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Eau Claire, Milwaukee win federal grant to overhaul criminal justice system

Eau Claire and Milwaukee have won competitive federal grants to improve their criminal justice systems with the use of evidence-based practices.

"That both Eau Claire and Milwaukee counties were chosen for these awards is reflective of what they have been able to accomplish, which not many other jurisdictions across the United States have achieved," said Lori Eville, the Bureau of Prisons specialist who manages the grant program and who participated in the five-person panel that awarded the grants. "Wisconsin can be very, very proud. What is being done there will be taught across the nation."

Communities from across the nation vied for the federal grants – in the form of technical assistance – to help develop evidence-based practices in the criminal justice system. Only seven – including Eau Claire and Milwaukee – made it to the final round, and then came the stunning news that both had won. The other winner was Mesa County, Colo. Also competing were Charlottesville, Va.; Marion, Ind. (near Fort Wayne); St. Paul, Minn.; and Yamhill County, Ore. (near Portland).

"I am delighted by the recognition of Wisconsin's cutting-edge programs to address the underlying causes of crime, hold offenders accountable and improve public safety," said Chief Justice Shirley S. Abrahamson. "This is great news for the State of Wisconsin."

The groundwork for the two initiatives was laid more than three years ago, when the Office of Judicial Education developed a program at Racine's Wingspread facility on the use of evidence-based approaches in cases involving substance abuse. There, for the first time, judges from across the state considered such questions as: What outcomes are we looking for? and How will we know we are succeeding? Analyzing outcomes to figure out what works, and then using proven approaches and jettisoning what is shown to be ineffective is at the heart of evidence-based decision making.

Since that 2008 Wingspread conference, Judicial Education has offered additional training opportunities for judges, and the Planning and Policy Advisory Committee (PPAC) re-

worked its Alternatives to Incarceration Subcommittee, which was formed in 2004, into the Effective Justice Strategies subcommittee (EJS). EJS has launched a number of projects targeted at reducing recidivism and assessing the value of various alternatives. One EJS project is the AIM pilot, which gives judges more information about each

offender's risks and needs.

Teams from Eau Claire County and Milwaukee County have been working for a year in the final phase of a grant competition sponsored by the National Institute of Corrections (NIC), a federal agency that is part of the Bureau of Prisons. After hundreds of hours of work in each community, the applications were filed on June 30. Each community hopes to demonstrate the best ways of applying to criminal justice the data-driven research, cost

stewardship and management disciplines that have proven successful in medicine and in other fields.

Here are perspectives from two judges who are leading the process.

Judge Michael A. Schumacher: Eau Claire's hard work yields promising results

The Eau Claire County Evidence Based Decision Making Policy Team has been immersed in this challenging and rewarding initiative for the past ten months. Much time and energy has been invested in understanding evidence-based decision making (EBDM), examining our current practices and identifying areas for change. We stepped back from the daily grind and began asking questions. Why do we do the things we do? Are our current practices effective? How do we know?

While examining our current practices, we have seen how our decisions can support the efforts of our colleagues. We have also realized that our decisions sometimes hinder the efforts of others in ways that are neither intentional nor expected. For example, low-risk offenders have been ordered



A recent meeting of the Eau Claire Evidence-Based Decision Making policy team included (back row left to right): Eau Claire County Circuit Court Judges Lisa K. Stark, Michael A. Schumacher and William M. Gabler; Michael Felton, Department of Corrections; Eau Claire Chief of Police Jerry Matysik; CJCC Coordinator Tiana Glenna; (middle row): Dave Hayden, director information services; District 10 Court Administrator Scott K. Johnson; Eau Claire Director of Human Services Roy Seargent; Eau Claire District Atty. Richard White; Gena Jarr, DOC; (front row): Eau Claire County Board Chair Gregg Moore; Clerk of Circuit Court Kristina Aschenbrenner; Captain Dan Bresina, undersheriff; Francie Peardon, community representative; and Atty. Dana Smetana, assistant state public defender.



Director's column: CCAP features, interfaces will expand

By A. John Voelker, Director of State Courts

In the last edition of *The Third Branch* I wrote about the Consolidated Court Automation Programs (CCAP), its value to the court system, and the need to educate others on the critical role that it plays. Over the past few months my staff and I have talked with a variety of people as we tried to



A. John Voelker

preserve CCAP's funding structure which was threatened during the biennial budget process.

Thankfully, with the help from many individuals, the funding structure was maintained. That is not to say we won't have financial challenges because CCAP funding was still reduced by \$1,055,200 over the biennium. This cut will result in significant belt tightening.

Users may notice changes in CCAP's ability to provide certain hardware. In addition, software changes may be slower as staff resources will need to be closely managed. Despite the fact that funding will be tight, I continue to be optimistic about what we can accomplish in the court system with an asset like CCAP.

