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**Spring/  
Summer  
2015**

## Justice Roggensack selected as chief justice

Justice Patience Drake Roggensack was selected chief justice of the Wisconsin Supreme Court effective May 1, following voter approval of a constitutional amendment that changed the way the chief justice is selected.

The April 7 vote changed section 4 (2) of article VII of the state Constitution to direct that “a chief justice of the supreme court shall be elected for a two-year term by a majority of the justices then serving on the court.”

The Constitution previously provided that the chief justice is its longest-serving member. The referendum was approved 433,533 votes to

384,503 votes.

Roggensack said she appreciates the opportunity to serve the court system and the people of Wisconsin in her new role.

“The Chief Justice plays a crucial role, not only on behalf of the Supreme Court, but also for the state court system as a whole. I look forward to working with my fellow justices and with judges throughout the state to ensure Wisconsin has an effective, efficient and responsive court system,” Roggensack said.



Chief Justice Patience Drake Roggensack

see [Chief justice](#) on page 15

## Justice Bradley re-elected to Supreme Court; Seidl wins District III Court of Appeals seat



Justice Ann Walsh Bradley

On April 7, voters re-elected Justice Ann Walsh Bradley to a third term on the Wisconsin Supreme Court, filled a vacancy on the District III Court of Appeals, and elected several new circuit court judges.

### Supreme Court

Bradley defeated Chief Judge James P. Daley, Rock County Circuit Court, by a margin of about 58 percent of the vote to 42 percent of the vote. Bradley was first elected to the Supreme Court

in 1995 and also won re-election in 2005. She previously served as a circuit court judge in Marathon County from

1985 to 1995, and prior to that worked in private practice and as a high school teacher.

Daley remains on the circuit court bench, where he has served since being appointed in 1989, elected in 1990 and re-elected four times since, most recently in 2014.

### Court of Appeals

Atty. Mark A. Seidl defeated Eau Claire County Circuit Court Judge Kristin M. Bourget for the District III Court of Appeals vacancy created by the upcoming retirement of Judge Michael W. Hoover (see *The Third Branch*,



Judge-Elect Mark A. Seidl

see [Election](#) on page 19

## Judge Bradley appointed to Court of Appeals

Milwaukee County Circuit Court Judge Rebecca G. Bradley has been appointed by Gov. Scott Walker to the District I Court of Appeals bench to fill the seat of the late Judge Ralph Adam Fine, who passed away Dec. 4, 2014 (see *The Third Branch*, *winter 2015*). Bradley’s appointment was effective June 1.



Judge Rebecca G. Bradley

Bradley was previously appointed to the Milwaukee County Circuit Court Branch 45 in 2012 and was elected to the bench in 2013. Prior to that, she worked in private practice in Milwaukee. She holds a bachelor’s degree from Marquette University and a law degree from UW Law School.

Bradley has been a member of the Milwaukee Trial Judges Association, Juvenile Benchbook Committee, Wisconsin Trial Judges Association, and the

Wisconsin State Advisory Commission of the U.S. Commission on Civil Rights.

She was named one of Milwaukee’s Leading Lawyers in Business Law, Internet Law and Litigation by *M* magazine in 2012 and she was named a Rising Star attorney by *Milwaukee Magazine* in 2008 and 2010. Also in 2010, she received the *Wisconsin Law Journal’s* ‘Women in Law’ award.

“Bradley is a superb judge with a strong track record, both in the private sector and on the bench,” Walker said in a press release announcing the appointment to the Court of Appeals. “Her commitment to public service and to the rule of law will make her an outstanding addition to the appellate bench.”

### Circuit court appointments

Atty. James R. Troupis has been appointed to the Dane County Circuit Court Branch 3 bench, effective June 30. Troupis replaces Judge John C. Albert, who retired in April

see [Appointments](#) on page 21

## RETIREMENT

*Editor's note: This edition of The Third Branch includes articles on the retirements of Lafayette County Circuit Court Judge William D. Johnston, Racine County Circuit Court Judge Wayne J. Marik, and Waukesha County Circuit Court Judge James R. Kieffer. Upcoming editions will feature retirement articles on Adams County Circuit Court Judge Charles A. Pollex, Columbia County Circuit Court Judge Daniel S. George, Rock County Circuit Court Judge Kenneth W. Forbeck, Sawyer County Circuit Court Judge Gerald L. Wright, Sheboygan County Circuit Court Judge Terence T. Bourke.*

### Chief Judge Richard S. Brown District II Court of Appeals



Chief Judge Richard S. Brown

After 37 years on the District II Court of Appeals bench, Chief Judge Richard S. Brown, will retire on Aug. 1. Brown is the last of the original Court of Appeals judges elected in 1978, when the Court of Appeals was established.

Before stepping down, Brown took some time to look back at the cases that shaped his perspective on, and appreciation for, the law.

Brown said there are seven cases that stand out from his career, including a termination of parental rights case in which he wrote that the

natural mother's expert witness could not be relied upon. The case, R.P.R., was unanimously reversed by the Supreme Court. Brown said that case made him an early critic of the liberal expert-opinion rule and a believer in what would later become the Daubert standard.

Brown also wrote the opinion for State v. Neely, which explained the difference between use immunity and transactional immunity.

"The reason I remember it so well is because it was the first time I learned something about the law which was completely new to me," Brown said. "It was so exhilarating."

In State v. Todd Mitchell, a hate-crime case, the Wisconsin Supreme Court reversed the decision of the Court of Appeals. Later, the U.S. Supreme Court would reverse the state Supreme Court's decision 9-0, with Chief Justice William H. Rehnquist writing the opinion.

"SCOTUS had it right," Brown said.

Jancovik v. Petersen, in which Brown wrote a concurrence for the unpublished opinion, stands out for its quirky facts, and for Brown's use of "Law and Economics" reasoning, which he said gives a unique perspective on human behavior.

The final three cases are memorable for Brown because they developed the law.

Lange v. Bartelt is now the first case in a law school casebook on "Partnerships and Subchapter S Corporations," according to Brown. In State v. Denny, he wrote the opinion that used the "legitimate tendency" test the court formulated.

"Not only has our Supreme Court affirmed that test, but the U.S. Supreme Court has cited it with approval," he said.

Brown said of State v. Shiffra, which pertains to the doctor-patient privilege and the right to use a defense showing the patient lied or misperceived reality: "That case, still the law today, has been consistently attacked by the Attorney General's office in subsequent cases, claiming that it cannot be a Brady violation because the records are not in the possession of the DA (district attorney). But the issue has nothing whatsoever to do with Brady and everything to do with an exception to a privilege. Possession by the DA is a red herring."

These cases, and about 1,800 others Brown has written over the years, will serve as his legacy, he said in a statement announcing his retirement.

"I recall, in law school, professors assigning opinions written by judges who lived and died decades and even a century or two before. Yet, in the classroom, the judge was referred to in the present tense," Brown said.

"When the professor, some period of time after I am gone, refers to me in the present tense, I will, at least for a few moments, live again."

Brown said he has worked to write his opinions using plain English, and to focus on why the ruling was being made, rather than spending too much time on setting up the issues being raised.

He said he believed the first paragraph should be the most important part of the opinion and set the tone.

"Every time I get a compliment from a judge or lawyer about how my opinions got to the nub of the issue right away, in a clear and concise manner, it made me feel like I had really helped the people who read our stuff."

Brown said he will miss the give-and-take with his fellow District II judges as they decided cases.

"It has constantly amazed me how often we were able to reach a consensus at the end even if our initial thoughts were far apart from each other. I am really going to miss the process of intellectual evolution."

Brown expressed concern over the recent trend in spending and campaign contributions in judicial races, and said he worries that it will have an impact on how the public views the impartiality of the judicial branch.

Brown said he has a couple of ideas for books he would like to write, and he hopes to spend more time with his grandchildren and more time golfing in his retirement.

"Like most people, I have a bucket list that I would like to pursue," he said. "The thing I miss most about losing my hearing at age 36 is music. I want to take voice lessons just so I can learn how to read sheet music and be able to sing new songs to myself with the aid of my cochlear implant. I have always wanted to play a musical instrument but have never had the time or the patience. I will now."

Brown was first elected to the Court of Appeals in 1978, and re-elected in 1982, 1988, 1994, 2000, and 2006. He had previously served as an assistant district attorney for Racine County and worked in private practice. Brown holds a B.A. from Miami University, J.D. from UW Law School, and a LL.M. in judicial process from University of Virginia. He has served as chief judge of the Court of Appeals since 2007, and has served on the faculty of the National Judicial College and the Administration of Justice Committee's Council of Chief Judges.

## AWARDS

**Capati recognized for distinguished service**

Court Interpreter Program Manager Carmel Capati has been named the recipient of the National Center for State Courts' (NCSC) Distinguished Service Award. One of the highest honors presented by the NCSC, the Distinguished Service Award is presented annually to those who have made significant contributions to the justice system and who have supported the mission of NCSC.

Capati has been in her position since 2003, and over the years has educated numerous judges, court clerks, court staff, and attorneys on state and federal laws regarding language access in the courts. From 2012 to 2014, she served as one of three liaisons from the Council of Language Access Coordinators to the National Language Access Advisory Committee.

Capati holds a law degree from the UW Law School, has served in the Peace Corps, and was the recipient of a Fulbright-Hays scholarship in the Philippines.

"Ms. Capati has worked tirelessly – both professionally and as a volunteer – to improve access to the courts for people with language barriers. Her knowledge, experience, and dedication to the justice system continue to make a positive difference in the nation's courts," said NCSC President Mary McQueen. Capati has worked closely with NCSC, the Conference of Chief Justices, and the Conference of State Court Administrators on language access issues, McQueen said.

The NCSC, headquartered in Williamsburg, Va., is a nonprofit court reform organization dedicated to improving the administration of justice by providing leadership and service to the state courts. Founded in 1971 by the Conference of Chief Justices and U.S. Supreme Court Chief Justice Warren E. Burger, NCSC provides education, training, technology, management, and research services to the nation's state courts.

**Dyke wins Lifetime Jurist Award; Domina named Judge of the Year**

The State Bar of Wisconsin's Bench and Bar Committee has awarded Iowa County Circuit Court Judge William D. Dyke with its Lifetime Jurist award, and named Waukesha County Circuit Court Judge William J. Domina its Judge of the Year. The awards were presented at the State Bar's Annual Meeting and Conference in Lake Geneva on June 25.

"He has demonstrated that he possesses the judicial temperament, genuine concern, and competence to fulfill his role as an impartial arbiter," one of the five Iowa County lawyers who nominated Dyke wrote. "His contributions to the practice of law and to the communities he serves deserve recognition."

Dyke was first appointed to the Iowa



*West Virginia State Court Administrator Steve Canterbury (left) and Delaware State Court Administrator Judge Patricia Griffin (right) pose with Wisconsin Court Interpreter Program Manager Carmel Capati (center). Capati was presented with the NCSC distinguished service award at the Council of Language Access Coordinators Annual conference in Santa Fe.*

County Circuit Court in 1997. He established a teen court program in the county soon after. The program, only the second of its kind in the state, is now the oldest and longest running. In 2008, to address the increase in home foreclosures, he helped create the Foreclosure Mediation Program to help banks and home owners in Iowa County resolve mortgage defaults while avoiding foreclosure. He is a former chief judge for the Seventh Judicial District, and in 2012 was elected by his fellow chief judges to serve as the chief of the Committee of Chief Judges.

Prior to his appointment to the bench, Dyke served as mayor of Madison, and as a consultant to the U.S. Department of Transportation, the U.S. Department of Housing and Urban Development, and the U.S.

Secretary of State. While serving as mayor, he founded the Madison Farmer's Market. He also unsuccessfully ran for governor of Wisconsin and vice-president of the U.S.

Past recipients of the Lifetime Jurist Achievement Award include retired Dane County Circuit Court Judge Angela B. Bartell, retired Milwaukee County Circuit Court Judge Jean W. DiMotto, and Reserve Judge Barbara A. Kluka.

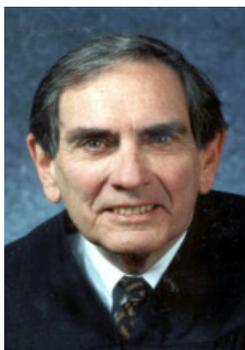
Domina was recognized for his work with Waukesha County's Drug Treatment Court and Juvenile Legal Clinic. Domina helped establish the county's drug treatment court in 2011 through a federal grant from the U.S. Department of Justice, and he served as the presiding judge for three years. Domina also served two years as a presiding judge for the county's alcohol treatment court.



*Judge William J. Domina*

"It's much more personal and much more involved," Domina told the State Bar's *Inside Track* about the treatment courts. "And that judicial engagement has been proven across the country to be effective in dealing with these treatment issues and reducing recidivism. We have real time information as to the status and it really helps the judge do a better job."

The Bench and Bar Committee's Judge of the Year Award is presented annually to a sitting circuit court judge whose leadership has improved the judicial system through judicial education or innovative programs. Past recipients include Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court; retired Dane County Circuit Court Judge MaryAnn Sumi; Milwaukee County Circuit Court Judge Maxine A. White, District I Court of Appeals Judge Kitty K. Brennan; and Milwaukee County Circuit Court Judge Carl Ashley.



