the statewide family law forms, the small claims forms will be available online and in hard copy, and are being developed with the assistance of the Consolidated Court Automation Programs (CCAP). An interactive forms completion program is also in the works and should become available in 2008. Each county will enable the forms program after the local clerk of courts has tailored the directions that accompany the forms to reflect count-specific procedures.

A new *Basic Guide to Wisconsin Small Claims Actions* will replace the existing *Wisconsin Guide to Small Claims Court*. The new guide features a simple question and answer format, pre- and post-judgment flow charts, and references to the new forms and instructional materials developed by the committee. The 10 other instructional guides – most of which may be tailored to reflect individual county practices, consist of both pre- and post-judgment materials.

This project is one of the latest in a series of steps the court system has taken to improve access to the courts for people who are representing themselves. Another step recently taken includes the launching of a public library initiative, the goal of which is to foster communication between local courts and public libraries in an effort to better serve the legal service needs of self-represented litigants. This program has taken place in the 9th and 10th judicial districts, with additional plans for its launch in the 3rd and 6th districts currently underway.

The nine members of the task force are: Taylor County Circuit Court Judge Gary L. Carlson, St. Croix County Circuit Court Judge Edward F. Vlack III, Dane County Small Claims Court Commissioner Scott McAndrew, Milwaukee County Deputy Chief Clerk of Circuit Court James Smith, Dane County Circuit Court Manager Vicki Gilbertson, Court Operations Policy Analyst Sara Ward, Court Operations Forms Manager Terri Borrud, Consolidated Courts Automation Programs Liaison Angi Semrau, and statewide *Pro Se* Coordinator Ann Zimmerman. ■

10 Basic Steps for Handling a Small Claims Case for RECOVERY OF MONEY (\$5,000 or less)

Any forms mentioned in this basic guide may be obtained from the Clerk of Court or online at <http://www.wicourts.gov/forms1/circuit.htm>.

1. Decide in which county you will file your case. Small Claims cases for recovery of money may be filed in any of three places:

- The county where the claim arose,
- The county where property that is the subject of your claim is located, or
- The county where the defendant (the party you are suing) lives or does business.

2. Fill out a Small Claims Summons and Complaint form. The form (SC-500) has step-by-step instructions on the left side. Once you have filled it out, you should make at least two copies for each party you are suing and a copy for yourself.

3. File the Summons and Complaint. The Summons and Complaint and all copies must be filed and a fee paid to the Clerk of Court in the county where you are filing your case.

Excerpt of the instructions that now accompany small claims forms

Dane County Bar Association, UW Law School team up to offer free legal clinics

By Gail Richardson, *district court administrator*

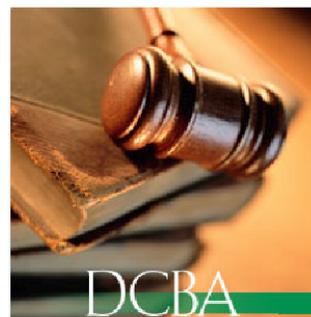
The Dane County Bar Association and the UW Law School continue to develop programs to assist self-represented litigants at the Dane County Courthouse. Recent program expansion means that some form of *pro se* assistance is available every day of the week in Dane County. Here is an update on programs currently in place:

Family Law Assistance Center. Begun in May 2000, the Family Law Assistance Center is staffed by volunteer members of the bar every Wednesday from 11:30 a.m. to 1:30 p.m. Spanish speaking volunteers are available on the first and third Wednesdays of the month. A total of 60 attorneys volunteer to help unrepresented litigants complete forms to bring various custody, placement, and financial issues before the court. Since its inception, the program has assisted approximately 5,000 citizens. Atty. Leslie D. Shear of the UW Law School and Court Commissioner Mary Beth Keppel have led the effort to develop the program.

Small Claims Clinic. This program, sponsored by the Dane County Bar Association, provides volunteer lawyers weekly to help self-represented parties in small claims cases. So far in 2007 approximately 300 parties have been assisted.

Family Court Assistance Project (FCAP). This project assists litigants through the entire family court process by helping them complete their forms and file and serve them correctly. Volunteers also explain to the litigants what they can expect when they go to court for a hearing. The program is staffed by UW law students who work under the supervision of Clinical Associate Professor Marsha M. Mansfield.

Restraining Order Clinic. This clinic is also staffed by UW law students. It is located next to the Probate Office, where litigants must go to obtain their restraining order petitions. The students have been a valuable addition to the process, as they can help petitioners write a concise and understandable petition as well as better prepare for the court proceeding. ■



DCBA DANE COUNTY BAR ASSOCIATION

LEADERSHIP

District 2 launches program to improve traffic and misdemeanor case processing

On a Friday in late September, a diverse group gathered at Gateway Technical College on the shores of Lake Michigan to discuss a topic of pressing concern: removing barriers to the efficient processing of traffic and misdemeanor cases.



Chief Judge Gerald Ptacek

The group included judges, court commissioners, prosecutors, defense attorneys, court staff, a CCAP staff member, and representatives from the Department of Transportation. Presenters included Chief Judge Gerald P. Ptacek, Reserve Judge Emmanuel "Butch" Vuvunas, and district court administrator Kerry Connelly. More than 30 people attended.

Ptacek spoke about the current processing standards for cases, and

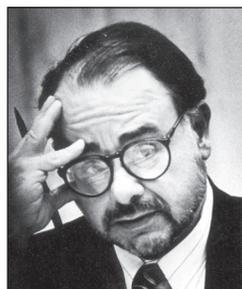
Connelly explained various CCAP management reports. Vuvunas presented tips on case scheduling, setting bond, and jury trials.

More than 30 people attended the program. Following the formal presentations, participants were divided into three groups (clerks, prosecutors/defense attorneys, and judges/court commissioners) to discuss issues and problems related to effective processing of these

cases from their point of view.