For example, with the most recent update in CCAP, you will notice a variety of new features. These include:

- A financial calculator which allows judges and court personnel to quickly determine applicable fees and surcharges for specific violations.
- The ability to bulk scan case file documents.
- Enhancements to the ePayment option which now allows for the ability to satisfy judgments online and creates an ePayment reconciliation report.
- An interface with the Department of Natural Resources that supports electronic citations. In the near future this interface will be expanded to allow the exchange of disposition information.

Down the road, I expect to see further enhancements implemented and an increase in electronic data exchanges with our justice system partners. Both of these will better enable the business of the court system. CCAP is currently putting the finishing touches on the following projects:

- An interface with the Department of Corrections that will allow the electronic transmission of the Judgment of Conviction.
- An interface with the Department of Children and Families and the eWisacWis system to allow the electronic exchange of information about juveniles.
- Expansion of an interface with the Department of Justice to ensure that court information related to the new concealed carry law is provided timely.
- Enhancement to ePayments to allow for payment of citations before the court date.
- Providing and supporting new receipt printers.
- A redesign of the court system website that hopefully will make it easier for court users to find information.

As our justice system partners have realized the benefits and efficiencies of electronic data exchanges, the number of requests for new interfaces has increased. I am optimistic that over the next few years as more circuit courts voluntarily implement the eFiling technology that is currently available through CCAP, attorneys will also realize the benefits and utilize the technology more frequently. This will be another step in our continual efforts to effectively use technology to improve service.

CCAP has allowed us to make significant progress and provides us an excellent foundation to build upon as we keep pace with continual technological advancements.

Thanks again to all who assisted in communicating on behalf of CCAP during the budget process. Because of everyone's support we can continue our efforts to provide effective technology services that benefit judges, clerks of circuit court offices, justice system partners and court users. ■

OBITUARIES

Court family mourns passing of six members

This summer was a sad one for the Wisconsin court system, as it mourned the loss of four long-serving, highly respected jurists and two clerks of circuit court.

Judge Dennis J. Barry, Racine County Circuit Court, died in Racine on Aug. 17. The medical examiner indicated that the judge took his own life. Barry was currently serving in civil court in Racine County. He first took the bench there in 1980. He was 64 years old.

Reserve Judge Henry B. Buslee, who served in Fond du Lac County Circuit Court from 1979-2002, passed away on Aug. 5. He was 87 years old.

Judge Terence T. Evans, who served on the U.S. Court of Appeals, Seventh Circuit, from 1995-2010 and on the U. S. District Court for the Eastern District of Wisconsin from 1979-1995, died suddenly on Aug. 11 as a result of pulmonary fibrosis. He was 71.

Judge Thomas J. "T.J." O'Brien, who served as a St. Croix County judge from 1957-70, and a reserve judge for a number of years after that, passed away in St. Paul on July 28. He was 87.

Clerk of Circuit Court Carolyn K. Olson, Iowa County, passed away on Aug. 7 after an eight-year battle with cancer. She was 59. Olson was among Wisconsin's longest-serving clerks of court. She held the office from 1983 until the time of her death, and also served on the Supreme Court Planning and Policy Advisory Committee (PPAC).

Clerk of Circuit Court Gail L. Walker, Clark County, passed away Aug. 19 after a battle with ovarian cancer. She was 55.

Walker served as clerk of circuit court in Neillsville for nine years, and held the position at the time of her death. ■

Families honored at state's first Reunification Day

By Linda Steiner, St. Aemilian-Lakeside, Inc.

About 20 families were honored June 17 at the state's first-ever Reunification Day, which was made official through a special proclamation.

Held at Milwaukee County Children's Court, the event recognized families who have regained custody of their children and the heroes in their lives who helped them do so. The gathering was featured on Wisconsin Public Radio and in the *Milwaukee Journal Sentinel*.

"We are so happy for you; we are so proud of you," said Judge Marshall B. Murray, presiding judge of Children's Court, who was a driving force behind the creation of the event. "Please carry the message back to the community that this can be done."

Murray thanked the judges, court staff, guardians *ad litem* and all the agencies who worked hard over several months to make the event – and the reunifications – happen.

Speakers repeatedly stressed that regaining children is a journey, and that the process is not easy. Chief Judge Jeffrey A. Kremers noted that more than 1,100 children were removed from their parents' care last year in Milwaukee County, and that more than 800 cases were closed as a result of some sort of reunification.

"The stars today are the families, and the message is we can succeed," he said. "You learned what you had to do to put your families back together and that it takes a lot of work."



Aquarius Hampton and his daughter Aquariana. With the help of St. Aemilian-Lakeside's Family Preservation Services, Hampton gained custody of his baby four months after the child had been removed from the home of the baby's mother.

Kremers and other speakers noted that it is important, when possible, to involve both mother and father in working toward reunification.

"Both parents need to be involved, and we need to figure out a way to channel our resources in the community to keep the focus on the children," he said.