*Judge William D. Dyke*

## Supreme Court appoints new chief judges

The Wisconsin Supreme Court has appointed new chief judges to help oversee administrative matters for the Wisconsin Court of Appeals and the First Judicial Administrative (Milwaukee County). The Court also re-appointed four circuit court judges to continue serving as chief judges of their respective judicial administrative districts.

### Court of Appeals: Judge Lisa S. Neubauer

Judge Lisa S. Neubauer will replace outgoing Court of Appeals Chief Judge Richard S. Brown, who is retiring from the District II bench Aug. 1. Brown has served on the Court of Appeals since it was established in 1978 and as its chief judge since 2007.

Neubauer, who has been District II presiding judge since 2009, was first appointed to the Court of Appeals in 2007. She was elected in 2008 and re-elected in 2014. Before joining the court, Neubauer worked as a private practice attorney and as a law clerk to U.S. District Court Judge Barbara Crabb.

Neubauer serves on the Supreme Court Planning and Policy Advisory Committee (PPAC) Planning Subcommittee and the Judicial Conduct Advisory Committee. She is a member of the State Bar of Wisconsin's Bench and Bar Committee and chairs its Judicial Funding Subcommittee. Neubauer holds a B.A. from UW-Madison and a law degree (with honors) from the University of Chicago Law School, Order of the Coif.

In addition to maintaining a caseload, the Court of Appeals chief judge handles a variety of management duties for the four-district, 16-judge Court of Appeals. The chief judge works with court staff on budget matters, case flow management and administrative matters.

### First Judicial District: Deputy Chief Judge Maxine A. White

Deputy Chief Judge Maxine A. White, Milwaukee County Circuit Court, was appointed chief judge of the state's First Judicial District for a two-year term effective Aug. 1.

White will join nine other Wisconsin circuit court judges on the Committee of Chief Judges, which consists of one chief judge from each of the state's 10 judicial administrative



Judge Lisa S. Neubauer



Judge Maxine A. White

districts. Working as a team with a deputy chief judge and a professional court administrator, chief judges manage the flow of cases, supervise personnel, develop budgets, and meet as a committee to work on issues of statewide importance.

White has served as deputy chief judge of the First Judicial District (Milwaukee County) since 2008. She is presiding judge of Milwaukee County Circuit Court's Family Division and has previously been assigned to circuit court branches that handle major criminal cases and large civil claims. White was first appointed to the bench in 1992 and has been elected four times since, most recently in 2011.

White will replace outgoing Chief Judge Jeffrey A. Kremers, who will continue serving on the Milwaukee County Circuit Court bench. Kremers was first appointed to the bench in 1992 and has been elected four times. He has served as a chief judge since 2008 and currently chairs the Committee of Chief Judges – a position selected by fellow committee members. Before joining the court, Kremers was in private practice from 1975 to 1976 and again from 1981 to 1992. He served as an assistant district attorney in Milwaukee County from 1976 to 1981.

Before becoming a judge, White previously served as a legal advisor and instructor for the Federal Law Enforcement Training Center in Georgia, as an assistant U.S. attorney for the Eastern District of Wisconsin, and as a manager in the Social Security Administration.

White has served in a variety of leadership roles, including as a director of the Wisconsin Judicial Conference and as a member of its executive committee. She served as chair of the Wisconsin Committee on Judicial Selection, the Governor's Task Force on Racial Profiling and as co-chair of the Supreme Court Special Committee on Gender Neutrality. White served on the Wisconsin Judicial Council from 2008 to 2014. She is vice-chair of the Wisconsin Judicial Conference's Legislative Committee.

### Reappointments:

#### Judicial Districts Four, Five, Seven and Ten

Circuit court judges from Fond du Lac, Rock, Buffalo and Pepin, and St. Croix counties have been re-appointed to new two-year terms as chief judges of their respective judicial administrative districts, effective Aug. 1:

- District Four Chief Judge Robert J. Wirtz, Fond du Lac Circuit Court. District Four encompasses Calumet, Fond du Lac, Manitowoc, Sheboygan and Winnebago counties;
- District Five Chief Judge James P. Daley, Rock County Circuit Court. District Five encompasses Dane, Green, Lafayette and Rock counties;
- District Seven Chief Judge James J. Duvall, Buffalo and Pepin counties (combined) circuit courts. District

see [Chief judges on page 5](#)

## Moran returns to serve as interim director

Former Director of State Courts J. Denis Moran has returned to serve as interim director for a period of six months.

In his role as director, Moran will be instrumental in developing a mechanism for the recruitment of a permanent replacement.

Moran was the first to serve as director under the then new court system reorganization in 1978, and continued until his retirement in 2003. A former lawyer and law enforcement officer, Moran was awarded the National Association for Court Management's Award of Merit in 2002 for "leadership and excellence in the advancement of the ideals and principles of modern judicial management and professional court management."

One of the many initiatives Moran oversaw during his initial 25 years with the court system was the creation and

implementation of a computer network in the circuit courts that came to be known as the Consolidated Court Automation Programs (CCAP).

"We are fortunate to again be able to take advantage of Denis' experience and administrative knowledge of the court system," said Chief Justice Patience Drake Roggensack. "His input will be extremely valuable to the Court and all the people we serve." ■



J. Denis Moran

## Baumgartner to head Judicial Education

Atty. Karla Baumgartner, who has been interim director of Office of Judicial Education since February 2014, has been named its director. In that role, she will continue to develop judicial curriculum and training programs, plan the department budget, ensure judicial credits are accurately recorded, and supervise department staff.

Baumgartner has worked for the Office of Judicial Education since 2001, previously as the education manager. In that role she developed and administered education programs for municipal judges across the state. She has also served as the legal editor for the five-volume Wisconsin Judicial Benchbook. Prior to joining the Office of Judicial Education, she worked in private practice and as a law clerk for Branch 4 and Branch 6 of the Dane County Circuit Court. She holds a B.S. in Agriculture from

UW-Madison, and a law degree from the University of Wyoming College of Law.

Baumgartner and her husband, Tom Alisankus, have two adult daughters and live in Evansville, where they own the Justice-B-Dun Ranch. In addition to their own horses and burros, they rescue, rehabilitate, and re-home horses (*see related story, The Third Branch, spring 2010*). Alisankus is a criminal justice professor at Rock Valley College in Rockford, Ill., a municipal judge for Evansville-Union Joint Municipal Court, and the municipal court liaison to the chief judge of the Fifth Judicial District.

Baumgartner fills the vacancy created by the death of former Director of the Office of Judicial Education David Hass, who passed away in August of 2013 (*see The Third Branch, summer 2013*). ■



Karla Baumgartner pictured in 2010 with two of the horses at her farm in Evansville.

### Chief judges *continued from page 4*

Seven includes Buffalo, Crawford, Grant, Iowa, Jackson, La Crosse, Monroe, Pepin, Pierce, Richland, Trempealeau and Vernon counties.

- District Ten Chief Judge Scott R. Needham, St. Croix County Circuit Court. District Ten encompasses Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Polk, Rusk, St. Croix, Sawyer and Washburn counties.

Five of the 10 chief judges are elected each year to two-year terms and a maximum of three terms. Other chief judges currently serving on the committee include:

- Chief Judge Allan B. (Pat) Torhorst, Racine County Circuit Court, District Two;
- Chief Judge Randy R. Koschnick, Jefferson County Circuit Court, District Three;
- Chief Judge Gregory J. Potter, Wood County Circuit Court, District Six;
- Chief Judge Donald R. Zuidmulder, Brown County Circuit Court, District Eight; and
- Chief Judge Neal A. Nielsen, Vilas County Circuit Court, District Nine. ■

## OBITUARIES

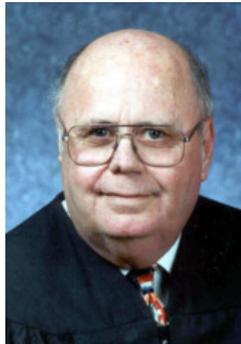
### Judge Patrick L. Snyder Waukesha County Circuit Court

Former Waukesha County Circuit Court Judge Patrick L. Snyder passed away on April 22 at the age of 79.

Snyder was first elected to the Waukesha County bench in 1978, after serving as a city attorney in Oconomowoc and working in private practice. Snyder received his bachelor's degree from the University of Notre Dame and his law degree from Marquette University Law School. After graduating from Marquette, he served in the U.S. Army and was stationed in San Antonio. He later served in the Army Reserves.

According to an obituary in the *Milwaukee Journal Sentinel*, Snyder was known for his good nature and sense of humor on and off the bench.

"He was the guy who could tell jokes and stories, the guy who always wanted to pick up the tab at a restaurant, the guy who could walk into a room full of strangers and in 10 minutes be friends with everybody," former Waukesha



Judge Patrick L. Snyder

County Circuit Court Judge Ness Flores told the *Journal Sentinel*.

While on the bench, Snyder served as chief judge for the

Third Judicial District, and in 2003 received the State Bar of Wisconsin's lifetime jurist award. He was a former associate dean of the Wisconsin Judicial College, and a former member of the Planning and Policy Advisory Committee (PPAC), Wisconsin Trial Judges Association, Judicial Conference Legislative Committee, and the Judicial Conference Planning Committee.

"He was a giant of our judiciary in Waukesha County," retired District II Court of Appeals Judge Neal P. Nettesheim told the *Journal Sentinel*. "He had a unique and special way of judging that made him very special."

After retiring in 2003, Snyder served as a reserve judge and a mediator. According to the *Journal Sentinel* obituary, Snyder accepted a plea agreement from former Assembly Speaker Scott Jensen in 2010, at the end of his felony misconduct in office case that had lasted eight years.

Snyder is survived by his wife, Luly; two daughters; a son; and nine grandchildren. ■

## Legislature approves state budget with revised funding for circuit courts

By Bill Walker, Budget Policy Director

The 2015-17 biennial budget has been passed as 2015 Act 55, effective July 14. The Legislature's Joint Committee on Finance made several important changes to Gov. Scott Walker's 2015-17 budget as it relates to the court system before sending the bill on to the full Legislature for final passage. None of the governor's vetoes affected court items.

Notable portions of the act include the following:

- The act maintains current law regarding funding for court reporters. Position and expenditure authority for court reporters remains in the circuit court sum-sufficient appropriation, which also funds circuit court judges. That action, in effect, corrects the two "errata" and areas of concern about court reporter pay.
- The act includes the governor's recommendation to consolidate the director's general program operations appropriation with the State Law Library's appropriation. Total funding remains the same. Joint Finance added a provision specifying that, in managing that appropriation, the director acts "as directed by the Supreme Court." (A similar provision was added to the circuit court costs appropriation, below.)
- Regarding circuit courts, the act includes the governor's proposal to consolidate three local assistance appropriations. The appropriations affected are those for circuit court support payments, payments for guardians ad litem, and reimbursements for court interpreter services. Total funding for circuit court costs will remain the same, but there will no longer be a requirement to spend particular amounts on any given purpose. Furthermore, the act will replace detailed statutory payment language with general language. This will remove requirements for timing of payments, formulas for allocations among counties, and similar provisions.

Instead, the Director of State Courts will be required to "make payments to counties for circuit court costs". The director is given power to define "circuit court costs".

- The act makes three changes to the governor's consolidation proposal. First, consolidation is delayed for one year, giving time to develop policies and procedures under the new, general language. It will be effective July 1, 2016. Second, the act adds a provision specifying that — in defining circuit court costs — the director acts "as directed by the Supreme Court." (A similar provision was added to the director's general program operations appropriation, above.) Third, the act retains provisions of current law that require counties to report circuit court expenditures following the director's office's uniform chart of accounts, and authorizing the director to audit those reports. Reporting and auditing are obviously valuable to state and local government staff for tracking and analyzing circuit court costs.
- Also relating to local governments, the act includes the governor's proposal to create county Crime Prevention Funding Boards. The act makes two modifications to the governor's proposal. First, such boards will be optional rather than mandatory. Second, in those counties where no non-profit crime prevention organization exists, the crime prevention funding board may instead distribute all revenue generated from the crime prevention surcharge to a law enforcement agency within the county.
- Joint Finance rejected the governor's proposals relating to the Judicial Council, Judicial Commission, and to create a Judicial Compensation Commission: First, the act maintains the Judicial Council, including

## Court reporters join 'Team of the Year' on stage

*Editor's note: The letter below was written by Wisconsin Court Reporters Association President Karla Sommer to her colleagues after she attended the Wisconsin Sports Network awards ceremony with association Past President Chris Willette in Kohler on May 7.*

Dear Colleagues,  
I am writing to share with you a fabulous event that Chris Willette and I were honored to be involved with last night. We were invited to and attended the Wisconsin Sports Network awards ceremony and participated in awarding the UW-Madison Men's Basketball Team the College Team of the Year Award!!!

To give you some background, Chris received an email from (the National Court Reporter Foundation) very early yesterday (Thursday) morning indicating she had been contacted by the Wisconsin Sports Network and said they were looking for a couple of "stenographers" to attend their awards ceremony that evening in Kohler. Chris then called me and we began making our plans to attend.