Some problem areas identified by the groups included staffing, lack of timely discovery, getting offers early, and scheduling jury trials. After the issues were presented and discussed by the entire group, the participants were divided among groups organized by county to discuss solutions. Solutions included setting pre-charging dates for operating-after-revocation cases, receiving offers earlier in the process, and developing written deferred prosecution agreements.

Participants expressed that they were very satisfied with the outcome of the workshop and suggested that the format be used for other case types. ■



Judge Emmanuel Vuvunas



Kerry Connelly

Meeting explores best practices for meeting special needs of mentally ill and developmentally disabled

Representatives from Waushara County, the state Department of Health and Family Services and the coordinator for the Northeast Region Crisis Grant program met in late October with Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson. The group discussed challenges presented when people with developmental disabilities, mental illness, or chronic substance abuse problems end up in court.

The group, which included Waushara County Circuit Court Judge Guy D. Dutcher, explored best practices for meeting the unique challenges and needs presented by these populations through a collaborative effort involving the criminal justice and social service systems.

Special needs clients often do not have the ability to

comprehend that certain behaviors are, in fact, violations of the law. Many traditional approaches to handling these cases don't take this into account. Matters can be further complicated due to communication issues and varying levels of awareness and understanding about these populations among multiple agencies, law enforcement, and the courts.

On behalf of all counties, the group will continue its efforts to further increase understanding and strengthen collaboration across systems. Ongoing efforts will include educational presentations and forums for continued dialogue among stakeholders and people who use the court system. The group will target information and service gaps and inconsistencies in providing services throughout the state. ■

Adamski celebrates 40 years with courts

Langlade County Clerk of Circuit Court Victoria Adamski celebrated 40 years with the Wisconsin court system in October, earning a surprise party and a front-page article in the *Antigo Daily News*.

Adamski began work at the courthouse on Oct. 15, 1967, at age 21. She was hired by County Court Judge Thomas McDougal to serve as register of probate, a position she held for seven years before she was elected to serve as clerk.

During Adamski's 33 years as clerk of circuit court, she has worked with four judges: County Judge Ralph Strandberg and Circuit Court Judge Gordon Myse prior to court reorganization; Judge James P. Jansen; and current Judge Fred Kawalski, who took office in 2005 following Jansen's death.

Adamski told the newspaper that a substantial increase in caseload is among the changes she has witnessed in her four decades of service. In 1975, the year Adamski took over as clerk, she said, 761 cases were commenced under state warrants and state traffic citations and another 658 involved county and city ordinances. In 2006, she said, there were 3,682 traffic cases and another 606 criminal cases. ■

RIP Association elects new leadership

At its fall meeting, the Wisconsin Registers in Probate Association elected new officers for the 2007-09 term. They are:

- President Mary Lou Mueller, Ozaukee County
- Vice President Kay Stelzner, Chippewa County
- Secretary Amy Franzen, Vilas County
- Treasurer Nancy Dowling, Crawford County

The group also welcomed new registers including:

- Jenni Lemmer, Marathon County
- John Barrett, Milwaukee County
- Diane Bruski, Milwaukee County (deputy register in probate/court manager)
- Julie Kayartz, Columbia County
- Lisa Crouse, Dunn County

RETIREMENTS *continued from page 1*

Dane County Circuit Court Judge **Angela B. Bartell**, who was first appointed to the bench in 1978, and who has been elected five times since then. Bartell began her career as law clerk to U.S. District Court Judge James E. Doyle, father of the current governor. She worked in private practice prior to joining the bench. Bartell is former chief judge of the Fifth Judicial Administrative District, and a former associate dean of the Wisconsin Judicial College.



Judge Angela B. Bartell

Dodge County Circuit Court Judge **Daniel W. Klossner**, who was first elected in 1984, and who has been elected three times since then. Klossner was a court commissioner in Dodge County prior to his election as judge. He is also former chair of the Board of Bar Examiners. He will step down effective Feb. 12, 2008.

Rock County Circuit Court Judge **John W. Roethe**, who was first

appointed to the bench in 1996, and who has been elected twice since then. Roethe came to the bench after a nearly 30-year career in private law practice. During his judicial career, he served as a member of the Civil Jury Instruction Committee. His retirement is effective December 31.

Taylor County Circuit Court Judge **Gary L. Carlson**, who was first elected to the bench in 1980, and who has been elected four times since then. Carlson is also deputy chief judge in the Ninth Judicial Administrative District, and is former chief judge of the district. He is well known for his work to improve how the Wisconsin court system works with self-represented litigants. His retirement is effective Jan. 2, 2008.

District 10 Court Administrator **Gregg M. Moore**, who began his career with the Wisconsin court system in January 1984 after working as a court administrator in Pennsylvania for seven years, plans to step down effective Feb. 18, 2008. During his tenure, Moore served on numerous committees including the CCAP Steering Committee and PPAC. He also played a leadership role on initiatives to improve services to self-represented litigants, and recently won the *Wisconsin Law Journal* 'Unsung Hero' award.

Retirees comment on careers, concerns, plans for future

Five of the six soon-to-be-retirees submitted written responses to questions posed by The Third Branch. Here are thoughts on the system, career highlights, and future endeavors:

Court of Appeals Judge Neal P. Nettlesheim

TB: During your years on the bench, what accomplishment made you most proud?

I am most proud of my work in judicial education, particularly the revamping of the Wisconsin Judicial College during my years as dean of the College from 1987-1993. However, much of the credit also goes to a very able staff of associate deans and to Dave Hass and the Office of Judicial Education. We transformed an outmoded and outdated institution into a vibrant and meaningful educational event by having the attending judges actively participate in the

College presentations. In effect, the judges function as both teachers and students.

TB: What goal had you hoped to achieve, but did not?