Deryck Leonard, a father who has been reunited with two of his sons with the help of Children's Service Society of Wisconsin, was a featured speaker. He was involved in 2½ years of services before he gained custody of the boys, who were removed from the home of their biological mother. His process involved anger management, therapy for himself and one of his boys, visits to the boys' schools and more.

"But I feel like I'm alive again," he said. "If there were more fathers in the picture there wouldn't be

so many problems in the world."

Other speakers stressed that there are community resources to help families and that it was important that they reached out for help.

Reunification Day was sponsored by the Milwaukee County Children's Court, the Milwaukee County District Attorney's Office, St. Aemilian-Lakeside, Integrated Family Services, Children's Service Society of Wisconsin, and the Bureau of Milwaukee Child Welfare. ■

Foster youth highlight 2011 Summit

More than 400 tribal and circuit court judges, attorneys, social workers and advocates listened to the stories of four former foster children during a presentation at the 2011 Wisconsin Summit on Children and Families. The Summit was held in the Wisconsin Dells on May 11-12.

One of the former foster children is Greta Anderson, who now works for the National Resource Center for Youth Development at the University of Oklahoma. Anderson emphasized the importance of including the child in case planning, and carefully communicating with the child prior to moving him/her to a new home. Here is how she summarized her concerns:

A main point of mine was the trauma home removal can cause if not executed with empathy and awareness. I know for me, the day I was taken from my home was one of the most traumatic of my life. All youth deserve (and most do not receive) as much planning and preparation

as adults expect when they move. I was ripped from my biological family with only 10 minutes notice - a little sister who I had helped raise, a family that was all I had ever known - with no idea where I was going or for how long. This added to the list of traumatic things I had experienced, rather than helping me heal from the hurts that landed me in foster care to begin with. Even when youth are being removed from a difficult situation, it is scary to leave a place you've always known and removal needs to be recognized as a day of significance. We have lots of policy and procedure surrounding initially placing youth in foster care, yet when the time comes to execute that decision it is often minimized to the youth who have to adjust to changes made by providers who are making those decisions. I have never felt as helpless as I did the day I entered foster care.

see **Summit** on page 21

OWI court programs growing across Wisconsin



Judge John W. Markson

June 29 was a banner day at the Dane County Courthouse, and an important day for the Wisconsin court system, for it marked the opening of the state's ninth OWI court program.

Drunk driving is a major problem in Wisconsin. State Department of Transportation figures show that 220 people died in the state in 2010 as a result of drunk driving, and there were nearly 6,000 crashes attributed to

intoxicated motorists in 2010.

Judge John W. Markson, who was appointed to the Dane County Circuit Court in 2007 and elected in 2008, will preside in the new court. He unveiled the program at a ceremony that included fellow judges, court staff, corrections officials, treatment professionals and law enforcement.

The Dane County program will focus on a fairly narrow subset of drunk drivers, hard-core repeat offenders convicted at least three times and with a blood-alcohol content of at least .20. Initially, a group of 40 defendants will be selected to participate. Each will first serve two weeks in jail and then two years' probation. The first year of probation will be intensive court-monitored treatment.

The Dane County court is just the latest effort to improve the justice system's response to repeat drunk driving. There are currently eight other OWI courts in Wisconsin (Dodge, Grant, Jackson, La Crosse, Marathon, Racine, Washington and Waukesha counties), and five counties are working on new programs (Kenosha, Monroe, Rock, Vernon and Walworth).

Teams from Walworth, Rock, Vernon and Monroe counties, along with a team from Ohio, attended a training program in



Judge David M. Reddy



Judge Robert A. Kennedy

Michigan this summer for the purpose of establishing OWI treatment courts in their counties.



Judge R. Alan Bates

The training was presented by the National Center for DWI Courts, which is a division of the National Association of Drug Court Professionals. It was co-sponsored by the National Highway Traffic Safety Administration.

The Wisconsin contingent included circuit court Judges Robert A. Kennedy and David M. Reddy, Walworth County; R. Alan Bates, Rock County;

Michael J. Rosborough, Vernon County; and Todd L. Ziegler, Monroe County. Staff from the State Public Defender's Office and the respective district attorneys' offices, county human services, sheriff's departments and other local law enforcement participated, as did representatives of the Department of Corrections and the UW system.

Participants hope to apply treatment court methods to the problem of driving under the influence of alcohol and other drugs. Treatment court leverages the authority that the legal system has over someone charged with and/or convicted of a serious offense to require that the person participate in treatment. Close monitoring by the court and the application of rewards and sanctions throughout the course of treatment are keys to the success of the treatment court approach.



Judge Michael J. Rosborough

Treatment courts have been shown to save significant money while improving community safety and reducing recidivism. ■

-Eric Nelson, First Assistant State Public Defender, Janesville, contributed much of this story.



Judge Todd L. Ziegler

Judges, teachers, lawyers tackle public understanding of courts



Justice Ann Walsh Bradley enjoys a light moment with an audience of 60 judges, attorneys, teachers and staff at the State Bar Symposium on Enhancing Public Understanding of the Courts.