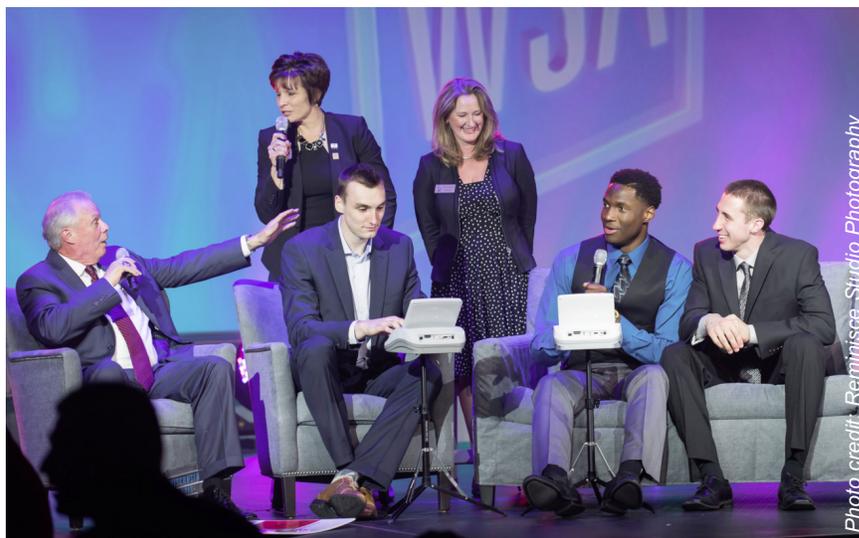
We had no idea what we were getting into, but it was quite an amazing evening! There were more than 600 people in attendance, many of whom were

famous sports figures. We met so many wonderful people and got to hang out backstage and chat with people I would never have imagined meeting!!

Since our last minute addition to the itinerary was to be a surprise to Nigel (Hayes) and the other players, we were asked to keep our presence a secret until the awards ceremony....

The awards process was similar to the awards ceremonies

[see Reporters on page 25](#)



Wisconsin Court Reporters Association President Karla Sommer (standing, right), a court reporter in Marathon County, and Past President Chris Willette (standing, left) share a moment on stage with UW-Madison Basketball Coach Bo Ryan and players Sam Dekker, Nigel Hayes, and Josh Gasser.

## Judge takes well to another kind of court

Work on the circuit court bench can be rewarding, but Bayfield County Circuit Court Judge John P. Anderson has found satisfaction on another court, as well.

On March 20, Anderson, assistant basketball coach of the Washburn Castle Guards, saw seven years of hard work pay off for a group of boys he watched grow up on the basketball court as they competed in the WIAA Division 5 State Semifinals in Madison.

Anderson said he began coaching basketball when his own kids were in elementary and middle school and parents were asked to volunteer.

After his own kids stopped playing, he was approached by the junior varsity basketball coach to help coach the team.

"I didn't have a dog in the fight," Anderson said, of not having a child of his own on the team. He had come to enjoy it, so he agreed to assist for the junior varsity team, and for the varsity team during tournament time.

While the Washburn Castle Guards were ultimately defeated at state by the Young Coggs Prep Eagles in the semifinals, Anderson said watching the boys compete and watching them come together as a team to achieve a goal was special.



Bayfield County Circuit Court Judge John P. Anderson (right) speaks with player Brant Schick at the Sectional Championship game.

Anderson said it was also a bit of a cultural shock to go from a small town to the Kohl Center, and play on the same stage where the Badgers play.

"Our entire county population could fit in the Kohls Center... and still have 4,000 empty seats," Anderson said.

Anderson said he continues to coach for two reasons. First, he really enjoys it. But he also believes it gives him some balance.

"Judges often deal with juveniles in less-than-positive situations," he said. "Coaching is a positive experience. It keeps

me grounded and active."

Anderson acknowledges that there were a couple of times that there was a conflict between his role as a coach and his role as a judge, and he had to remove himself from cases because there was a team member's family involved.

Anderson said he plans to continue to coach for a few more years. He also believes he is the first and only judge in the state to have helped coach a basketball team that made it to the state championship game and described the experience as "really cool," and something he "highly recommends." ■

## Drug courts celebrated during May

By Judge Scott C. Woldt, Winnebago County Circuit Court

*Editor's Note: This column was first published in the Oshkosh Northwestern newspaper in recognition of May as National Drug Court Month.*

During May, Drug Courts throughout Wisconsin joined more than 2,900 Drug Courts nationwide in celebrating National Drug Court Month. By month's end, thousands of individuals who entered the criminal justice system addicted to drugs and facing incarceration will complete Drug Court and emerge as productive, taxpaying citizens.

National Drug Court Month arrives amid renewed interest in criminal justice reform. National and state leaders are looking to reform the criminal justice system to see how best to reduce our costly over-reliance on incarceration.

Sentencing and prison reform is a start, but if we are serious about reducing substance abuse, crime and recidivism while saving money for taxpayers, then we must continue to expand Drug Courts.

In 2006, the Winnebago County Safe Streets Drug Court opened its doors with a simple premise: rather than continue to allow individuals with long histories of drug abuse and crime to cycle through the criminal justice system at great expense to the public, use the leverage of the court to keep them engaged in drug treatment long enough to be successful. Today, Drug Courts have proven that a combination of accountability and compassion can not only save lives, but save valuable resources and reduce exorbitant criminal justice costs.

More research has been published on the effects of Drug Courts than virtually all other criminal justice programs

combined. In 2012, the U.S. Government Accountability Office submitted a report to Congress confirming Drug Courts reduce substance abuse and crime and save money. Nationally, Drug Courts return to the community up to \$27 for every \$1 invested. Drug Courts reduce crime by up to 50 percent, and the longest study to date shows reductions

lasted an astounding 14 years.

Moreover, studies show that the more serious an individual's drug addiction and the longer his or her criminal record, the better Drug Courts work. This approach not only diverts individuals from a life of drug abuse and crime, but has been proven to reduce use of jail or prison beds and family conflicts associated with domestic violence and child abuse.

Wisconsin is now home to more than 50 Treatment Courts and is setting a national

standard for smart on crime justice policies that reduce recidivism and save money. These programs keep our roads safe from drunk drivers, intervene before our youth embark on a debilitating life of drug abuse and crime, give parents the tools they need to stay clean and maintain custody of their children, and ensure our veterans receive the benefits and treatment they have earned.

Drug Courts represent a path ahead that will not only save critical money for taxpayers, but save the lives of our neighbors and our troops suffering the ravages of addiction and mental illness. This year's National Drug Court Month celebration should signal that the time has come to reap the economic and societal benefits of expanding this proven budget solution to all in need. ■



*Lt. Gov. Rebecca Kleefisch (second from left) presents a plaque to a graduate of the Winnebago County Safe Streets Drug Court Treatment Program. Kleefisch visited the Branch 2 courtroom in honor of National Drug Court Month. Also pictured are Winnebago County Circuit Court judges Barbara Hart Key and Scott C. Woldt.*

Photo credit: Jennifer Delfosse

## Eau Claire County drug court focuses on continuous improvement, evaluation

By Melissa Ives, Eau Claire County Treatment Court Supervisor

Several years ago, former Eau Claire County Circuit Court Judge Lisa K. Stark (now District III Court of Appeals judge), who presided over the county's drug treatment court program, submitted an article to *The Third Branch* regarding an evaluation of the county's drug court using the Correctional Program Checklist (CPC).

Developed by the University of Cincinnati Corrections Institute (UCCI), the CPC uses a number of validated, evidence-based practices (EBPs) to gauge the effectiveness of various correctional programs, including drug courts.

Since that time, UCCI has conducted a second review of the Eau Claire County Drug Court and provided encouraging news regarding progress achieved toward adoption of effective practices both by the court itself and its major treatment provider. Growing adherence to evidence-based practices – that is, those practices that research shows to be effective in changing criminal behavior – will be critical to achieving the types of outcomes envisioned to fulfill the

# Wisconsin selected for statewide initiative to expand evidence-based practices

The National Institute of Corrections announced in March that Wisconsin is one of three states to advance with a technical assistance grant program designed to improve public safety through the application of proven research in the criminal justice decision-making process.

Indiana and Virginia were also selected to participate in Phase V of the institute's Evidence-Based Decision Making Initiative, which will help establish the framework for

continually improving local criminal justice systems throughout the state.

Phase V builds on work done in Milwaukee and Eau Claire counties, which were first selected in 2010 to participate in earlier phases of the initiative. Thanks to support from the institute, a state team and six counties will

[see Grant on page 13](#)

## Evaluation *continued from page 8*

promise of safer communities and healthier individuals and families that treatment courts have long provided. With increased focus on performance outcomes by funding sources, as well as the recent adoption of both state and national treatment court standards, adherence to evidence-based practices has never been more critical.

### Background

The CPC for drug courts utilizes two instruments, one for the formal drug court (CPC-DC) and one for major referral agencies (CPC-DA: RA), and two basic types of measures – capacity and content.

Capacity measures the ability to deliver evidence-based interventions and services and is likewise broken down into two domains: 1) Development, Coordination, Staff and Support, and 2) Quality Assurance. Meanwhile, the content area focuses on substantive aspects of service delivery and is divided into two domains as well: 1) Assessment Practices and 2) Treatment Characteristics. Scores on dozens of indicators in these areas are used to rate programs as Highly Effective (Complete Alignment with EBP), Effective (Partial Alignment with EBP), Ineffective (Developing Alignment with EBP) or Needs Improvement (Realignment with EBP Necessary). All programs should strive to fall within the Highly Effective or Effective categories.

### First Review

The initial review conducted by UCCI staff in 2011 revealed both the Eau Claire County Drug Court's strengths and areas in need of improvement. Specifically, the report cited program development, coordination and staff support as highly effective, while noting the need for improvement in the areas of assessment, treatment and quality assurance. That report led to several changes, including improvements to the assessment process and the incorporation of more evidence-based treatment.

### Second Review

At the request of the Department of Corrections (DOC), UCCI conducted a second review at the end of 2013, with a report subsequently released in early 2014. Like the first evaluation, the second site visit incorporated structured interviews with program staff and participants; direct observation of groups and services; and a review of policies and procedures, case files and other written materials. The report highlighted significant improvements, leading to an overall score of Highly Effective, a rating achieved by only seven percent of correctional programs.

While the area of program development, coordination and staff support continued to receive the highest rating, offender assessment and treatment also scored much higher than previously. The higher scores may be attributed in part to a more standardized assessment practice that always includes use of the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) risk and needs assessment, as well as the use of several other validated screening tools, such as the Texas Christian University (TCU) Drug Screen II, TCU Criminal Thinking Scale and University of Rhode Island Change Assessment (URICA). Use of the COMPAS, in particular, helps ensure the court targets moderate- to high-risk individuals in accordance with evidence-based practice. Establishment of a range of rewards and sanctions to encourage positive behaviors and respond to noncompliance, as well as the use of more cognitive-behavioral treatment, also contributed to the higher scores. Both content domains of assessment and treatment rose from ineffective to highly effective between the first review and the second.

Meanwhile, the capacity domain of quality assurance – despite rising from a 28.6 to 42.3 percent rating – remained in need of improvement. Specific recommendations in this area included better monitoring of external providers and regular reassessments of participants using validated risk and need assessment tools to determine progress and remaining areas of need.

### Current Status

Although encouraging, the more recent findings provide the Eau Claire County Drug Court, along with the county's three other treatment courts – Alternatives to Incarcerating Mothers (AIM), Mental Health, and Veterans – with a number of areas to seek continued improvement. Examples of topics being explored include ongoing, structured staff training on an annual basis; more consistent tracking of dosage hours; movement toward more competency-based completion criteria; and development of a continuous quality improvement program.

### Future

Impending statewide training this fall on treatment court standards and outcome measures only provides further impetus for regular program reviews and quality improvement. When the Eau Claire County treatment courts received a federal grant from the Substance Abuse and Mental Health Services Administration several years ago, one of the county's stated goals was to help ensure the most effective use of justice system resources. ■

## Prison visit program provides insight for judges, legislators on prison life, sentencing

By Judge Rebecca F. Dallet, Milwaukee County Circuit Court

If you squint your eyes to see past the razor sharp barbed wire fence, Taycheedah Correctional Institution looks like a small college campus with the older, pillared building and historic house on property.

But there was no mistaking the doors slamming shut behind us to remind our group of about a dozen judges and court staff, along with Lt. Gov. Rebecca Kleefisch, that we were in a prison.

Taycheedah is the only Wisconsin prison that houses women classified as maximum, medium and minimum security.



Judge Rebecca F. Dallet

Women in minimum and medium security can walk freely about the 50 acres on their way to work or programming. The most privileged of the women reside in a bright, cheerful house with a common area, and place to quilt and sew items for donation, only locked into their rooms at lights-out.

Women in maximum security reside in buildings with few windows and limited time outside of their locked, sparse cell. The segregation unit features a unique area where women can participate in programming, are able to see and hear, but divided from the

program leader and other prisoners by glass walls. This ability to participate in programming has decreased discord and aggression in the women spending time in the segregation unit.