I fear that the judiciary is losing, or forfeiting, its constitutional status as a separate, equal and independent branch of government. I wished that I had done more to promote judicial independence and to combat the politicizing of the judiciary. Perhaps that something I can more comfortably speak to in retirement.

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Retirements *continued from page 8*

TB: What are your plans for retirement?

I plan to do some consulting work with attorneys who are prosecuting or defending appeals. I have seen too many cases in which appellants could have made better choices about selecting and prioritizing issues, and respondents could have made better choices in how to respond. As an appellate judge for 24 years, I know the keys to likely success on appeal from both a briefing and oral argument perspective. I think appellate attorneys might benefit from that experience. I also have been approached about doing some reserve judge work, and I look forward to getting back into my trial judge mode.

TB: Anything else to add?

Just a big thank you to all of my colleagues and staff from both my trial judge and appellate judge days.

Dodge County Circuit Court Judge Daniel Klossner

TB: During your years on the bench, what accomplishment has made you most proud?

I think the biggest accomplishment of the court system since I have taken office is the computerization of the courtroom, the clerk of courts staff and my office and staff offices.

TB: What goal had you hoped to achieve, but did not?

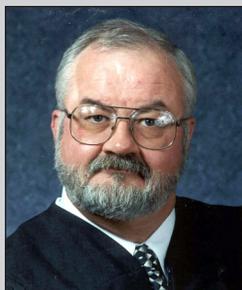
I think getting the fourth judge for our county is something that's been needed for at least 8 years and has finally happened.

TB: What are your plans for retirement?

I plan on traveling, fishing, hunting and cooking more than I have the last number of years.

TB: Anything else you would like to add?

I still hope I am able to serve the citizens of the state by doing some reserve judge work. I am going to miss the daily interaction with the court staff and attorneys. It's something that I've always enjoyed.



Judge Daniel W. Klossner

Rock County Circuit Court Judge John W. Roethe

TB: During your years in office, what accomplishment has made you most proud?

In my tenure, I tried to treat all litigants with courtesy and respect. In doing this, I was treated with courtesy and respect by the litigants. I also tried to



Judge John W. Roethe

establish and maintain an atmosphere of civility in my courtroom, and tried to expedite the handling of cases. I made decisions in a timely manner.

I also tried to be very respectful of citizens serving on juries in my court. I developed procedures for handling evidentiary and procedural matters at times when the jury was not sitting in the jury room to minimize the use of their time.

I participated in the start-up of the drug court in Rock County. I am a believer in attempting to treat addictive behavior and the progress that many participants made was very gratifying to me. I enjoyed my interactions with them during our weekly sessions.

TB: What goal had you hoped to achieve, but did not?

I was given responsibility for developing and implementing a videoconferencing system in Rock County. We now have a state-of-the-art system but rules and procedures for the use of that system, particularly in criminal matters, have not kept pace with the technology. Great cost savings can be achieved by the use of videoconferencing if these systems are used to their best potential.

TB: What are your plans for retirement?

I plan to spend time with my grandchildren, enjoy life and do some dispute resolution.

Taylor County Circuit Court Judge Gary L. Carlson

TB: During your years in office, what accomplishment has made you most proud?

Makes me proud? Give me a break. I'm just lucky somebody in Madison kept sending me a check every two weeks. I've always suffered from that "imposter syndrome" in this job.

TB: What goal had you hoped to achieve, but did not?

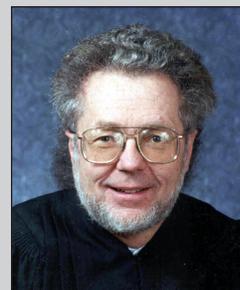
Goals undone? Since I never had any goals to begin with I can't possibly have anything to regret not doing.

TB: What are your plans for retirement?

Chase fish and play with my model trains.

TB: Anything else you would like to add?

So long, and thanks for all the fish. (Only a Douglas Adams fan will understand that).



Judge Gary L. Carlson

AWARDS

Chief Justice receives WCA's highest honor

In October, Chief Justice Shirley S. Abrahamson was awarded the 2007 Wisconsin Counties Association (WCA) Friend of County Government Award, the association's highest honor.

The award is given to an individual who has performed exemplary service on behalf of Wisconsin's 72 counties. Abrahamson was honored October 8 at the WCA Annual Conference in Sauk County.

"Chief Justice Abrahamson has been a long-time supporter of Wisconsin counties and her open door policy for county officials has resulted in a strong and effective relationship with our judicial branch," said WCA Executive Director Mark D. O'Connell. "She understands the integral relationship between the courts and counties, with a vision and commitment that is unparalleled in this state."

O'Connell cited the state budget proposed by the court and put forward by the Governor, which included increased funding for interpreter reimbursement and circuit court support payments, a standardization of county reporting of court costs and revenues, funding for a justice initiatives coordinator position, and funding to institute a courthouse safety training program. He also cited

see AWARDS on page 11

OBITUARY

**Judge
Laurence C. Gram**

*Reserve judge, 1999-2007
Milwaukee County Circuit Court,
1974-99
Died Aug. 29, 2007, age 75*



Judge Laurence C. Gram

Milwaukee jury service celebration is model for state

A first-ever program to recognize the service of jurors in Milwaukee County was a hit, and will soon be written up as a model for the state.

The Milwaukee program, called 'It was fair, I was there,' was spearheaded by the Office of the Chief Judge and the Office of the Clerk of Circuit Court, in cooperation with the Milwaukee County Board. The County Board issued a resolution declaring October 'Juror Appreciation Month' and a press conference was held to kick off the celebration.

Speakers at the press conference – including several people who served on jury duty in 2007, Chief Judge Kitty K. Brennan, Clerk of Circuit Court John Barrett, and others – emphasized the importance of responding to jury summonses and publicly thanked employers who have continued to pay their employees while the employees are

serving jury duty.