A crowd of 60 judges, bar executives, educators, court administrators, librarians and lawyers assembled in Madison in July for the State Bar Symposium on Enhancing Public Understanding of the Courts. The program was organized by the State Bar's Court Education Task Force, which District Court Administrator Gail Richardson chairs.

Chief Justice Shirley S. Abrahamson announced

at the Symposium that she would roll out a new, statewide public education initiative this fall.

The centerpiece of the initiative will be a toolkit for structuring programs that are proven winners, including drug court tours, brown bag lunches with judges, juror appreciation events and town hall meetings.

"We'll give you the tools you need to put on low-cost, highly engaging programs each month," Abrahamson said. "These tools will help you to build a program as unique as your community, so no two outreach projects will look exactly alike."

The one constant across Wisconsin is the important goal behind the programs: to educate the public about the courts and about the role of a neutral, non-partisan, fair and impartial judiciary and to listen to the public's concerns.

The initiative will target K-12 audiences as well as adults.

Reaching out to adult audiences was the goal of the symposium's keynote speaker, Judge Russell Carparelli of the Colorado Court of Appeals, who introduced the group to the successful Colorado speakers' bureau for judges. The speakers' bureau reaches out to service organizations and schedules regular speeches, providing speakers with outlines, PowerPoint presentations and training. Two half-time State Bar staff members and an intern run the program.

Justice Ann Walsh Bradley, who coordinates the iCivics web-based education program in Wisconsin, joined with Sun Prairie teacher Janice Mertes to discuss the success of iCivics, which is the brainchild of Justice Sandra Day O'Connor. Mertes said her students actually forego classroom breaks in order to keep playing the free, online video games that teach about civics. Bradley said O'Connor told her the iCivics project – www.icivics.org – is the most important project she has ever undertaken. ■



Among attendees at the State Bar Symposium on Enhancing Public Understanding of the Courts were (left to right): Judge Russell Carparelli, Colorado Court of Appeals (keynote speaker); Eau Claire County Board Chair Gregg Moore, a former district court administrator and chair of the Access to Justice Commission; Judge Emily S. Mueller, Racine County Circuit Court; Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court; and Judge Paul B. Higginbotham, Court of Appeals, District IV.

More Moore



Gregg Moore

Longtime District 10 Court Administrator Gregg Moore is back, for the time being. Moore is pinch-hitting in the Tenth District while District Court Administrator Scott Johnson is overseas. Johnson, who has served several tours of duty in the Persian Gulf, is a lieutenant colonel with the Wisconsin Air National Guard. He is deployed to an air base in Europe until October.

Moore worked in the court

system from 1984-2008. When Moore retired, then-Chief Judge Benjamin D. Proctor had this to say: "Professionally, he is absolutely indispensable. From a personal standpoint, he is one of the finest human beings I have ever met."

In addition to filling in as district court administrator, Moore is also serving as chair of both the Eau Claire County Board and the State Bar Access to Justice Commission ■



Scott Johnson

Kenosha, Racine explore veterans court options

By Andrew Graubard, District Court Administrator

On June 13, a group representing the Racine and Kenosha County Circuit Courts visited the Buffalo Veterans Treatment Court in Buffalo, N.Y. We returned home with a much better understanding of 1) the steps necessary to start a similar court, and 2) the number of partnerships that need to be established locally with veterans' services providers.

The Buffalo Veterans Treatment Court, where Judge

Robert T. Russell Jr. presides, was the first, and is considered to be one of the best, veterans' treatment courts in the country. Russell started the court in January 2008.

Participants heard presentations by the mentor coordinator, assistant district attorney, assistant public defender, the representative from the Veterans Administration Health Care System and other advocates who all described their roles in the court and answered questions.

The afternoon was spent observing the Veterans Court session where Russell, court staff and many volunteer veteran mentors provided support and guidance to the veterans/defendants coming before the court.

The visit was funded by the National Drug Court Institute with the purpose of providing information to individuals and court teams interested in starting a veterans' treatment court. ■



Pictured from left to right: Jack O'Connor, Buffalo Veterans Treatment Court mentor coordinator; Judge Gerald P. Ptacek, Racine County Circuit Court; Atty. Margaret Johnson, Office of the State Public Defender, Racine; Atty. Mark Lukoff, Racine County Court Commissioner; Judge Robert T. Russell Jr., presiding judge, Buffalo Veterans Treatment Court; District Court Administrator Andrew M. Graubard; Judge Eugene A. Gasiorkiewicz, Racine County Circuit Court; and Judge Wilbur W. Warren III, Kenosha County Circuit Court.

PPAC quarterly update

By Shelly Cern, PPAC Policy Analyst

PPAC welcomes new members

The Supreme Court Planning and Policy Advisory Committee (PPAC) welcomed new members this summer.