The highlight of our tour was the opportunity to meet with women involved in an intensive 16-week Alcohol and Other Drug Abuse (AODA) residential treatment program, many of whom were revoked from probation.

We discussed with them ways the courts and community could have helped them with their opiate addictions before they returned to prison. Each of them accepted that they belonged in Taycheedah for the crimes they committed, but, by participating in the program, each of them was hoping never to come back.

I can detail everything we learned on our tour, but I don't believe reading it here or on a prison fact-sheet is equivalent to the firsthand experience of visiting the prison. When I returned from the tour, I sentenced two women to prison for child abuse. I can now picture where they will spend their days and have learned about the programming that they will have the opportunity to receive. This week I read a conduct report from a prisoner hoping to be released early. I have seen the segregation unit and understand the consequences of that rule violation. Interestingly enough, the prison tours I have gone on have also given me a bit of hope. I have been impressed with the programming at Racine Youthful Offender Correctional Facility, Taycheedah, and even at Dodge Correctional Institution, where prisoners don't often spend much time.

For the minimum and medium security prisoners, it isn't just a warehousing of people, but an attempt to educate and treat them during their stays. For all of these reasons, I would encourage my colleagues to visit our prisons. The next time you sentence someone to prison, or receive a motion or letter from a prisoner, you will be able to picture the cell they live in and how they will spend their time for those years in prison. And, if they complain to you about the food, you can tell you've eaten it, and it's not really that bad! ■

About 190 people, including judges, court staff, legislators, and Lt. Gov. Rebecca Kleefisch toured more than two dozen correctional facilities statewide as part of an annual Judicial Education program on April 24. *The Third Branch* asked Milwaukee County Circuit Court Judge Rebecca F. Dallet, who visited Taycheedah Correctional Institution, to write about the experience from a judge's perspective.

This year's Correctional Institution Visitation Program also included a special invitation from Wisconsin Supreme Court Justice David T. Prosser to Kleefisch and legislators to take part in the program. Kleefisch and 18 legislators took up the offer to visit one of 27 correctional facilities or the Department of Health and Family Services Sand Ridge Secure Treatment Center for persons committed under Chapter 980.

Legislators who participated in the April 24 Judicial Education Correctional Facility Visits:

Sen. Janet Bewley, (D-Ashland)  
 Sen. Devin LeMahieu, (R-Oostburg)  
 Rep. David Bowen, (D-Milwaukee)  
 Rep. Janel Brandtjen, (R-Menomonee Falls)  
 Rep. James Edming, (R-Glen Flora)  
 Rep. Bob Gannon, (R-Slinger)  
 Rep. Evan Goyke, (D-Milwaukee)  
 Rep. Dave Heaton, (R-Wausau)  
 Rep. Cody Horlacher, (R-Mukwonago)  
 Rep. Joel Kitchens, (R-Sturgeon Bay)  
 Rep. Debra Kolste, (D-Janesville)  
 Rep. John Macco, (R-Ledgeview)  
 Rep. Mike Rohrkaste, (R-Neenah)  
 Rep. Mark Spreitzer, (D-Beloit)  
 Rep. David Steffen, (R-Green Bay)  
 Rep. Amanda Stuck, (D-Appleton)  
 Rep. Lisa Subek, (D-Madison)  
 Rep. Nancy VanderMeer, (R-Tomah)  
 Rep. Tyler Vorpapel, (R-Plymouth)

## WINGS holds conference on guardianship

WINGS Wisconsin, a recently formed interdisciplinary group seeking to improve the guardianship process in Wisconsin, held its inaugural conference at the State Bar Center in Madison on May 27.

WINGS stands for “Working Interdisciplinary Network of Guardianship Stakeholders,” an initiative endorsed by the National Guardianship Network, the American Bar Association and the National Center for State Courts. WINGS groups have made significant progress in a number of states.

The Wisconsin group was started in November 2014, when then-Chief Justice Shirley S. Abrahamson directed her executive assistant, Andrew Bissonnette, to try to identify appropriate stakeholders and to determine if there was sufficient interest by the stakeholders to move ahead with the initiative.

“Without exception, the stakeholders were very interested in participating and also believed that there was a serious need to look at guardianship reform in Wisconsin,” Bissonnette said. (See related article, *The Third Branch*, winter 2015.)

Fifty-two invitees, representing about 30 agencies, and including three circuit court judges, participated in the WINGS Conference. They heard a keynote address by Dr. Brenda Uekert, principal court research consultant for the National Center for State Courts. Uekert has tracked the guardianship reform effort and the progress and success of interdisciplinary reform efforts such as WINGS. She noted that approximately 10 states now have either budding or established WINGS organizations working on guardianship reform, and that Wisconsin can learn from the experiences of the established programs.

One of the key issues that WINGS Wisconsin is looking at is how to better protect the elderly from financial exploitation. The amount of money under guardian control approaches \$1 billion in Wisconsin, and that highlights the importance of the issue, Uekert said.

The group also heard from Atty. Jonathan Martinis, a disability rights attorney from Washington, DC. He spoke by speakerphone on the topic of Supported Decision Making and the need to differentiate guardianship cases. For example, a case involving an 18-year-old person who may still be able to express preferences and learn, with practice, how to make good decisions would be handled differently from the case of an 80-year-old person with advanced dementia whose competency is going to continue to deteriorate. Martinis is a passionate advocate for using all

available alternatives to guardianship where guardianship is not absolutely necessary, especially for young developmentally disabled adults.

John Maycroft, policy analyst for the Wisconsin Medical Society, was impressed by both of the speakers. “The speakers drove home what an intense and complicated process guardianship is, and all the challenges we face in making the system work better. I’m optimistic we’ll find ways to avoid the need for guardianship through better planning, find alternatives for individuals who don’t need full guardianship, and make the whole process better for every individual in the state.”

In the afternoon, the group divided into three separate workgroups that will continue to meet and to work following the conference. Those groups are “Competency of the Individual and Alternatives to Guardianship,” “Legal Issues and Guardianship Process,” and “Recruiting, Training and Supporting Guardians.” Nine invitees who could not make the conference have pledged to work in the workgroups.

The benefits of the interdisciplinary approach were evident right away. Dr. Dori Bischmann, a clinical psychologist from Waukesha, said: “It was and will continue to be very exciting to problem solve with professionals from diverse backgrounds...”

Another participant who was immediately struck by the power of the interdisciplinary approach was Kay Schroeder, president of the Wisconsin Guardianship Association, who noted,

“As the event progressed, it became apparent that there are many opportunities to improve the guardianship system in Wisconsin and many passionate partners committed to this goal. I believe that these efforts will increase the quality of service, protection of rights and overall well being of those under guardianship.”

Atty. Mitch Hagopian of Disability Rights Wisconsin summed up the day this way; “The WINGS Summit exceeded my expectations. The mix of professionals in attendance whose practices touch on the guardianship system was impressive. People came to work and it showed.”

Bissonnette said that momentum was clearly established by the conference, and now the challenge will be to maintain it in coming months and years.

“I believe that this group will contribute in many positive ways to help one of the most vulnerable populations in Wisconsin,” Bissonnette said. ■

## Corrections data shows insight in Dane County

On April 23, 2015, Tony Streveler, director of research and policy for the state Department of Corrections (DOC), gave a presentation to the Dane County Criminal Justice Coordinating Council on trends in criminal justice data.

The tables and charts in his power point presentation illustrated many data points, including the numbers of arrests, convictions and prison populations over the last 15 years. The data was statewide, and Dane County specific, showing where Dane County trends matched the statewide trends, and where it differed.

The presentation highlighted how policy decisions at the local and state level can make significant differences in

criminal justice numbers. Streveler suggested the Council review the Dane County data, determine the causes behind advancements or declines, and replicate what was working. He said there is much more to be done, this information is just the beginning, but it is this type of data that is necessary to implement true evidenced-based decision making.

Approximately 30 people were in the audience. In addition to presiding Judge Juan B. Colas, Dane County Circuit Court, who sits on the Council, six other Dane County Circuit Court judges attended, along with District Court Administrator Gail Richardson, court and county staff and members of the public. ■

## Presentation explores history of women judges in Wisconsin

When Dane County Circuit Court Judge Julie Genovese was approached about giving a speech for the Legal Association for Women in Madison, she thought a talk about the history of women judges might inspire women lawyers to consider running for judge.

Genovese approached District IV Court of Appeals Judge JoAnne F. Kloppenburg, and the idea took hold. The two developed and now deliver a presentation entitled “Women Judges In Wisconsin: History, Law and Inspiration.”

The hour-long presentation discusses not only the history of women judges at all levels throughout the state, but also the legal requirements of running for judge and insights gained from personal experience. The presentation features contemporaneous newspaper reports describing the journeys and public reaction to early women judges.

Some of the history touched upon:

- Verle Sells was the first woman judge in our state, taking office in 1936. She only served for four years passing away at the age of 51. A native of Eagle River, Wis., she was a Republican whose father was active in northern Wisconsin mining interests.
- The second woman judge, Olga Bennett, hailed from



*District IV Court of Appeals Judge JoAnne F. Kloppenburg and Dane County Circuit Court Judge Julie Genovese*

Viroqua in Vernon County, and survived an ouster action by her opponent. A tax attorney, she was elected in 1969. In a *Wisconsin State Journal* article entitled “Vernon Gal Judge Astonished at Victory,” she explained, “I don’t expect to be able to take it easy as judge, but the hours will be better, and maybe I will have more time for my hobbies.”

• Vel Phillips, the first woman judge in Milwaukee County, was also the first African-American judge, and the only Wisconsin woman to serve in all three branches of government.

Women now comprise 53 percent of the Wisconsin Supreme Court and 38 percent of the Court of Appeals. However, they make up only 17 percent of the circuit court judges, Genovese said.

After touching on history in the presentation, the two judges explain the legal requirements that

apply to forming campaign committees, getting on the ballot, raising money and campaigning for office.

Finally, the presentation turns to inspiration. The judges draw on their own experiences running for judge to encourage other women lawyers to follow in the footsteps of the pioneers who preceded them and to aim to become judges themselves.

Through their presentation, the judges hope to inspire women lawyers across the state to consider running for judge and also explain to legal and community groups the interesting and colorful history of pioneer women judges, Genovese said. ■

## ‘Lavinia’ makes stops on stages in Madison, Janesville, Wausau and Superior

“Lavinia,” the play about Wisconsin’s first woman lawyer admitted to practice law by the Supreme Court sold out three shows in Madison during March, before making stops for performances in Janesville and Wausau and for a formal reading in Superior. The play explores the obstacles Lavinia Goodell had to overcome in order to be admitted to the bar.

In a decision written in 1875 by then-Chief Justice Edward G. Ryan, the Supreme Court initially refused to admit Goodell to handle an appeal before them. As a result, she successfully lobbied the Legislature to pass legislation to end gender-based discrimination, and she was admitted to practice before the Court in June 1879. Sadly, she died the next year, but her efforts helped open legal careers to women and improve equal opportunity for all people in Wisconsin.

Madison playwright Betty Diamond wrote the play, thanks to a previous grant from the Wisconsin Humanities Council to the Director of State Courts Office and the Office of former Chief Justice Shirley S. Abrahamson. The performances were sponsored by the Wisconsin Law Foundation under a grant from the Wisconsin Humanities Council.

“Lavinia” has been nominated for several “Barties,” awards given for performances at the Bartell Theater in Madison, where the show debuted

on March 19. Nominations include best drama, best director (Diamond) and several best-acting awards.

Each performance included pre- or post-show discussions led by Diamond, Abrahamson and educators, including: Emily Auerbach, professor of English at UW-Madison; Linda Greene, professor of law at the UW Law School; Rebecca Hogan, professor of English and Women’s Studies at UW-Whitewater; and Ellen Langill, historian and senior lecturer at UW-Milwaukee. ■



*UW Law School professor Linda Greene hosts a “talk-back” session with actors and the audience after a March 19 performance at the Bartell Theater in Madison.*

## NEW FACES

**Michelle Zaccard**

In January, Michelle Zaccard joined the court system as a policy analyst with the Children's Court Improvement Program (CCIP).

Zaccard worked as an assistant district attorney in Kenosha County in a grant position in 1999 and was hired as an assistant district attorney in Racine County later that year. She worked in Racine County until she was hired by the Walworth County Corporation Counsel Office in 2004. Zaccard handled a number of different types of cases, including Children in Need of Protection or Services (CHIPS) cases, Termination of Parental Rights, mental commitment, protective placement, and guardianship cases.

Zaccard has a bachelor's degree from UW-Whitewater and a law degree from Marquette University Law School.



Michelle Zaccard

**Justin Wolff**

In February, Justin Wolff joined the court system as a policy analyst with CCIP.

Wolff has a background in legislative practice; representing the interests of foster children in the Iowa Legislature with the Joan and Lyle Middleton Center for Children's Rights. He began his career in Wisconsin state government in 2011, serving as an assistant state public defender in the Merrill office. During his tenure, he handled a variety of child protective and juvenile delinquency matters. Prior to that, he operated his own practice in Rhinelander.

Wolff graduated from UW-Madison in 2004 and from Drake University Law School in Des Moines, Iowa in 2008.