In support of the effort, Deputy District Court Administrator Beth Bishop Perrigo organized the press conference and Jury Services Coordinator Lori Watson Schumann led the effort to create a variety of handouts, pins, banners, and other materials, and organized special opportunities for jurors to win passes to the zoo, local museums, and other venues.

Plans are now being formulated to help other counties replicate this successful effort. The Chief Judges Subcommittee on Juror Treatment and Selection will discuss at its November meeting developing a statewide plan based upon the Milwaukee County model, with District Court Administrator Gail Richardson taking the lead. In addition, Lori Watson Schumann is scheduled to speak at the February 2008 Clerks of Circuit Court Institute about the program. ■



Chief Judge Kitty K. Brennan speaks at a press conference recognizing Milwaukee County jurors. Numerous media outlets covered the event.

AWARDS *continued from page 10*

the Chief's leadership on development of effective justice strategies.

"The work of Chief Justice Abrahamson can be felt in every single county in our state," O'Connell said. "We are honored and proud to name her as the 2007 Friend of County Government and look forward to continuing our work with both her and the Court to impact the direction of Wisconsin."

Butler inducted into BTN Hall of Fame

On October 27, Justice Louis B. Butler Jr. was inducted into the UW Badgers 'Then and Now' (BTN) Hall of Fame at a ceremony at the Monona Terrace Convention Center.

BTN is an organization of African-American UW alumni. The Hall of Fame was established to recognize alumni who have achieved outstanding success.

Butler was among 10 inductees this year.

Ramirez is Justinian 'Jurist of the Year'

The Wisconsin Justinian Society of Lawyers – an affiliate of the National Italian American Bar Association – honored Judge Ralph M. Ramirez as 'Jurist of the Year.'

Ramirez, who has served as a judge in Waukesha County since 1999, is known for taking an active part in judicial education and chairs the Committee to Improve Interpretation and Translation in the Wisconsin Courts.

Recent past winners include Milwaukee County Circuit Court Judge John DiMotto (2005), Court of Appeals Judge Richard S. Brown (2004), and Judge Michael P. Sullivan (2003), who served as chief judge in Milwaukee County prior to his 2006 retirement.



Celebrating the Justinian Society's 2007 Jurist of the Year are, from left, Renee Ramirez, Judge Ralph Ramirez (the honoree), Atty. Dominic Frinzi, and the judge's mother, Margarita Ramirez.



Chief Justice Shirley S. Abrahamson accepts the 2007 'Friend of County Government' Award from the Wisconsin Counties Association. Nearly 1,000 county officials from across the state were in attendance at the award ceremony.



Justice Louis B. Butler Jr.

Witkowiak is 'Polish-American of the Year'

On October 14, Judge Timothy M. Witkowiak, Milwaukee County Circuit Court, was honored by the Milwaukee Society of the Polish National Alliance as the Polish-American of the year.



Judge Timothy M. Witkowiak

The event was the 61st annual Pulaski Day Banquet held at the Polish Heritage Center in Franklin. He is the third generation of his family to have received the award, following in the footsteps of his father Ronald Witkowiak who is the former District One court administrator.

The judge was recognized for his work in civic, religious, and cultural organizations over a period of many years. He is currently president of the Board of the United Ethnic Festivals in Milwaukee and previously served as president of the Polish Heritage Alliance.



Judges Gerald P. Ptacek, Edward Brunner, and Benjamin Proctor join 'Unsung Hero' Gregg Moore and Wisconsin Law Journal Editor Tony Anderson at the awards banquet in Milwaukee.

Court employees are 'Unsung Heroes'

Seven court system employees were among several dozen honorees celebrated at a *Wisconsin Law Journal* event honoring the legal community's 'unsung heroes' in November.

The winner in the Court Staff category was District Court Administrator Gregg Moore, who is retiring after 24 years with the courts (*see separate story*). In honoring Moore, the Law Journal shared a quote from Chief Judge Benjamin Proctor, who wrote:

I have worked with Gregg Moore for approximately 20 years. He is absolutely indispensable ... he is one of the finest human beings that I have ever met. His knowledge of the courts' technical support system is unmatched. He is known statewide (and nationally, for that matter), for his ability to teach all levels of court personnel regarding their tech responsibilities. He has a great ability to develop protocols and working documents for his Chief Judge on a moment's notice.

The other court honorees were Catherine Bates, Henrietta Jackson, Carol A. Lee, and Dyan Richter, who are all deputy clerks of court in the Milwaukee County Circuit Court; Elizabeth Simons, who serves as judicial assistant to Justice N. Patrick Crooks; and Tammy Vuencic of Barron County Circuit Court. ■



Elizabeth Simons

Fall
2007

Wisconsin team will adapt Harvard model for local courts

Court and judicial leaders are faced every day with the consequences of the flood of self-represented litigants in their courthouses. To help the courts respond to this increasing demand, Chief Justice Shirley S. Abrahamson this fall selected four judges to take part in the *National Judicial Conference on Leadership, Education and Courtroom Best Practices in Self Represented Litigation* at Harvard Law School.

Participating in the program were Judges Michael Dwyer, Milwaukee County; Barbara Kluka, Kenosha County; Robert Mawdsley, Waukesha County; and Edward Vlack, St. Croix County. Also participating was statewide *pro se* coordinator Ann Zimmerman, an attorney who works as special assistant to the Chief Justice.

A model curriculum and resource materials were presented at the conference for use in future education programs for judges, including a bench guide for judicial officers on effectively handling cases with self-represented litigants.

The Wisconsin judges, who each presented two aspects of the model curriculum to fellow judges from 34 other states, will now help to adapt and further develop the materials, as well as teach them, at judicial education programs in Wisconsin.