Judge Brian W. Blanchard

Terms began July 1 for the following: Judge Brian W. Blanchard Court of Appeals, District IV (replacing Judge Kitty K. Brennan); Judge Eugene D. Harrington, Washburn County Circuit Court (replacing Judge William C. Stewart Jr.); Judge Elliott M. Levine, La Crosse County Circuit Court (replacing Judge Edward E. Leineweber); Judge William S. Pocan, Milwaukee County Circuit Court (replacing Judge Carl Ashley); Chief Judge Mary K. Wagner, Kenosha County Circuit Court

(replacing Judge Darryl W. Deets); and Diane Treis Rusk, Office of Student Affairs and Academic Support Services,

UW System Administration (Treis Rusk is PPAC's public member) replacing Oscar Boldt.

Chief Justice Shirley S. Abrahamson, chair of PPAC, appointed Judge Juan B. Colás, Dane County Circuit Court, as vice-chair. Colás succeeded Judge Carl Ashley, Milwaukee County Circuit Court, whose final term on PPAC expired. Abrahamson also thanked outgoing members including Judges Kitty K. Brennan and Edward Leineweber and Court Commissioner Darcy McManus for their service on PPAC.



Judge Juan B. Colás

The Planning Subcommittee has also welcomed new members: Washington County Court Commissioner Dolores Bomrad replaces Court Commissioner Darcy McManus, and Prof. Joseph Heim from UW La Crosse (serving as the

AWARDS

**Ashley is State Bar's
Judge of the Year**

Milwaukee County Circuit Court Judge Carl Ashley is the State Bar of Wisconsin Judge of the Year.

Elected in 1999 and re-elected in 2005, Ashley is believed to be the second African-American judge to be elected in Wisconsin without initially being appointed by a governor (Judge Paul B. Higginbotham, who was elected in 1994 to the Dane County Circuit Court, and who now sits on the Court of Appeals, is believed to be the first).

As Supreme Court Planning and Policy Advisory Committee (PPAC) vice chair, Ashley has led the effort to improve how criminal cases are handled. His leadership of the AIM (Assess-Inform-Measure) program has led to statewide efforts to more accurately predict risk, assess needs, match offenders with appropriate resources and measure outcomes.



Judge Carl Ashley, who has served on the bench in Milwaukee County Circuit Court for 12 years, celebrates his selection as the State Bar of Wisconsin's Judge of the Year with his wife, Felita Daniels Ashley, and daughter Elise – along with Chief Justice Shirley S. Abrahamson. Unable to attend (due to a track final) was the couple's other daughter, Zoe.

Violence and has presented on the issue of domestic violence at various state and national conferences.

He is the past president and a member of the Wisconsin Association of Minority Attorneys and has served as a board member for numerous organizations, including the Milwaukee Bar Association, Legal Action of Wisconsin and the Marquette University Law School Alumni Association.

The Judge of the Year award was presented June 9 in the Wisconsin Dells.

**Retired Dane County judge receives
Lifetime Jurist Achievement Award**

Retired Dane County Circuit Court Judge Angela B. Bartell, who is now a reserve judge, received the State Bar of Wisconsin Lifetime Jurist Achievement Award in June.

Bartell was first appointed to the bench in 1978 and reelected five times. She served for 30 years, and did a stint as chief judge of the Fifth Judicial District, before retiring in 2008.

Her enduring contributions include long-term service to the Wisconsin Bench Book Project, Wisconsin Criminal Jury Instruction Committee and Wisconsin Judicial College. In her 12-year tenure as judicial editor of the *Wisconsin Benchbook*, Bartell organized teams of judges and attorneys to create an invaluable desktop reference guide for veteran and novice circuit court judges alike.

"One need only look at the first page of the acknowledgements in each of the five Judicial *Benchbooks* to see the impact Judge Bartell has had on the judiciary," said Chief Judge C. William Foust, Dane County Circuit Court.

Bartell also served on the Wisconsin Criminal Jury Instruction Committee for 10 years, and also spent many years on the faculty of the Wisconsin Judicial College.

The award was presented as part of the 2011 State Bar Annual Meeting on June 9 at the Kalahari Resort in the Wisconsin Dells.



Reserve Judge Angela B. Bartell (seated) who served in Dane County Circuit Court from 1978-2008, celebrates her Lifetime Achievement Award with her husband, Atty. Jeff Bartell, and Chief Justice Shirley S. Abrahamson.

**Daley inducted into Wisconsin Army
National Guard Hall of Honor**

Deputy Chief Judge James P. Daley, Rock County Circuit Court, was one of three retired Wisconsin Army National Guard soldiers inducted into the Guard's Hall of Honor in May.

At a ceremony held in Madison, Daley (a retired brigadier general who served with the Marines in the Vietnam War) shared the secret to his success.

"Do every job you're given to the best of your ability," he said.