Justin Wolff

**Former DCA Connelly finishes second encore**

Kerry Connelly, who has served the court system for many years, has stepped down again, this time from his role as the statewide problem-solving coordinator for the Office of Court Operations.

Connelly began in the position after Michelle Cern left the Office of Court Operations last year. He had previously served as the district court administrator for the Second Judicial District for 21 years, retiring in 2009. He returned briefly to fill that role when his replacement, Andrew Graubard, resigned in 2013.

Connelly said he hopes to take some time to enjoy the summer, and plans to travel with his wife to the west coast and Europe. But his work serving as vice-president of the Kenosha Area Family and Aging Services, Inc. and on the North American regional board of directors of the

International Association of Court Administration (IACA), as well as playing in a blue grass/Celtic band, participating in a 176-mile bike ride from Iowa to Kenosha, golfing, playing tennis, and gardening should help keep him busy.

Connelly remains active with IACA and is helping plan the association's 2017 conference July 9-13 in Washington D.C. If you have suggestions, he may be contacted at

[connellysgk@gmail.com](mailto:connellysgk@gmail.com). ■



Kerry Connelly

**Grant** *continued from page 9*

now be added to the initiative: Chippewa, La Crosse, Marathon, Outagamie, Rock and Waukesha.

The Phase V grant application was a joint effort of criminal justice leaders from across the state, including representatives from law enforcement, public defense, prosecution, the judiciary, probation and parole, and others dedicated to increasing efficiency, lowering costs and improving public safety.

"At the National Institute of Corrections, we believe that risk and harm reduction are fundamental goals of the justice system," said the institute's director Jim Cosby. "We are pleased to partner with state and local officials to make evidence-based decision making a statewide reality. The leaders of Wisconsin's criminal justice agencies are demonstrating that local collaboration and research evidence can result in improved community and system outcomes, without sacrificing offender accountability."

The initiative is a collaborative effort designed to equip criminal justice policymakers with the information, processes, and tools to reduce pretrial misconduct and recidivism. The NIC introduced the [evidence-based decision making criminal justice framework](#) in 2010 after extensive research and input from leading professionals across the nation.

A two-day in-state meeting formally launches the statewide planning initiative in Phase V. The goals of the in-state meeting will be to ensure a shared understanding of the purposes, benefits, and processes of the initiative; begin the process of building and solidifying methods for cross-team partnership and collaboration; and begin the work of the Phase V roadmap. A future Phase VI of the initiative would involve implementation of those ideas and practices. ■

## Milwaukee evidence-based efforts get boost

Milwaukee County is one of 20 jurisdictions selected nationwide to receive a \$150,000 grant to help ensure that appropriate evidence-based risk assessments drive decisions about who is being incarcerated. The grant is part of the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge program, which announced \$75 million in grants on May 27.



Chief Judge Jeffrey A. Kremers

Milwaukee County was selected from a pool of about 200 applicants in 45 states, said Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court. Kremers serves as chair of the Milwaukee Community Justice Council, which led a collaborative effort to apply for the grant.

In 2016, as many as 10 of these jurisdictions will receive a second round of funding – between \$500,000 to \$2 million annually – to implement their plans over two years.

At the end of May, a Milwaukee County team traveled to Washington D.C. to begin work on implementing the program and with an eye toward being included in a second round of grants.

The Safety and Justice Challenge competition supports jurisdictions across the country seeking to create more just and effective local justice systems that improve public safety, save taxpayer money, and yield better outcomes, according to the MacArthur Foundation.

The 20 jurisdictions selected will work with expert consultants to develop a plan for local justice system improvement.

"Each of the sites selected has demonstrated the motivation, collaboration, and commitment needed to make real change in their local justice systems. We hope their

local efforts will model effective and safe alternatives to the incarceration status quo for the rest of the country," said Julia Stasch, president of the MacArthur Foundation.

The mission of the Milwaukee Community Justice Council is to work collaboratively to promote public safety and offender accountability while making best use of limited and expensive community resources, Kremers said.

"We believe this grant will greatly assist our efforts to ensure that we are using evidence-based practices at key decision points in our criminal justice system to protect the public and detain those individuals who are dangerous as opposed to those who can be safely monitored or rehabilitated in a community-based setting," Kremers said.

Wisconsin has the highest incarceration rate for black men in the country and a poverty rate for blacks that is four times greater than for whites, according to a Milwaukee County press release on the grant announcement. One goal of Milwaukee County's participation in the Safety and Justice Challenge is to develop a better understanding of these issues, and to take the steps necessary to ensure detention decisions at any point in the criminal justice system are risk and need based, while being race, gender, and economic status neutral.

During the last several years, the Milwaukee Community Justice Council has expanded the use of risk-based assessment tools both in pre-trial release determinations and at sentencing.

"Through our early intervention program we have increased the number of diversions and deferred prosecution agreements. We have started a drug treatment court as well as a veterans court. We have done all these things in an attempt to improve our criminal justice system. We hope this grant will allow us to deepen our efforts," Kremers said. ■

*More information about the grant program can be found at: [www.macarthur.org/press/press-releases/macarthur-announces-20-jurisdictions-receive-funding-reduce-jail-use/](http://www.macarthur.org/press/press-releases/macarthur-announces-20-jurisdictions-receive-funding-reduce-jail-use/)*

### Budget *continued from page 6*

the statutory language governing its work and its staff attorney position. Finance did modify how the council is funded, replacing its GPR-funded (general purpose) appropriation with funds transferred from the Director of State Courts Office. The governor had proposed eliminating the council. Second, the act keeps the Judicial Commission as an independently budgeted agency, separate from the Supreme Court. The governor had proposed placing the commission under the budgetary direction of the Supreme Court, a move that many warned could jeopardize the independence of the commission. Third, Joint Finance voted to remove from the budget the proposed Judicial Compensation Commission. The governor had included in his budget a modified version of the court system's proposal to create a commission to study judicial compensation and make recommendations to the Legislature for consideration in development of the overall state government compensation plan.

- Regarding surcharges, the governor had proposed repealing certain exemptions to forfeitures and Justice Information System surcharge. Removing those exemptions would have increased revenue to the counties, to the state's general fund, and to the Consolidated Court Automation Program's appropriation. Joint Finance rejected that proposal.

- The act authorizes one additional position for the court system, a GPR-funded statewide treatment court coordinator position. This position was requested in the court system's proposal last October, however the governor did not include the position in his budget proposal. Although Joint Finance authorized the position, it did not authorize funding for it during the 2015–17 biennium. We are exploring options for temporary funding from base resources or from federal grants.

- Of importance to new judges, the act raises the normal retirement age of judges and other elected officials to 65; it is currently 62. The provision applies to those who initially assume office or begin employment after Dec. 31, 2016. Normal retirement age refers to the age at which a participant may begin to receive an unrestricted regular retirement annuity under the Wisconsin Retirement System. This provision does not establish a mandatory retirement age.

- Finally, the act includes a new \$50 safe-ride program surcharge, which was added during Joint Finance deliberations. The surcharge is imposed for the same offenses that receive the driver improvement surcharge, including operating while intoxicated and causing injury through intoxicated driving. Revenues support the Department of Transportation's safe-ride grant program. ■

## Initiative aims to develop cost-benefit model

By Tommy Gubbin, Office of Court Operations

The Pew-MacArthur Results First Initiative officially kicked off in Wisconsin in late 2014. Staff from Pew-MacArthur traveled to Madison to present a high-level overview of the Pew-MacArthur Results First Initiative. The presentation focused on what Results First is, why it is important, what information it can provide, what information is needed, how other states have used Results First to improve decision-making, and lessons learned. The Pew-MacArthur representatives returned again in March to assist Wisconsin's implementation team in translating criminal justice information that has already been compiled for entry into the Results First Cost-Benefit Model program and updating policy-makers on progress of the initiative both here and in other states.

The Results First Program is a technical assistance program aimed at advancing cost-benefit analysis at the state level. It was created by the Washington State Institute for Public Policy more than 15 years ago, and is currently being used in 16 states. During the fall of 2013, staff from the Pew-MacArthur Results First Initiative traveled to Wisconsin at the invitation of the Wisconsin Statewide Criminal Justice Coordinating Council. Several months later, the council voted unanimously to partner with Results First to incorporate cost-benefit analyses into policy and budget processes with the goal of producing higher returns on taxpayer investment. In the Spring of 2014 all three branches of state government issued letters in support of the effort.

The model will initially be under the state Department of Corrections, which has initiated development of a full criminal justice program inventory focused on reducing recidivism. The Statewide Criminal Justice Coordinating Council's Evidence-Based Decision-Making subcommittee will eventually supervise the work and will decide the most appropriate long-term placement of the Results First model.

The implementation of the Results First Initiative will be broken down into four main Criminal Justice Model components: programs, costs, resource use and recidivism. Members of these component teams will be drawn from the courts and various state departments and offices, including the Department of Corrections, Department of Administration, Department of Justice, Department of Health Services, and the Legislative Fiscal Bureau. The first goal of the Results First Initiative in Wisconsin will be to conduct a cost-benefit analysis of criminal justice

programming that targets the adult criminal population. Later iterations of the model will include cost-benefit analyses of juvenile justice and child welfare programming. States have also used the model to evaluate early education, mental health and substance abuse programming, and K-12 education.

The power of the model is that it goes beyond traditional cost-benefit analysis used by the federal government and many states. It is grounded in ongoing meta-analyses of studies that assess outcomes of related programs and policy options, using rigorous criteria. The model estimates the potential outcomes of programs, calculating savings and other quantifiable benefits over the long term. These findings are summarized by net present values, cost-benefit ratios, and projected returns-on-investment. These estimates include separate projections of the benefits to program participants, taxpayers and non-participants, combined to produce a total state bottom line. The estimates include calculating the marginal costs associated with reduced involvement in the criminal justice system and the savings realized through use of effective programs. Examples from the criminal justice system include costs of programming, costs of criminal justice system involvement from arrest through sentencing, and costs of victimization. Lastly, the model includes a risk analysis that uses statistical methods to determine the odds that these estimates will be realized over the long term.

As part of its Results First initiative, the Pew-MacArthur Foundation named Wisconsin one of 10 states recognized for leading the way in using cost-benefit analysis to evaluate whether programs are effective and providing a good return on investment. This ranking is based on the number of cost-benefit studies conducted, whether the findings were used to influence budget and policy decisions and whether these studies assessed multiple program options to compare policy solutions. In fact, in that last category, Wisconsin is recognized as one of the top five states leading the way in assessing multiple program options to compare policy solutions. The six states that have deployed their Results First models have already seen important policy-making successes, including the shifting, cutting, or allocating a total of \$38 million in funding, with anticipated returns of as much as \$38 for every \$1 invested over the next seven to 10 years. ■

### Chief justice *continued from front page*

Roggensack was elected to the Supreme Court in 2003 and re-elected in 2013. Before joining the Supreme Court, she served on the Court of Appeals, having been elected to that bench in 1996 and re-elected in 2002. Before becoming a judge, Roggensack practiced law for 16 years in Madison. She holds a bachelor's degree in biology from Drake University and a law degree from UW Law School. She is the only justice to have served on the Court of Appeals.

Under the new constitutional provision, the justice who is

elected may decline to serve as chief justice or resign the position but still continue to serve as a justice, according to a Government Accountability Board summary of the amendment.

On April 8, former Chief Justice Shirley S. Abrahamson filed a federal lawsuit over issues relating to the referendum and the position of chief justice. The lawsuit is pending. ■

## Courts and counties celebrate Law Day

Counties throughout Wisconsin undertook a variety of activities to mark Law Day on May 1.

### Sheboygan County

Wisconsin Supreme Court Chief Justice Patience Drake Roggensack visited with fifth graders at the Sheboygan County Courthouse as part of Law Day activities sponsored by the Sheboygan County Bar Association. In addition to meeting the chief justice, fifth graders had a chance to tour the courthouse on the morning of May 1.

The featured speaker for the afternoon session was UW Law School Professor David Schwartz who made a presentation about constitutional law to members of the local bar.

### Lincoln County

The Merrill Optimist Club sponsored Law Day activities at Prairie River Middle School in Merrill this year, as it does once every three years. There are three grades at the middle school – sixth, seventh, and eighth grades – so all students are able to participate once during their time in middle school, said Lincoln County Circuit Court Judge Jay R. Tlusty.

First is a 20 minute assembly where Law Day is explained to the students and then a speaker gives a 10-15 minute presentation on a law-related topic.

This year, retired U.S. Rep. David Obey was the speaker. Organizations from the community have displays for the students in the field house. After



Michelle M. Gudex, a court reporter for Sheboygan County Circuit Court Judge James J. Bolger, is surrounded by students learning about her work as part of a Law Day program.

Photo Credit: Sheboygan Press Media



Chief Justice Patience Drake Roggensack and students from one of the Longfellow fifth grade classes pose for a photo after completing a mock trial.

the assembly, each student is given a sheet of law-related questions and the students then go from display to display getting answers to the questions. The students then submit their sheets for door prize drawings. Many displays have handouts for the students. This year, Tlusty ordered copies of the State Bar of Wisconsin publication entitled “What You Should Know About Wisconsin Law—Your Legal Rights and Responsibilities,” and

allowed each student to take a copy if he or she desired.