“Implementing changes such as those suggested in the conference



The Wisconsin team at Harvard Law School: From left to right, Judges Barbara A. Kluka, Kenosha County, Robert G. Mawdsley, Waukesha County, Michael J. Dwyer, Milwaukee County, and Edward F. Vlack III, St. Croix County; and Atty. Ann Zimmerman, statewide pro se coordinator.

materials will benefit judges, court staff, attorneys and represented and self-represented litigants and improve public trust and confidence in the courts,” Abrahamson said.

The State Justice Institute awarded scholarships to the four judges to attend the conference. ■

WISCONSIN CONNECTS

OLR lawyer speaks in San Francisco

Litigation Counsel Bill Weigel of the Supreme Court’s Office of Lawyer Regulation presented a plenary program concerning lawyers’ use of deception entitled, “Liar, Liar, Pants on Fire” at a meeting of the American Bar Association and National Organization of Bar Counsel (NOBC) in San Francisco.

Weigel serves as an officer on NOBC’s Board and liaison to the ABA’s Standing Committee on Ethics and Professional Responsibility; he is also municipal judge for the City of Verona, a suburb of Madison.

Milwaukee judges participate in three-branch summit

By Judge Mel Flanagan, Milwaukee County Circuit Court

Judge Maxine A. White and I attended a meeting in Washington, D.C. in September that focused on areas where science, values and politics collide and the particular social, political and legal pressures that judges and members of the other branches of government face.

The Milbank Memorial Fund and the Reforming the States Group (RSG) organized the meeting, which was an outgrowth of the

see **WISCONSIN CONNECTS** on page 13



Bill Weigel, litigation counsel for the Office of Lawyer Regulation, traveled to San Francisco for meetings – including this unplanned one with Chief Justice Shirley S. Abrahamson at Alcatraz.

Planning and policy update

By Erin Slattengren, PPAC policy analyst

The Supreme Court Planning and Policy Advisory Committee (PPAC), which advises the Court and the director of state courts on planning initiatives, the administrative structure of the court system, and the expeditious handling of judicial matters, announced new members recently. They include: Adam Gerol, assistant district attorney in Ozaukee County, replacing Brown County District Atty. John Zakowski; Judge Joan Kessler, Court of Appeals District I, replacing Judge Richard Brown; Judge Gregory Potter, Wood County, replacing Judge William McMonigal; and District Court Administrator Gail Richardson, District 5, replacing former District 9 Court Administrator Scott Johnson. Judge Carl Ashley of Milwaukee County was selected by Chief Justice Shirley S. Abrahamson and PPAC members to serve as vice-chair of PPAC. He succeeds Judge William McMonigal in this role.

PPAC has had a busy fall. Here is the update on its activities.

PPAC Planning Subcommittee

The PPAC Planning Subcommittee was created in 2001 to strengthen PPAC's planning function and foster a participatory and inclusive decision-making process. Every other year, the Planning Subcommittee solicits input from the judiciary, court commissioners, district court administrators, clerks of court, attorneys, and other stakeholders to establish current priorities and develop a *Critical Issues* report.

Based on the *Critical Issues* report of its Planning Subcommittee, PPAC recommended that the Supreme Court and Director of State Courts give the following issues its top priority for the 2006-08 biennium.

1. Assistance to self-represented litigants
2. Courthouse security
3. Treatment and prevention of alcohol and drug dependency
4. Alternatives to incarceration

Four major themes pervade the top four priorities, and the success of addressing them depends on incorporating and being mindful of budget constraints, technology, outreach, and collaboration. The Supreme Court and Director of State Courts accepted PPAC's recommendations and many of them have helped to advise the state courts biennial budget requests. PPAC and Director of State Courts Office staff will continue working toward identified initiatives in these areas. As part of the development of *Critical Issues* 2008-2010, the PPAC Planning Subcommittee facilitated a plenary session at the Judicial Conference to gather input from the judiciary. Similar sessions were also conducted at the Court Commissioner and Clerk of Court conferences this fall.

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WISCONSIN CONNECTS *continued from page 12*

Brooklyn Law School Science for Judges Series. It brought together representatives from the three branches of government and academics in social and applied sciences to discuss how government can make more effective use of evidence-based health research in setting public policy and funding public services.

The Milbank Fund and the RSG have sponsored similar meetings of the executive and legislative branches, but this was their first meeting that also included members of the judiciary. The meeting provided a unique opportunity for representatives of each branch to discuss mutual and overlapping responsibilities, concerns and frustrations in regard to pressing social issues in our communities.

Each branch plays a critical role in the health and welfare of our communities, but we do so with little or no communication or coordination. We discussed how we could work cooperatively and looked at particular areas where evidence-based health research could and should inform decisions & funding of social policy initiatives. The group discussions were lively, informative and refreshingly candid, due largely to an agreement that particular statements of participants can not be repeated or attributed outside of the meeting.

The group plans to seek the assistance of academic partners to analyze and evaluate existing research or to encourage research on the effectiveness of existing programs created to 1) divert criminal offenders from prison, 2) address substance abuse, 3) treat & monitor sex offenders, and 4) provide medical & mental health care community wide. The list of topics was far longer but these are some of the primary concerns shared by each of the branches.

Courts often are a forum of last resort for the most needy who fall through the cracks in the social, health and justice systems. It was encouraging to open a dialogue with members of each branch who are actually trying to find and seal the cracks for the greater good and I look forward to continuing the process.

The National Center for State Courts plans to post the written materials

from the meeting on its website at www.ncsonline.org.

Court administrator invited to speak in Monterey

Deputy District Court Administrator Beth Bishop Perrigo, Milwaukee, was an invited presenter this fall at the Monterey County Domestic Violence Coordinating Council's 9th Annual Education Conference on Domestic Violence in Monterey, California. The conference, *Beyond Awareness: Effecting Change*, featured four national speakers on various topics.

Perrigo's presentation focused on the collaborative efforts of the Milwaukee community in the successful six-year Judicial Oversight Demonstration Initiative (JODI) which was housed in the Office of the Chief Judge.