"Whether it's pushing a broom or taking the hill. We don't do this for glory; we do this because it's our job, and it's important."

Daley has served on the bench in Rock County for 22 years. In September 2009, he established Wisconsin's first Veterans Treatment Court, which offers an alternative to incarceration for combat veterans whose war-related trauma has contributed to brushes with the law.



Judge James P. Daley

AWARDS *continued from page 7***ABOTA names Evenson state's top trial judge**

Judge James Evenson, who has served on the bench in Sauk County for 25 years, was selected as Wisconsin ABOTA Trial Judge of the Year.

ABOTA, the American Board of Trial Advocates, is a national organization of civil trial attorneys whose membership is split equally between lawyers who represent plaintiffs and lawyers who represent defendants.

The award is presented each year to a member of the Wisconsin judiciary "whose thorough preparation, breadth of knowledge of the law, decisive rulings and courtesy to litigants, jurors and members of the bar have consistently advanced the interest of justice and the dignity of the judicial process," according to the selection committee.

A newspaper story quoted Evenson's two colleagues, Judges Guy D. Reynolds and Patrick J. Taggart, both of whom called Evenson one of the best, most hardworking judges they have ever known.

"On a personal level, I couldn't ask for a better colleague," Taggart said. "I've known Judge Evenson for 38 years and worked with him for the past 18 years and he's handled some very challenging cases in the past year and he has done so with the utmost professionalism."

Reynolds, who graduated with Evenson in the UW Law School Class of 1973, called the award well-deserved.

"He is an excellent circuit judge," Reynolds said. "The Sauk County and out-of-county attorneys hold a high regard for his abilities. His tireless hard work and dedication to the cause of justice benefits the public, and by his example he enhances the image of the court and the legal profession in a positive way."

Milwaukee's chief judge wins McCann Award

*Chief Judge
Jeffrey A. Kremers*

At its 153rd annual meeting on June 14, the Milwaukee Bar Association (MBA) honored Chief Judge Jeffrey A. Kremers with the E. Michael McCann Distinguished Public Service Award. The award honors a member of the bench or bar who exemplifies outstanding public service.

In his introductory remarks, MBA board member Charles Barr noted that Kremers has risen to the challenges presented by extraordinary times by providing extraordinary public leadership.

"Judge Kremers has been a consistent and strong advocate for the funding necessary to support the important work of the courts in an era of constrained budgets," Barr said. "His unwavering determination and level-headed approach to problem solving inspire by example."

Barr described how Kremers successfully negotiated the transfer of the innovative Day Reporting Center into the courts' budget to ensure its survival. The Center allows individuals who would typically be sentenced to jail to

spend their days more productively in programs providing education and job skills while addressing the underlying problems associated with addiction and poverty.

Barr also mentioned the chief judge's leadership in a consortium of federal agencies under the National Institute of Corrections which has resulted in Milwaukee's selection as one of seven sites for a pilot program to convert traditional criminal justice practices into practices that are evidence-based.

"I am honored and humbled by this award," Kremers said. "The MBA is a strong partner with the courts to ensure access and justice while protecting public safety in Milwaukee County."

Others honored by the MBA included Atty. Nathan A. Fishbach, who won the Lifetime Achievement Award; Dean Joseph D. Kearney, Marquette Law School, who was honored as Lawyer of the Year; and Atty. Richard S. Gallagher, who received the Distinguished Service Award.

Storck is inaugural Mayville High School Distinguished Alumnus

Chief Judge John R. Storck, who has served on the bench in Dodge County since 1994, was honored as the first-ever Mayville High School Distinguished Alumnus at a ceremony in June. A plaque with his photograph and biography will hang in the high school.

"It was a great event," Storck said. "I spoke at both the Saturday night dinner and at graduation. For the graduation speech I had a key made for each of the graduates with 'Mayville High School Class of 2011' engraved on it and spoke on educational opportunities as the key to success."

Storck has been a leader in public outreach efforts, is active in the State Bar's mock trial program and often speaks in local schools. ■



Chief Judge John R. Storck, Dodge County Circuit Court, is honored with the inaugural Mayville High School Distinguished Alumni Award. Storck is seen here with Principal Lee Zarnott, who presented the award. The plaque features a picture and biographical sketch of Storck, and will hang at the entrance to the high school.

LEADERSHIP

Mediation proves useful in guardianship and restitution disputes

Chapter 54 juvenile guardianships often come into court with high levels of family discord and mistrust. Family friends, grandparents, uncles and aunts, and non-placement parents are the petitioners, amid allegations of family dysfunction and parental inadequacies. Court hearings are long and disruptive, and may open wounds that never heal.



Judge Michael O. Bohren

A second highly volatile area is restitution in juvenile cases.

In an effort to lessen the intensity and permit parties to talk it through, the Waukesha County Juvenile Court sought the assistance of the Mediation and Restorative Justice Center. The Center is a program of Wisconsin Community Services, Inc., a non-profit agency celebrating its 100th anniversary in 2012.