There were approximately 15 to 20 organizations with displays, including among others: Lincoln County Bar Association, State Public Defender’s Office, City Attorney’s Office, Merrill Police

Department, Lincoln County Sheriff’s Department, State Patrol, U.S. Attorney’s Office, the Federal Bureau of Investigation, Crime Stoppers, and various elected state and federal officials or their representatives.

[see Law Day on page 17](#)



Chief Justice Patience Drake Roggensack and Prof. David Schwartz of the UW Law School celebrate Law Day at a luncheon hosted by the Sheboygan County Bar Association at the John Michael Kohler Arts Center Cafe Terrace.



Lincoln County Circuit Court Judge Jay R. Tlusty works the Lincoln County Bar Association’s table during Law Day activities at Prairie River Middle School in Merrill.

**Law Day** *continued from page 16***Jefferson County**

On Friday, May 1, 357 fourth and fifth grade students from schools across Jefferson County took part in Law Day at the courthouse. They participated in "Three Little Pigs" mock trials, toured the jail, observed drug dog demonstrations, displays from sheriff's department, state patrol, dive and swat teams, and much more. The students interacted with sheriff and state patrol officers as well as local attorneys and judges while learning about the different areas of law.



Photo Credit: Cindy Hamre Incha

Atty. Ben Brantmeier (at bench) and Atty. Al Larsen (at counsel table) assist students during mock trials in Jefferson County.

Other activities included a mock trial at the courthouse staged by local attorneys with students acting as jurors, and tours of the Wisconsin Supreme Court at the State Capitol, where they also heard from Supreme Court Justice David T. Prosser about the work of the court.

**Dane County**

The Dane County Bar Association hosted a free legal clinic and variety of events and activities in celebrating Law Day and the American Bar Association's Law Day

theme: "Magna Carta: Symbol of Freedom Under Law."

Karl Shoemaker, UW-Madison associate professor of history and law gave a presentation about Magna Carta at the Dane County Courthouse.

Consolidated Court Automation Programs (CCAP) Customer Service Manager Andrea Olson gave a presentation on eFiling in the Wisconsin court system. And Atty. Aviva Kaiser, ethics counselor for the State Bar of Wisconsin, gave a presentation on ethics and the law.



Photo Credit: Cindy Hamre Incha

Jefferson County Circuit Court Judge William F. Hue has a Q&A session with students while Jefferson County Clerk of Court Carla Robinson pours punch.

**Rock County**

In Rock County, court officials offered tours of all court offices for fifth graders.

**Lafayette County**

Lafayette County Circuit Court Judge William D. Johnston made a presentation about the court system to the combined seventh and eighth grade classes at Darlington Middle School.

**Manitowoc County**

On April 22, Manitowoc County hosted Student Government Day, during

which several local high schools participated in courthouse tours, jail tours, and City Hall and police department tours throughout the day.

Manitowoc County also held its annual "Three Little Pigs" mock trials for elementary school children, which was hosted by retired Judge Patrick L. Willis and sponsored by the Manitowoc County Bar Association. ■



Dane County Circuit Court Judge Juan B. Colas (second from left) addressed students and parents on the relevance of the Magna Carta to today's judicial system before the students took part in a mock trial at the courthouse.



Dane County Circuit Court Judge C. William Foust (right) introduces Consolidated Court Automation Programs (CCAP) Customer Service Manager Andrea Olson, who gave a presentation on mandatory eFiling to 50 Dane County attorneys.

## After 10 years, Rock County CASA program still helping children, judges

Rock County Court Appointed Special Advocate program (CASA) recently celebrated its 10th anniversary with an informational lunch attended by social workers, lawyers, volunteers and others interested in the program.

The event offered an opportunity to reflect on the success of the program and to consider future needs.

In 2005, when the program was launched, Rock County Circuit Court Judge Richard T. Werner stated: "CASA volunteers help judges understand more about the abused and neglected children who come to court. By gathering sufficient information and preparing reports on each child, volunteers open doors for these children to receive the help they need."

In remarks at the luncheon, Program Director Kim Churchill said: "CASA serve as the 'eyes and ears' of the judge within the community. Volunteers are assigned to one or two cases at a time which allows them to focus much more time and effort on the children who may otherwise get lost in an overburdened government system.... CASA volunteers spend time with the children, listen to them and make their wishes known."

Research has demonstrated that children with a CASA volunteer are substantially less likely to spend time in long-term foster care and are less likely to reenter the system once returned home, Churchill said.

Churchill also noted that funding for the program is becoming increasingly difficult and that CASAs are having to spread a broader fundraising net than in the past.

Atty. Shanna Kneuppel, a Rock County guardian ad litem said each year about 160 children come through the Rock County court system who could have benefited from a CASA.

"I am appointed to about 40 of those children. In contrast, each CASA is assigned to only one child and spends one hour a week with that child... I need the insight that a

CASA brings simply by virtue of not being another social worker, another lawyer, or another professional person paid to be doing a job; instead, the CASA is there solely because they want to be," Kneuppel said.

Rock County Assistant Corporation Counsel Tom Kolpien said CASA and its volunteers perform an immeasurable service to our courts, families and most importantly the children who are affected by their involvement in the legal system.

Rock County Circuit Court Judge R. Alan Bates said he appreciates both the formal and informal services of CASAs.

"Formally they are my eyes and ears. They come to court and make comments as they see fit and they file periodic reports. I have on many occasions questioned parties or witnesses about a topic only raised by the CASA. Several times I have scheduled court hearings to deal with issues raised by CASA long before permanency plan review was scheduled. Informally I appreciate the bond they form with their children and their bravery when they take a stand that may not be appreciated by a parent or other party," Bates said.

Bates strongly urges counties without a CASA to consider establishing a program and for those counties that have one, to do what they can to help ensure their financial stability.

The CASA program was created in 1977 to help ensure that the abuse would not continue while a court case is ongoing. A CASA worker is a trained community volunteer who is appointed by a juvenile or family court judge to speak for the best interest of children who are brought before the court. The majority of a CASA volunteer's assignments are home placement cases where an abused and/or neglected child has been removed for protection from the care of his or her parents. ■

### NEWS AND NOTES

In February, Friday the 13th was a lucky day for several couples who made their way to the Milwaukee County Courthouse, Milwaukee's FOX6 News reported. Since Valentine's Day fell on a Saturday this year, and the courthouse is closed on weekends, Room 509 was decked out with roses, hearts and cookies for couples who gathered to get married that Friday.

According to First Judicial District Deputy Court Administrator **Beth Bishop Perrigo**, 13 weddings were performed that day.

"Historically the 13th is associated with things people don't like to think about, but some people see it as a different kind of demarcation of a very special occasion," Milwaukee County Circuit Court Judge **Maxine A. White** was

quoted as saying.

The Milwaukee County Courthouse is the site of about four times more weddings on Valentine's Day than any other average day, the station reported. In the past, court staff donated the cookies and decorations on Valentine's Day and other "special" days where they see an increase in the number of ceremonies performed. Fifty-two weddings were performed on Feb. 14, 2014, and 38 on Feb. 14, 2013. On Dec. 12, 2012 (12-12-12) almost 30 couples were married at the courthouse.

### Chief judge defends judiciary

UPDATED 10:00 AM CDT Apr 26, 2015



Milwaukee County Chief Judge Jeffrey Kremers says people who accuse judges of not handing out tough sentences misunderstand what judges do.

First District Chief Judge **Jeffrey A. Kremers**, Milwaukee County Circuit Court, appeared on the WISN-TV show "UpFront" with **Mike Gousha** on April 27.

Kremers told Gousha that Milwaukee County Sheriff **David Clarke's** criticism of the judiciary in another segment of the show was "a misunderstanding and a mischaracterization of what judges do."

see [News and Notes on page 21](#)

**Election** *continued from front page*

winter 2015). Seidl works in private practice in Wausau. He is a graduate of UW-Eau Claire and UW Law School. He had previously served as a law clerk for the Dane County District Attorney's Office. Prior to receiving his law degree, Seidl taught at the high school and college levels.

**Circuit court**

Green County Circuit Court Judge James R. Beer won re-election to the Branch 1 bench after facing a challenge from Atty. Dan Gartzke. Beer was first appointed in 1996, elected in 1997 and was previously re-elected in 2003 and 2009.

Jackson County Circuit Court Judge Anna L. Becker was elected to the circuit court after having been appointed by Gov. Scott Walker in 2014. Becker and Atty. Daniel Diehn had defeated four other challengers in the Feb. 17 primary. Becker is a former Jackson County district attorney and family court commissioner. She has a bachelor's degree from the University of Minnesota and a law degree from Hamline School of Law.

Chief Judge Allan "Pat" Torhorst was re-elected to the Racine County Circuit Court Branch 9 bench. Torhorst defeated Milwaukee Atty. Joseph Siefert. Torhorst was first elected in 1991 and previously re-elected three times.

Walworth County Circuit Court Judge Kristine E. Drettwan won her first six-year term by defeating Atty. John W. Peterson. Drettwan was appointed to the bench last year. Prior to her appointment, she served as a family court commissioner and a judicial court commissioner for Walworth County. She also previously served as an assistant district attorney for Walworth and Douglas counties. She is a graduate of UW-Madison and the University of Minnesota Law School.

Menomonee Falls Atty. Paul Bugenhagen, Jr. defeated incumbent Waukesha County Circuit Court Judge Linda M.



Judge James R. Beer



Judge Anna L. Becker



Chief Judge Allan "Pat" Torhorst



Judge Kristine E. Drettwan



Judge-Elect Paul Bugenhagen

Van De Water. Van De Water has served on the Branch 10 bench since she was first elected in 2003. Bugenhagen has worked in private practice and holds a law degree from Thomas M. Cooley Law School.

In Adams County, Atty. Daniel Glen Wood defeated Atty. Jesse L. Leichsenring for the vacancy being created by the retirement of Judge Charles A. Pollex at the end of his term. Wood has a bachelor's degree from UW-La Crosse and received his law degree from UW Law School. He has worked in private practice in Friendship.

Lodi Atty. Todd J. Hepler drew about 60 percent of the vote to defeat Atty. Troy D. Cross for the Columbia County Branch 1 seat. Hepler will replace Judge Daniel S. George, who will retire at the end of his term. Hepler is a graduate of the National American University and University of Nebraska. He has worked in private practice since 2011. He has previously worked as a newspaper reporter and editor, and a radio announcer in Wisconsin, Texas, and Colorado.

The vacancy on the La Crosse County Circuit Court Branch 5 bench created by the retirement of Judge Dale T. Pasell last November, (*see The Third Branch, fall 2014*) will be filled by La Crosse County Family Court Commissioner Gloria L. Doyle. Judge Candice C. M. Thustosch was appointed to the seat and has served since February. Thustosch was defeated by Doyle and Atty. Brian K. Barton in the Feb. 17 primary. Doyle previously worked in private practice and as a legislative

assistant and committee clerk before becoming a court commissioner. She received her bachelor's and law degrees from UW-Madison.

Darlington Atty. Duane M. Jorgenson will fill the Lafayette County Circuit Court vacancy created by Judge William D. Johnston, who will retire at the end of his term (*see Retirements on page 21*). Jorgenson

[see Election on page 20](#)



Judge-Elect Daniel Glen Wood



Judge-Elect Todd J. Hepler



Judge-Elect Gloria L. Doyle



Judge-Elect Duane M. Jorgenson

**Election** *continued from page 19*

defeated District Atty. Kate Findlay. A graduate of Northern Illinois University College of Law, Jorgenson works in private practice.



Judge-Elect John B. Rhode

Atty. John B. Rhode defeated Langlade County District Atty. Ralph M. Uttke to fill the seat of retired Langlade County Circuit Court Judge Fred W. Kawalski (*see The Third Branch, fall 2014*). Rhode works in private practice in Antigo. He holds a B.A. from UCLA and a law degree from Marquette University Law School.

Milwaukee County Assistant District Atty. David A. Feiss ran unopposed for the Milwaukee County Circuit Court Branch 46 bench. Feiss is a graduate of Oberlin College and UW Law School, and has served as assistant district attorney for Milwaukee County since 1986. He is married with two daughters.



Judge-Elect David A. Feiss

In Racine County, Atty. David W. Paulson defeated Atty. Tricia J. Hanson for the Branch 6 seat of Judge Wayne Marik, who will retire at the end of his term (*see Retirements on page 23*). Paulson, who received his law degree from Marquette University Law School, works in private practice. He has also served as a municipal judge for the village of Caledonia. He is married, and has three children and nine grandchildren.



Judge-Elect David W. Paulson

Rock County Family Court Commissioner Mike Haakenson defeated District Atty. David J. O'Leary for the Branch 5 seat on the Rock County Circuit Court to replace Judge Kenneth W. Forbeck, who did not run for re-election. Haakenson has served as a court commissioner since 2012. He previously worked in private practice and has served as a law clerk for former Supreme Court Chief Justice Roland B. Day.



Judge-Elect Mike Haakenson

Haakenson received his bachelor's and law degree from UW-Madison. He and his wife have two children.