"Communities want collaboration but it won't just happen. You have to know how to manage collaboration. Although the grant concluded two years ago, there is still a lot of interest in the work continuing in Milwaukee," Perrigo said.

According to Perrigo, although most communities lack the resources provided for the JODI project, there are elements that have been proven successful and don't even require additional money. For example, the Milwaukee County judges committed to continuing probation reviews for batterers after the grant ended.

"The commitment and leadership of the judiciary to do what works is critical to continuing the success of the collaboration," Perrigo said.

The final evaluation of the project found that JOI probationers were 47 percent less likely to be arrested for domestic violence related crime and had fewer overall arrests in the year following case disposition than offenders placed on probation prior to the program. ■

PEOPLE

When Dane County Circuit Court Judge **Angela B. Bartell** – the longest serving judge in Dane County – announced in November that she would retire from the bench, the news media ran front-page stories heralding Bartell’s contributions to the justice system. In addition to her lengthy service on the bench, Bartell was the first woman to serve as a chief judge and helped to create the Wisconsin Benchbook.

Bartell told *The Capital Times* that one of her most memorable cases involved a challenge to the law requiring that the Wisconsin Lottery give profits back to Wisconsin residents in the form of a property tax credit. Non-residents who owned land or summer homes in Wisconsin sued, and Bartell ruled that the law must apply to all land owners, not just Wisconsin residents. “It came just before Christmas and I became known as the Grinch,” she told the newspaper.

“*Building for Biotech: Stem cell start-up is new, but thinking big*” headlined a *Madison Magazine* feature on a company led by a dynamo named **Beth Donley** – daughter of Justice **Patience Drake Roggensack**. Donley, a patent lawyer who holds master’s degrees in bacteriology and finance, is former general counsel for the Wisconsin

Alumni Research Foundation (WARF). She and UW-Madison Professor **Gabriela Cezar** teamed up to open Stemina Biomarker Discovery in the University Research Park this fall.

The State Law Library Rare Book Room was transformed into a movie set in early November as Madison filmmakers **Matt Sloan** and **Aaron Yonda**, creators of *Chad Vader*, shot a scene for their upcoming film, *CSI North Pole*.

Sloan and Yonda are best known as creators of **Chad Vader**, an Internet show about the younger, less charismatic brother of **Darth Vader**, who is the day shift manager of a grocery store.

“*Fast-fingered shorthanders: Court reporters keep record straight at 225-plus words per minute*” headlined a story in the October 16 edition of the *La Crosse Tribune*. The story featured Official Court Reporter **Michelle L. Stello** of Vernon County Circuit Court, who explained that there is a dire shortage of court reporters and that the situation will only become worse in the next decade. “We have a committee doing a study and so far they have found that in the next

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Critical Issues 2008-2010 will be drafted and finalized this spring.

Videoconferencing

Following the completion of *Bridging the Distance 2005*, a manual on videoconferencing in the courts, the videoconferencing subcommittee shifted its focus to the research and development of legislative and/or rulemaking recommendations in regard to videoconferencing in the courts. The PPAC subcommittee recruited some new members in an effort to gather a cross-section of views and experience in order to develop the most comprehensive proposal. The subcommittee membership included not only judges but public defenders, a district attorney, an assistant attorney general, a district court administrator, and representatives from the Department of Corrections and Winnebago Mental Health. The goal was to develop a proposal that would maximize the appropriate use of videoconferencing for users of the court system while putting in place procedures and safeguards that maintain the integrity of the judicial branch and the constitutional rights of the litigants.

At its May 2007 meeting, PPAC approved the proposal drafted and recommended by the videoconferencing subcommittee and authorized the subcommittee to move forward in filing a formal petition to the Supreme Court. Petition #07-12 was officially filed by Director of State Courts A. John Voelker and a public hearing will be held January 8. Contact Judge William McMonigal or Judge Edward Leineweber for further information. The full petition can be viewed by going to the following link: <http://wicourts.gov/>

[supreme/petitions_audio.htm](#)

Effective justice strategies

In 2004, the Planning and Policy Advisory Committee (PPAC) of the Wisconsin Supreme Court identified the overcrowding of jails and prisons and alternatives to incarceration as critical issues to be addressed. In response, PPAC formed a subcommittee on Alternatives to Incarceration with a mission to “*explore and assess the effectiveness of policies and programs, including drug and other specialty courts, designed to improve public safety and reduce incarceration.*”

Chaired by Judge Carl Ashley of Milwaukee County, this subcommittee, now renamed the Effective Justice Strategies Subcommittee (EJSS), consists of justice system professionals both inside and outside of the court system. The change in name to “Effective Justice Strategies” reflected an evolution of the subcommittee in understanding policies and processes related to improving public safety and reducing recidivism. Specifically, the subcommittee recognized these issues go beyond the scope of “alternatives to incarceration” and must involve not only the courts, but also other necessary players throughout the entire justice system working in collaboration for common outcomes. To date, the EJSS has focused its efforts on studying, developing resources, and making recommendations in regard to collaborative problem-solving approaches to criminal justice.

The EJSS issued a Phase I Final Report to PPAC in August. It recommended:

1. Supporting the development of a criminal justice council for every county.
2. Supporting the Assess, Inform and Measure (AIM) pilot.
3. Educating the legislature and public about effective justice strategies.
4. Supporting the development of a state-level criminal justice council.
5. Supporting a comprehensive assessment of Wisconsin justice system programming to determine best practices and build state level support for these initiatives.
6. Supporting the development of permanent state level funding mechanisms for effective justice strategies.