“The Center has a long history of successful mediations in many areas,” Judge Michael O. Bohren said. “It has shown remarkable success in resolving guardianship and restitution issues.”

If the guardianship is contested, Bohren refers the parties to the Mediation Center and requires mediation prior to the final hearing. In restitution matters, mediation is ordered prior to the restitution hearing.

“On occasion I have ordered mediation prior to disposition in order to assist resolution,” Bohren said, “being cognizant of the juvenile’s right to remain silent.”

Guardianship cases are often intra-family and involve substantial venom and toxicity. Emotions can run very high, and as a result, these cases may take more than one mediation meeting to resolve. Mediators must be especially sensitive to the issues involved, be patient, and let the parties express their feelings. The mediations generally include the opposing parties and their attorneys, a guardian *ad litem*, and the mediators. The Center frequently uses a co-mediation model, which the Center believes is helpful in reaching resolutions, especially in difficult cases.

It is not unusual for a relative to step in as a guardian of a child for many years, acting as the child’s parent. Then the biological parents step back into the picture and seek custody. This is very difficult for all concerned. The parties must learn to accommodate each other in a way that is in the best interests of the child. The guardian *ad litem* often helps with suggestions.

“A recent case took three, four-hour meetings to resolve,” Bohren said. “When the mediation process was complete, the parties left feeling that they were doing the best for the child and that the child was surrounded with loving people while growing up.”

Atty. Cathy A. Warmington, the Center’s director, observed, “Evaluations show the parties felt the process was fair and impartial, that they got a chance to say what they

needed to say, and that they would choose this process again. Many also indicate that they would recommend that others use the Center to resolve their disputes.”

The same success is achieved in juvenile restitution matters. Juvenile victim/offender conferencing involves the juvenile offenders meeting the victims, which is frequently difficult for both parties. Parents of the juvenile and a social worker may also be present. During this meeting, the offender has the opportunity to take personal responsibility and be held directly accountable for his/her actions. The victim is afforded the opportunity to express directly to the offender the impact of the offense. Participation on the part of the victim is voluntary, and the offender’s participation is usually voluntary. The facilitator assists the parties in reaching a mutually satisfying restitution agreement.

Here is one example: A juvenile broke into a home and stole items and broke other items. Before the conference, the victim refused to budge on the rather high restitution amount. In the conference, the victim learned why the burglary happened. The victim also learned specifics as to how access was made into the house. The offender was sincerely remorseful and apologized to the victim and was willing to answer all of the victim’s questions. As a result of the conference, an understanding developed between the victim and offender, and a workable agreement was reached.

One victim said, “It was healing for me to say what I needed to say and let the offender know that she can heal from this.” An offender offered this: “The victims have lost trust and I will refrain from future delinquent behavior because I saw their pain and hurt.”

Fees are charged by the Center for cases that are referred by Juvenile Court using a sliding fee scale which considers the parties’ income. Some cases can be covered by grants that the Center has received. The Center’s rates are charged on a flat fee basis so parties are aware of the fee ahead of time. Charges are not by the hour, because that can lead to an unknown amount due after mediation.

The Center trains the mediators/facilitators it uses. The trained mediators/facilitators also meet during the year for updates on issues related to mediation, and meet after a mediation/conference to debrief the process. During the mediation/conference, the Center monitors the process and has a staff person available to handle any questions or concerns that may arise. It is important to note that mediation/conferencing is a confidential process and specific details of the process, other than a memorandum of understanding that will go to the court, are not submitted to the court or outside parties by the Center. The Center gives parties evaluations after the process is over to determine satisfaction.

The Center has had a working relationship with the Waukesha County Juvenile Court over many years.

“Collaboration with the Waukesha County Juvenile Court and Judge Bohren has proven to be extremely successful for all parties involved,” said Warmington, the Center’s director. “It is a pleasure to serve the court in this manner.” ■

Wisconsin Supreme Court selects two new chief judges



Chief Judge
Scott R. Needham



Chief Judge
Robert J. Wirtz



Deputy Chief Judge
Molly E. GaleWyrick

The Wisconsin Supreme Court this spring selected circuit court judges from St. Croix and Fond du Lac counties to serve as chief judges.

The new appointees – St. Croix County Circuit Court Judge Scott R. Needham and Fond du Lac County Circuit Court Judge Robert J. Wirtz – will serve out the remainder of their predecessors' terms prior to beginning their own two-year terms.

Needham was selected to fill the Tenth Judicial District chief judge post vacated by Chief Judge Benjamin D. Proctor, Eau Claire County Circuit Court. Proctor resigned from the bench effective June 29.

District Ten is comprised of Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Polk, Rusk, St. Croix, Sawyer and Washburn counties.

Prior to his appointment, Needham served in the role of deputy chief judge. He was first elected to the bench in 1994 and re-elected in 2000 and 2006. He worked in private practice from 1978 to 1994. He selected Judge Molly E. GaleWyrick to serve as his deputy.