In Sawyer County, Atty. John M. Yackel won election to the seat held by Judge Gerald W. Wright, who will retire at the end of his term. Yackel has served as assistant district attorney for Sawyer County since 2013. He has also worked in private practice and served as a circuit court judge in Lincoln County from 2012 to 2013, and had previously worked

as a law clerk for former District III Court of Appeals Judge Gregory A. Peterson. Yackel is the son of former Sawyer County Circuit Court Judge Norman L. Yackel. He is married and has three children.

Sheboygan County Circuit Court Commissioner Rebecca L. Persick defeated Atty. Catherine Q. Delahunt for the Sheboygan County Circuit Court Branch 4 seat of Judge Terence Bourke, who will retire at the end of his term. Persick has served as a court commissioner since 2003. She previously served as assistant corporation counsel for Sheboygan County and in private practice. Persick has a B.A. in history from Lawrence University and a law degree from Chicago-Kent College of Law. She and her husband have two children.

In Waukesha County, Assistant Atty. General Maria S. Lazar ran unopposed for the Branch 7 seat of Waukesha County Circuit Court Judge J. Mac Davis, who will retire at the end of his term (*see The Third Branch, fall 2014*). Lazar holds a bachelor's degree from Mount Mary College and a law degree from Georgetown University Law Center. She has served as assistant attorney general in the state Department of Justice's Special Litigation and Appeals Unit since 2010, and has served as a trainer at the National Association of Attorneys General Training and Research Institute. Prior to that, Lazar worked in private practice. She and her husband have two children.

Atty. Michael P. Maxwell defeated Atty. Ron Sonderhouse in the race for the Branch 8 seat held by Waukesha County Circuit Court Judge James R. Kieffer, who will retire at the end of his term (*see Retirements on page 21*). Maxwell works in private practice. He holds a B.S. from Virginia Tech University, an M.B.A. from Marquette University and a J.D. from Marquette University Law School. ■



Judge-Elect John M. Yackel



Judge-Elect Rebecca L. Persick



Judge-Elect Maria S. Lazar



Judge-Elect Michael P. Maxwell

**Appointments** *continued from front page*

(see *The Third Branch, winter 2015*).

Troupis received his bachelor's and law degrees from Northwestern University, where he also served as editor-in-chief of the *Journal of Criminal Law and Criminology*.

He has worked in private practice since 1979, and previously served as a law clerk for Illinois Supreme Court



Judge Michael P. Screnock

Chief Justice Howard C. Ryan. Troupis has served on the Board of Directors for Legal Action of Wisconsin, and on the State Bar of Wisconsin's Board of Governors.

Walker named Michael P. Screnock to fill the vacancy on the Sauk County Circuit Court created by the retirement of Judge Patrick J. Taggart (see *The Third Branch, winter 2015*). His appointment was effective June 1.



Judge James R. Troupis

Screnock previously worked in private practice, as a finance director for the city of Ashland, city administrator for Washburn, and as community development director, building inspector and director of finance and development for the city of Reedsburg.

A graduate of UW Law School, he also holds a B.S. from UW-Madison and an M.B.A. from Eastern College. He and his wife have three children.

Walker appointed Atty. R. Michael Waterman to the St. Croix County Circuit Court Branch 4 seat previously held by Judge Howard Cameron, who retired in March (see *The Third Branch, winter 2015*). He began serving on May 20.

Waterman has worked in private practice since receiving his law degree from Hamline University School of Law. He also holds a B.A. from Muhlenberg College. Waterman has also worked as an adjunct professor at William Mitchell College of Law. He and his wife have one child. ■



Judge R. Michael Waterman

**NEWS AND NOTES** *continues from page 18*

In responding to a recent spate of homicides, Clarke said the judiciary was "a revolving door" of justice at the Milwaukee County courthouse.

Kremers said no one is more concerned about sentencing than judges, and that alternatives to incarceration do not apply to violent offenders. Sentence severity depends on several factors, including previous offenses and testimony during trial, complicating the definition of a fair sentence, Kremers said.

"No one sits on a bench and says, 'what is the lightest sentence I can impose here?'" (Judges) take their jobs very seriously and consider all the information and most recent research and data on what's the best way to respond to a particular defendant and craft a sentence that is consistent with that" and with established law, Kremers said.

According to *Lake Country NOW*, emergency personnel responding to Lapham Peak State Park users now have a quicker, more accurate location system, thanks to two Summit Boy Scouts. **Joseph** and **Alex Neimon**, sons of District Three Court Administrator **Michael Neimon**, earned their Eagle Scout rank for their work installing intersection numbers and signs, and establishing GPS coordinates throughout the 1,100-acre park. Sixteen-year-old Joseph developed a numbering system for the trails and installed intersection numbers, and 13-year-old Alex installed trail map signs and linked the signs coordinates to Waukesha County's 911 system.



Department of Natural Resources Deputy Secretary Kurt Thiede thanks Eagle Scouts Joseph and Alex Neimon for their work on trail map and numbering system at Lapham Peak State Park. Also pictured are their parents, Kerry Neimon and District Court Administrator Michael Neimon.

*Law Journal* article. The Supreme Court adopted a rules petition in April that will make lawyers and others who file court documents legally responsible for blacking out confidential personal information, such as social security numbers and bank account information.

"We have no common way of dealing with this issue," Justice **Annette Kingsland Ziegler** is quoted as saying. "So we are trying to highlight this issue and create a reasonable process, so people know what to do."

The petition was filed by the Consolidated Court Automation Program's (CCAP) Steering Committee. According to the article, Racine County Circuit Court Judge **Gerald P. Ptacek**, who serves on the committee, told the court the rule was necessary to address the increasing concerns about identity theft, since clerk of courts do not have the authority to remove personal information from

"Instead of giving them a blind guess on where they need to go, you can just say go to sign E12 and take a left at E17," Joseph told the paper of how the system can assist lost visitors.

"Our visitors are already thankful for it," park Property Manager **Brett Johansen** was quoted as saying. "It was quite an undertaking."

"Court gives initial OK to privacy rule," headlined a *Wisconsin*

NEWS AND NOTES *continued from page 21*

public court documents.

The rule will take effect Jan. 1, 2016, but individuals may file motions to black out information from documents filed prior to that date.

Milwaukee County Circuit Court Judge **Christopher R. Foley** was featured in a heartwarming front page column and photo in the May 29 print edition of the *Milwaukee*

MILWAUKEE-WISCONSIN  
JOURNAL SENTINEL

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Jim Stingl | In My Opinion

E-mail

A childhood bang of the gavel leads to Marquette law degree



Christle Jones hugs Milwaukee County Circuit Judge Christopher Foley at her law school graduation party. Christle was just 13 when she decided she wanted to be a judge, and she credits Foley for allowing her to sit on the bench and act as the judge during the adoption of her twin brothers in 2003.

Family photo



Even a small act of encouragement can lead someone down the right path. It happened to Christle Jones.

She was 13 years old on a July day in 2003 when her mom and stepdad went to court to adopt twin boys who were in their foster care.

Milwaukee County Circuit Judge Christopher Foley was presiding in Children's Court. He has a sweet tradition of inviting an older sibling to sit on the bench at adoption hearings and bang the gavel to make the adoption official.

May 28, 2015

Tweets 20

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EMAIL PRINT COMMENTS

Supreme Court on May 18.

The **Jim Stingl** column, entitled “A childhood bang of the gavel leads to Marquette law degree,” is posted [here](#). The column starts: “Even a small act of encouragement can lead someone down the right path. It happened to **Christle Jones**...” That day, the young girl told her mother she wanted to be a judge, and she never changed her mind.

After the column ran, Foley said that he received a message from Jones’ mother indicating that Jones had been hired by the Legal Aid Society of Milwaukee as a guardian ad litem for Children’s Court.

Foley is portrayed endearingly in the column, but he said the real credit goes to Christle, her parents and her family.

“Everyone dreams but she, with their help, had the commitment and courage to make her dream a reality,” Foley told *The Third Branch*.

Foley said he was touched by the article, and that it is important for judges to remember they have unique opportunities to positively impact people’s lives.

“I really urge judges to let the adopted child or, if they are not old enough or capable, a sibling, cousin, .... ‘play judge’ at those adoptions. There is something remarkably magical about the child saying: ‘The petition for adoption is granted, and I am now John Jones,’ and banging the gavel.

*Journal Sentinel*. Foley’s simple gesture of letting a 13-year-old girl take the bench and gavel for a few minutes during an adoption proceeding in 2003 had profound influence on the girl. Christle Jones, now 25, graduated from Marquette University Law School and was admitted to the bar by the Wisconsin

It makes such an important moment so personal and touching for the child and family,” Foley said.

On Jan. 23, Wisconsin State Law Librarian **Julie Tessmer** was appointed the Command Master Chief (CMC) of the Navy Reserve Law Program and Senior Enlisted Advisor to the Deputy Judge Advocate General for Reserve Affairs and Operations, a position she will hold until January 2017.

As CMC, Tessmer is attached to the Reserve Civil Litigation Unit in Washington, DC. She drills locally with the Reserve Region Legal Service Office Midwest Unit at the Navy Operational Support Center in Chicago where she serves as the Senior Enlisted Leader.

Tessmer enlisted in the U.S. Navy Reserve in 1995. From October 2009 to July 2010, Tessmer served in Baghdad, Iraq with the Combined Joint Special Operation Task Force Arabian Peninsula (CJSOTF-AP). As the Non-commissioned Officer Liaison to Iraqi Central Criminal Court, she was involved in the prosecution of high-valued terrorists.

First-time offenders of certain misdemeanor crimes in Madison’s south side will have the opportunity to avoid the Dane County Courthouse through a new restorative justice program, the *Wisconsin State Journal* reported.

The new Community Restorative Court will allow community residents to have more involvement in how crime is handled in their neighborhoods, and allow offenders to accept responsibility for their actions.

The program’s coordinator, **Ron Johnson** of the Dane County Department of Human Services, will work with the victim, the offender and neighborhood residents to resolve



Julie Tessmer

see News and Notes on page 26



The Dane County Veterans Court program celebrated its first graduation ceremony on April 24. From left to right: Dane County District Atty. Ismael Ozanne, Department of Corrections Agent Brian Basham, Mentor Coordinator Will Mattered, Mentor Jacob Beebe, graduate Travis K, Assistant Public Defender David Klauser, Dane County Circuit Court Judge David T Flanagan, Department of Veterans Affairs Counselor Brian Determan, and Department of Veterans Affairs Justice Outreach Officer Ed Zapala.

**RETIREMENT** *continued from page 2***Judge William D. Johnston  
Lafayette County Circuit Court**

Lafayette County Circuit Court Judge William D.

Johnston's election to the bench should have been a time for celebration, but instead was surrounded by tragedy. Two months after Johnston defeated incumbent Judge Daniel McDonald for the Lafayette County Circuit Court bench in 1985, Johnston's law partner was found beaten and stabbed to death. Witnesses, including Johnston, named McDonald as the murderer. McDonald would eventually be convicted of murder and committed suicide while in prison.



*Judge William D. Johnston*

Of his Aug. 1, 1985 investiture, Johnston said: "After the events of June 22, 1985 there were many uncertainties. To walk into the circuit court room of the Lafayette County Courthouse and find it filled with family and friends was at once humbling and reassuring at the same time."

Johnston said he is most proud of how the credibility and function of the Lafayette County Circuit Court was able to be restored after the incident.

Johnston received his bachelor's degree from UW-Madison and law degree from UW Law School. After receiving his law degree, he worked in private practice until his election. He has served on the Wisconsin Trial Judges Association, the Judicial Conference Executive Committee, and the Planning and Policy Advisory Committee (PPAC). Before becoming a judge, Johnston had previously worked as a high school teacher in Sheboygan.

Johnston said he has noticed two significant changes during his time on the bench, the first being the increasing reliance on technology. "To go from typewriters to the CCAP computer system is a massive change," he said. The second is the increase in the number of women practicing law.

"Women attorneys have changed the tone and civility in the practice of law," he said. "This has been a positive change in the legal profession."

He hopes to continue to do legal work through serving as a reserve judge, mediation, and arbitration work, as well as pro bono "farm" work.

"Every case has its importance to those involved," he said of the cases he has presided over during his career. "When a case is well lawyered, well litigated, and each side has had full opportunity to be heard, those are the cases I enjoy most."

Johnston said he will miss the daily contact with the court staff, attorneys and the public after he retires at the end of his current term in July. He said he plans to spend time with his family, travel, and join the Towne House Historical Society discussion groups.

**Judge James R. Kieffer  
Waukesha County Circuit Court**

Waukesha County Circuit Court Judge James R. Kieffer

said he is proud of his longevity in the court system. First elected in 1985, Kieffer said he believes he is one of the few judges from back then who is still around. Over the years, he has had the opportunity to work with many judges, both in Waukesha County and around the state. Over the past few years he has seen a new crop of judges come up, something he said he thinks is good for the judiciary.

But Kieffer, who did not seek re-election to the bench when his current term ends this July, believes the time is right for him to retire.

"I always hoped my successor would be selected by the people of Waukesha like I was, as opposed to being appointed," he said.

Kieffer said he is also proud of his ability to handle all the different types of cases he has encountered through judicial rotation in the county.