A new Phase II Effective Justice Strategies Subcommittee will convene after the first of the year to:

- Oversee the AIM pilot, support pilot counties, and begin analysis of feedback loop data.
- Assist in the development and implementation of the justice programs inventory database in coordination with the Sentencing Commission, UW Law School, and other justice system partners.
- Identify programs that work, emphasizing those involving drug and alcohol dependency per the direction of the PPAC Critical Issues 2005-07 Plan.

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10 years about one-third of the people working in the court system will be of retirement age,” Stello explained to reporter **Dan Springer**. “And there are not enough students coming out of school to fill those open positions.”

“*Supreme Court visit is highly successful*,” a story in the November 7 edition of the *Hudson Star-Observer*, lauded the Wisconsin Supreme Court for hearing six oral arguments at the St. Croix County Government Center in early November. The Hudson visit was the Court’s 19th Justice on Wheels trip. The program was started in 1993 to make the Court more accessible to people across the state.

The newspaper quoted Chief Justice **Shirley S. Abrahamson**, who told a group of about 300 Rotarians at a luncheon during the Court’s visit that an independent judiciary is the cornerstone of our democracy. “I urge all lawyers – all people – to join in support of a neutral, fair, non-partisan, and impartial judiciary,” Abrahamson said. “Unless we protect it, we will lose it.”

Chief Judge **John R. Storck**, Dodge County Circuit Court, was in the hot seat in Green Lake County recently as members of the Judicial Law Enforcement Committee debated a plan for a proposed new Green Lake County Courthouse. As reported in the *Princeton Times-Republic* and other area newspapers, Storck – who as chief judge has the authority to approve or deny occupancy of a new courthouse – was grilled about why the county needs two courtrooms, why the courtrooms cannot be smaller, and why the judges’ chambers, which one committee member described as “damn big” need to be a minimum of 400 square feet. Storck ably addressed the questions, and the committee voted unanimously to move the plan forward to the full county board.

“*Green Bay judge tightening reins on scofflaws*,” a story in the November 12 edition of the *Green Bay Press Gazette*, discusses Green Bay Municipal Judge **Jerry Hanson**’s new approach to handling defendants who fail to appear in court and who have unpaid fines. Hanson has jettisoned the practice of issuing a bench warrant and instead sends the defendant a letter ordering him or her to appear at a “good cause” hearing. If the person fails to show up for the hearing, Hanson said, he can immediately issue a commitment order that allows the person to be jailed.

Hanson told the newspaper that the new approach, which he said is used by at least two other Wisconsin municipal courts, will save law enforcement time, reduce jail costs, and lead to faster accountability for unpaid fines.



Official Court Reporter Amy Frydenlund works with Judge Todd Bjerke, La Crosse County Circuit Court.

Peter Thomson photo reprinted with permission from the La Crosse Tribune.



The Wisconsin Supreme Court greets a gallery full of spectators at its first-ever sitting in St. Croix County in November.

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- Gain a comprehensive understanding of programs, practices and outcome measures currently being utilized in Wisconsin courts related to public safety/problem solving strategies.
- Determine the most effective components of programming and make recommendations for fostering replication of these components.
- Gain an understanding of what circuit courts need and want on a state level to support effective programming and address issues of incarceration, recidivism and public safety on the local level.
- Recommend educational and outreach strategies to promote further development

of best practices statewide.
 For resources about *Effective Justice Strategies in the Wisconsin Courts*, visit the *EJS Web site* at www.wicourts.gov/about/organization/programs/alternatives.htm.

Court security

Court security was identified as a top priority in PPAC’s *Critical Issues* report, and PPAC earlier this year established a special subcommittee to focus on this topic. Recommendations include revising/update SCR 70.39; courthouse security audits; courthouse security training; development of a comprehensive security plan; incident reporting and tracking; and extending

outreach to educate those outside of the court system.

The new subcommittee met for the first time in July and again in October. They have discussed more comprehensively surveying the county court security committees about local practices, protocols, and security challenges to build a baseline of understanding on the state level on the “state of court security” in Wisconsin. This subcommittee is chaired by Judge Sarah B. O’Brien of Dane County and Judge Michael O. Bohren of Waukesha County. ■

Questions about PPAC may be directed to Erin Slattengren in the Office of Court Operations at (608) 266-8861 or erin.slattengren@wicourts.gov.

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"6,000 a year switch judges," a story in the September 2 edition of the *Milwaukee Journal Sentinel*, details the arguments for and against the state law that permits judicial substitutions and highlights the judges who were most often on the receiving end of such requests in 2006. Among the most frequently substituted judges, according to the newspaper, were **John Siefert** in Milwaukee (a former police officer) and **Linda Van De Water** in Waukesha (who was a prosecutor for 10 years). Reporter **David Doege** interviewed Rock County Circuit Court Judge **James E. Welker**, who has long advocated abolition of the law. Welker said there are two reasons defendants substitute on him: he does not readily permit adjournments and "will not be a rubber stamp on plea bargains." Other interviewees indicated that the right of substitution is important to ensure that litigants perceive the process as fair.

"*Jury of their peers: County starts court for young people, run by them*" headlined a story in the September 7 edition of the *Waukesha Freeman*. The story heralded the opening of Waukesha's Teen Court, which runs on alternating Thursdays. The court is one of a growing number – 42 at last count – in Wisconsin.

"*Courts will provide interpreters more often*," a story in the November 4 edition of the *Milwaukee Journal Sentinel*, explained the new state budget provision that requires interpreters in civil proceedings, eliminates an indigency requirement, and expands funding. The article quoted **Carmel Capati**, who manages the interpreter program, and Chief Judge **Kitty K. Brennan**, who explained that the courts already have been ordering interpreters in a growing number of cases such as paternity and child support out of concern for fairness. The change in state law could mean additional expenses in the areas of small claims or landlord/tenant cases, she said. "Before we would have told them to get their own interpreters if it was the landlord or a tenant who had limited English proficiency, but now we will order one and that will be paid for by the state," she said.