He said he has enjoyed every type of case he has been assigned to.

Within his first month of taking the bench, Kieffer said he presided over a Child in Need of Protection or Services (CHIPS) case involving a young pregnant woman. The case stands out to him as particularly memorable because at the time, law relating to unborn children had not been developed.

Kieffer received his bachelor's degree from Marquette University and law degree from Marquette University Law School. He is a former assistant district attorney for Waukesha County and has also worked in private practice. A former deputy chief judge for the Third Judicial Administrative District, Kieffer has served on the Records Management Committee, and is currently the committee chair. Kieffer said the people who have worked on the committee have been wonderful, and he has found the work of creating new forms helpful to himself in keeping abreast of new laws and helpful to people who come in to his courthouse.

Technology has also been helpful, he said, calling it a dramatic change for the better.

"We are expected to do more, and we are able to do more," with the new technology available.

Kieffer said he plans to provide mediation services after he retires, but will miss the people he has worked with, both in and out of the courtroom.

"They make the job easier," he said. "I look forward to coming in to work. I have been truly blessed with the opportunity to be a judge all these years."

**Judge Wayne J. Marik  
Racine County Circuit Court**

Racine County Circuit Court Judge began his legal career as a law clerk to Wisconsin Supreme Court Justice Bruce F. Beilfuss in 1970. Fifteen years later and a year before he passed away, Beilfuss spoke at Marik's investiture and administered the oath of office, something Marik said meant a great deal to him.

Marik said he has considered it a privilege to be a judge and

[see Retirements on page 25](#)



*Judge James R. Kieffer*

**AWARDS** *continued from page 3***Dane County Juvenile Court**

Retired Dane County Circuit Court Judge John C. Albert received the Ervin Bruner Award for his substantial contributions to the Dane County juvenile justice system over the course of his career. The award was presented at the 17th Annual Juvenile Court Recognition Dinner on April 29 in Madison.



Retired Dane County Circuit Court Judge John C. Albert and Justice Shirley S. Abrahamson at the Juvenile Court Recognition Dinner, where Albert was honored.

Albert served on the Dane County Circuit Court from 1999 until this past April, and was the presiding juvenile division judge from 2003-09. He was honored for presiding over a courtroom in which hearings were conducted in such a fashion that all parties felt heard and respected.

The recognition noted about Albert: "He was professional and pragmatic, serious, but sensible. His

diverse background equipped him with great wisdom, in both a legal and practical sense. He was recognized due to his dedication and commitment to making the lives of youth in our community better and his genuine caring for those who appear before him."

The Ervin Bruner Award is named after Judge Ervin Bruner, one of the first Juvenile Court Judges in Dane County. Bruner set the standard for how youth should be treated in court and created and supported numerous community-based programs to support youth and families.

The Ervin Bruner Award is one of several awards presented annually in Dane County to individuals and organizations who have demonstrated a great commitment to "enhancing the lives of youth and families in our communities."

**Law Journal recognizes Women in Law**

Three circuit court judges have been honored by the Wisconsin Law Journal as 2015 Women in Law for their leadership, expertise, and vision.



Judge Ellen R. Brostrom

Milwaukee Circuit Court Judge Ellen R. Brostrom was recognized for her commitment to the community through public service.

"Through her service to our community on and off the bench, Judge Brostrom is an asset to the legal profession and a role model for other women lawyers."

Milwaukee County Circuit Court Judge Rebecca F. Dallet wrote in her nomination letter.



The Monroe County Bar Association recognized retired Monroe County Circuit Court Judge Michael McAlpine, left, for his years of service. Kenneth Hamm of the bar association, right, presented a portrait of McAlpine, who retired in 2010, that will be hung in his old courtroom. When the justice center is complete, the portrait will be moved to the new branch II courtroom.

"Since her election in 2009, she has presided over criminal cases including domestic violence, sexual assault and homicide cases. She currently presides over Milwaukee County's drug treatment and veteran's court, a unique role where she can see an impact on the lives of addicted defendants being treated instead of incarcerated."

Polk County Circuit Court Judge Molly GaleWyrick was also recognized. GaleWyrick has served on the Polk County Branch 1 bench since 2002.

"She has always been, and continues to be, a role model and mentor for women attorneys and court staff," one of the attorneys who nominated her wrote. "Whether this involves hosting a get together at her house or simply setting aside time to counsel and advise women, Judge GaleWyrick has always had an open door."

Also being honored is Sheboygan County Circuit Court Judge Angela W. Sutkiewicz, who

became the first woman to serve on the Sheboygan County bench when she was appointed in 2010.

"Since becoming a circuit court judge, she has

devoted countless hours to establishing a Veterans Treatment Court," Sheboygan County Circuit Court Commissioner Rebecca Persick wrote when nominating Sutkiewicz.

"Because she has opened the door to female judges in Sheboygan County, and because she has served the community in an exemplary way since becoming a judge, I can't think of anyone more

deserving of recognition than Judge Angela Sutkiewicz."

An awards ceremony and dinner was held on June 11 at

The Pfister Hotel in Milwaukee to recognize Brostrom, GaleWyrick, Sutkiewicz, and the other honorees.

**Foster named 'Woman of Distinction'**

Waukesha County Circuit Court Judge Kathryn W. Foster was recognized by the Women and Girls Fund of Waukesha County at its annual Women of Distinction event. In its 31st year, the event honors the extraordinary women who have cultivated growth, volunteerism and



Judge Katherine W. Foster



Judge Molly E. GaleWyrick



Judge Angela W. Sutkiewicz

**RETIREMENT** *continued from page 23**Judge Wayne J. Marik*

serve the community, and has taken the job very seriously.

"I have tried to be faithful to the people who supported me and tried to be the best judge I can be," he said.

But Marik admits the job has come with some personal challenges, particularly trying to maintain a sense of optimism and not feel discouraged at times.

"Seeing the same people over and over, and seeing the same mistakes being made," he said.

"You never know if you will have an impact. But you need to approach it as if you will for each case. You never know who you will or won't reach. You may never know if you're getting through."

Marik said over the years he has periodically heard back from someone who had been before his bench to let him know they are doing well. He said that knowing he has made a difference has made the job very rewarding.

Marik was first elected to the Branch 6 bench in 1985, and was re-elected four times. His current term ended in July, and he did not seek re-election. Marik is a graduate of Marquette University Law School, and had previously worked in private practice. He has served as a member of the Judicial Conduct Advisory Committee, PPAC, Judicial Council, Judicial Council Criminal Procedures Committee, and PPAC Court Security Subcommittee.

Marik said he will miss the challenge of being a judge, as

well as the feeling of being of service to the community. He said he will also miss the sense of satisfaction he feels from helping people resolve their disputes and problems and reaching a resolution.

"I hope to begin a new chapter of my life," Marik said. "I am not leaving because I no longer enjoy the job."

In addition to doing some reserve judge work, Marik said his retirement plans will include traveling to spend time with his grandchildren, and visit national parks, presidential libraries and Frank Lloyd Wright architecture. He also plans to explore new opportunities to learn, because he believes "one needs to pursue opportunities to learn to be alive." ■



*On May 1, Chief Judge Randy Koschnick, Jefferson County Circuit Court, presented retiring District Three Court Reporter Susan DeMent with a plaque of appreciation from the Wisconsin Supreme Court. Koschnick thanked DeMent for all the hard work and dedication she has shown to the judges, staff and public since she started in the position in 2001.*

**Reporters** *continued from page 7*

that you would see on TV, except instead of a "thank you" speech, the winners were invited to sit on couches on the stage for a very brief interview. Nigel had received an award earlier in the evening. During that award, the MC asked him if he had words he could share with the audience, after which the conversation turned briefly to stenographers and the positive media attention his comments garnered for the stenography profession. In that conversation Nigel said something like, "I guess it's a big deal. I don't really know why. I just said a few words." We were very impressed with his genuine personality.

The (MC)... was Mark Tauscher, a former Green Bay Packer. We got to strategize with him about the presentation. Once they were settled on the couch, Mark started ribbing Nigel about the stenographer comments and presented him with our prepared WCRA Go Badgers poster that was written in steno. Tauscher asked him to read it and then said something like, "Oh, wait. We have your own personal stenographers here to help," at which time we entered the stage with our machines and sat down and started writing. We were then to have open conversation with the team, make it lighthearted and fun. On the stage were Coach Bo Ryan, Sam Dekker, Nigel Hayes, and Josh Gasser.

Chris then took the mic and congratulated the team on behalf of all stenographers, court reporters, and CART captioners across the United States on their great season. She then turned to Nigel and said something like: "Nigel, earlier you wondered what you had done for our profession. Let me just tell you that we are in the process of

a nationwide campaign to recruit more students into our profession. After your words, schools right here in the State of Wisconsin — Lakeshore Technical College and Madison Area Technical College — have seen increased enrollment. Your timing was impeccable and we thank you for that. We would like to thank you by making you an honorary court reporter for the next few minutes."

I then put my machine in front of Nigel and he started writing. Sam Dekker then wanted to try it, so Chris gave him her machine. They sat and wrote and had a conversation about the words that were coming up. Chris interjected and told them they should perhaps give up on the whole basketball thing and consider a career in court reporting! Sam is entering the draft, so that got a good laugh.

Chris and I both got our machines autographed by Nigel. We were able to present our prepared poster to the team for their locker room. We also brought along one of the Badger t-shirts with "the words" on it, and Nigel and Coach Ryan both signed it as well. We will be donating it to our raffle at our fall convention to raise money for the Wisconsin Chapter of Reach Out and Read - Where Great Stories Begin, a nonprofit organization that advocates for child literacy, [www.reachoutandread.org](http://www.reachoutandread.org)...

We were told the entire awards ceremony will air on major networks in Wisconsin in June. We will keep you posted.

Thank you all for being a part of such an incredible profession!!! Today is a great day to be a court reporter... or stenographer!!! ■

**Chief Justice**  
Patience Drake Roggensack

**Director of State Courts**  
J. Denis Moran

**Editor**  
Tom Sheehan

**Associate Editor**  
Sara Foster

**Contributing Writers**  
Hon. Rebecca F. Dallet  
Sara Foster  
Tommy Gubbin  
Melissa Ives  
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Bill Walker  
Hon. Scott C. Woldt

**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

**NEWS AND NOTES** *continued from page 22*

the case. Sanctions, such as community service, could be ordered for the offender to complete, and community services that may help address underlying issues that may contribute towards criminal behavior would be offered.

“It’s not just a crime against the state, but it’s harm done to relationships and communities,” Johnson told the paper. “In order to repair that harm...the community needs to be involved.”

The offender would not only be able to avoid potential jail time, the offense would not be on their record, and would also not appear on the Consolidated Court Automation Program (CCAP) online database, something Madison Area Urban Ministries Executive Director **Linda Ketcham** said can make life difficult for offenders in the future.

In order for offenders to participate in the program, they must first admit their guilt. Anyone who contests the charges would be tried through the court system, UW Law School’s Restorative Justice Project Director **Jonathan Scharrer** told the paper.

The program also allows victims to confront their offenders, or allows a resident to represent them if they do not want to participate, to let the offender know how the crime has affected them and the community.

“If you can do that without saddling somebody with a criminal conviction... that strengthens the community and that, in the end, makes us safer,” Dane County District Atty. **Ismael Ozanne**

told the paper.

Reserve Judge **Timothy L. Vocke** reported that he has graduated from the Evangelical Lutheran Church in America’s lay school run by the Northern Great Lakes Synod in May after five semesters of study. He serves periodically in the New Evangelical Lutheran Parish made up of churches in Ewen, Trout Creek and Paynesville, MI.

“Although I’m not ready to completely change careers, yet, I find it very refreshing and inspirational,” Vocke said. “Preparing and delivering a sermon is much like doing an opening statement in a jury trial.”

Sheboygan County Court Reporter **Michelle M. Gudex** advocates signing up for certification tests and lots of practice for court reporters interested in improving their Realtime reporting in the April issue of *The Journal of Court Reporting*.

“I have a very fast-speaking judge, and up until a few years ago I thought realtime would be impossible at that pace,” Gudex writes.

But she said over three months she was able to improve by spending her lunch breaks practicing. Even though her branch’s judge has not yet used Realtime in the courtroom, Gudex said she knows it is the future of court reporting, and that her judge has shown more interest since learning more about it at the Judicial Conference. ■

**AWARDS** *continued from page 24*

community leadership in Waukesha County.

Along with honoring extraordinary women in the community, the Women and Girls Fund provides grants to nonprofit organizations serving the needs of women and girls in Waukesha County.

**Wagner honored as Justice Advocate**

Kenosha County Circuit Court Judge Mary K. Wagner received the Congregations United to Serve Humanity’s (CUSH) Justice Advocate Award at their annual Celebration Banquet on May 7. The award is presented to an individual who exemplifies “justice in action.”

A Kenosha-based organization, CUSH

is an interfaith coalition that pursues justice through advocacy, education and empowerment. CUSH is part of the WISDOM network, a grassroots organization comprised of religious

congregations of many denominations which works to have a common voice on issues of social justice. Among the causes it supports are treatment options as an alternative to incarceration for non-violent offenders. ■



Judge Mary K. Wagner