Chief Judge **Kitty K. Brennan**, Milwaukee County Circuit Court, gave her annual "State of the Milwaukee Courts" address to judges and lawyers at the Milwaukee Bar Association luncheon in October. Joining Brennan were Judges **John J. DiMotto** and **Maxine A. White**, who offered anecdotes about the challenges of working with self-represented litigants. The remarks concluded with a request that lawyers volunteer at the Milwaukee Self-Help Center or give time to the State Bar's *pro bono* initiative.

Among the most popular additions to Brennan's remarks this year was a trivia quiz on the 32 Milwaukee judges who were present for the "State of the Courts" address. The answers are below:

1. King of outlines and lists
2. 28 annual Peshtigo raft trips
3. Triathlete
4. Member of Emerald Society
5. Married to an Episcopalian priest
6. Real name is Martin
7. Only current District 1 judge who is the child of a judge
8. Judicial photographer
9. Third-degree black belt in Aikido
10. Concert pianist and marathon man

11. Namesake is famous Green Bay running back

12. Still active hockey player

13. Only judge/nurse in District 1

14. Graduated 1st in class Emory Law School

15. Best Golfer/judge in District 1

16. Swam 200 freestyle against Mark Spitz the year Spitz won 5 Olympic Golds

17. Moved and rebuilt 150 year-old settler's cabin

18. "Mr. Lemon Law"

19. Kid Rock's #1 fan

20. Organizes judges' St. Patrick's Day parade float annually

21. Created the Women Judges' Portrait Project for State of Wisconsin

22. Has a swordfish mounted on his/her chambers wall

23. Only District 1 judge born in Richland Center

24. Past President of synagogue

25. Rides bike to work and coaches soccer

26. Long boat oarsman

27. Cuban native

28. Mountain biker

29. Marched for civil rights in the 1960s in Mississippi

30. One of the first public defenders to become a judge

31. Back-up singer for a rock and roll band

32. Only District 1 judge who was president of Milwaukee Common Council



Chief Judge Kitty K. Brennan makes a point during the Milwaukee Bar Association annual 'State of the Courts' meeting. This year, her presentation included a trivia quiz on the 32 Milwaukee judges in the audience.

Jack Zemlicka photo reprinted with permission from the Wisconsin Law Journal

1. John DiMotto, 2. Timothy Dugan, 3. Mary Triggiano, 4. Dennis Moroney, 5. Jane Carroll, 6. Joseph Donald, 7. Clare Fiorenza, 8. Charles Kahn, 9. Mel Flanagan, 10. Fran Wasielewski, 11. Paul Van Grunsven, 12. Jeffrey Conen, 13. Jean DiMotto, 14. Patricia McMahon, 15. Jeffrey Wagner, 16. Michael Dwyer, 17. Michael Skwierawski, 18. William Pocan, 19. David Borowski, 20. Mary Kuhnmuensch, 21. Maxine White, 22. Daniel Noonan, 23. Karen Christenson, 24. Glenn Yamahiro, 25. John Franke, 26. William Brash, 27. Elsa Lamelas, 28. Richard Sankovitz, 29. David Hansher, 30. Michael Guolee, 31. Kitty Brennan, 32. Thomas Donegan ■

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District Court Administrator Gregg Moore

TB: During your years in office, what accomplishment has made you most proud?

I am most proud of my various contributions to the success of the Consolidated Court Automation Programs (CCAP). From the program's beginning in 1987, I have been involved in many aspects of development and implementation. I have served on the CCAP Steering Committee since 1987, as well as various software design teams. I was part of the small group that developed the first software applications, and two of the four pilot counties were from the Tenth District. I served as the CCAP interim director for eight months in 1989 while waiting to see if the biennial budget would include the Supreme Court's budget request to implement the Circuit Court Automation Project, the original wording for the CCAP acronym. I conducted the start-up training for most Tenth District court staff in the early 1990s. And I helped address the thorny public policy issues concerning public access to the court's electronic records through my service on the two Wisconsin Circuit Court Access (WCCA) oversight committees.



Gregg M. Moore

TB: What goal had you hoped to achieve, but did not?

During the mid-1970s, when I first started working as an assistant court administrator in Pittsburgh, the national court reform movement was strongly promoting state financing of trial courts as a key element for achieving a unified judicial branch within a state. Although I had hoped at one time that the State of Wisconsin would fully fund the circuit courts, I now recognize that state funding might not be a panacea. During my service on the PPAC Subcommittee on Court Financing, I developed a greater appreciation for the pros and cons of full state funding.

TB: What are your plans for retirement?

It has been a 30-year plan of mine to transition out of full-time employment at this point in my life in order to have more time to pursue other interests and avocations. I plan to do several extended backpacking trips, continue to serve on the Eau Claire County Board of Supervisors, do more volunteer work, and organize the basement.

TB: Anything else you would like to add?

When in 1983 I received the job offer to be the Tenth District court administrator, I felt like the luckiest guy in the world. I have felt that way every day since. I've loved my career and the many judges and court employees I have had the privilege of working with during the past 24 years – and I thank you! ■



In honor of Breast Cancer Awareness Month, the staff of the Supreme Court and Court of Appeals Clerk's Office goes pink for a day. Back row (left to right): Deputy Marshal Kevin Pond, Support Services Assistant Annette Smith, Chief Deputy Clerk of Court Chris Paulsen, Deputy Clerk for District IV Linda O'Dell, Assistant Deputy Clerk for District II Jackie Kolitz, Deputy Clerk for District II Bobbi Bushey, Assistant Deputy Clerk for District IV Stuart Graham, and Deputy Clerk for District I Phyllis Bittinger. Front row (left to right): Deputy Clerk for District III Sheelah Guild, Assistant Deputy Clerk for District I Brenda Johll, Support Services Assistant Maricela Gutzman, and Records Clerk Susi Stephens.