Wirtz fills the Fourth Judicial District post that was held by Chief Judge Darryl W. Deets, Manitowoc County Circuit Court. Deets retired from the bench in June. Wirtz named Judge Barbara Hart Key, Winnebago County Circuit Court, as his deputy.

The Fourth Judicial District encompasses Calumet, Fond du Lac, Manitowoc, Sheboygan and Winnebago counties.



Chief Judge John R. Storck and his wife, Paula, opened their home in Mayville to the chief judges, deputy chiefs and court administrators for dinner and conversation following the annual June meeting of the Committee of Chief Judges.

Wirtz, who was District Four deputy chief judge, was first elected to the bench in 1999 and was re-elected in 2005. He worked in private practice from 1984-99.

The chief judges handle administrative matters within their districts, working closely with the deputy chiefs and district court administrators. They also comprise the Committee of Chief Judges, which meets monthly to deal with a variety of policy issues.

With the exception of Milwaukee, where the chief judge is a full-time administrator, chief judges and their deputies maintain court calendars in addition to handling administrative matters.

The Supreme Court also re-appointed three circuit court judges to continue serving as chief judges of their judicial administrative district. They are: Chief Judge William D. Dyke, Iowa County, Seventh District; Chief Judge C. William Foust, Dane County, Fifth District; Chief Judge Jeffrey A. Kremers, Milwaukee County, First District. ■



Deputy Chief Judge
Barbara Hart Key

Wisconsin wins grant to reduce adolescents in out-of-home care

Wisconsin was selected as one of five states to receive \$10,000 from the National Governors Association (NGA) Center for Best Practices. The grant, which was awarded to the Department of Children and Families, will fund a project that focuses on safely reducing the number of older youth in foster care by aligning the work of the executive, legislative and judicial branches of government.

As part of the grant, Wisconsin will also receive in-state technical assistance from Casey Family Programs, the National Council of Juvenile and Family Court Judges and

the National Center for State Courts.

An eight-person, multi-disciplinary team traveled to Denver in July to develop a work plan. Representing the court system on Wisconsin's team were Judge Christopher R. Foley, Milwaukee County Circuit Court, and Michelle Jensen Goodwin, director of the Children's Court Improvement Program.

Other state grant recipients include Delaware, Colorado, West Virginia and Washington. ■

CPC evaluation of the Eau Claire County Drug Court program shows mixed results

By Judge Lisa K. Stark, Eau Claire County Circuit Court

An article in the last edition of *The Third Branch* discussed the Correctional Programs Checklist (CPC) used to evaluate the effectiveness of the processes of the Eau Claire County Drug Court Program (Drug Court). The CPC evaluation allowed researchers to measure the degree to which the Drug Court meets evidence-based standards and to make recommendations to improve programming effectiveness and the integrity of treatment which in turn will translate to better outcomes for the Drug Court participants.

Evaluation outcome:

Eau Claire County Drug Court Program retention and recidivism rates are well within acceptable levels according to state and national statistics and research. The Court has demonstrated substantial cost savings over traditional sentencing methods in Eau Claire County and the State of Wisconsin for the six years since its inception. Despite those positive outcomes, the CPC evaluation deemed the Drug Court processes overall as ineffective. The Drug Court must work to better adhere to evidence-based principles in assessing its participants and to improve its fidelity and capacity to deliver evidence-based intervention, treatment and services for participants.

Capacity: Measures whether the program has the capability to deliver evidence-based interventions and services for offenders.

Development, Coordination, Staff and Support: Highly Effective

The Eau Claire County Drug Court Program has highly effective leadership and development. The Drug Court coordinator has overall responsibility for oversight and management of the program. The coordinator has a direct role in selecting and approving individuals hired to provide supervision and treatment services. Weekly and monthly staff meetings are held to discuss client progress in the court and ethical guidelines are in place which include staff boundaries and interactions with drug court clients. Finally, funding for the Drug Court was consistently rated as adequate and stable.

Quality Assurance: Ineffective

The Drug Court must obtain an independent evaluator to measure outcomes. It must regularly and systematically review and monitor the use of evidence-based practices with participants by the treatment team members and treatment providers. This includes file reviews, supervision of individual and group therapy, reassessment of participants, and regular review and updating of case management plans. Community supervision of participants must be enhanced and Drug Court staff should receive at least 40 hours of ongoing training per year.

Content: Focuses on the substantive domains of assessment and treatment for participants.

Offender Assessment: Ineffective

The Drug Court ranked quite low with respect to assessment of participants and case management. However, the Drug Court was evaluated prior to the implementation of its use of the COMPAS Offender Assessment. Since the CPC evaluation, the Drug Court has adopted the use of the COMPAS for use with other tools to screen participants, develop case management plans, review and update those plans, and determine and gauge criteria for advancement through phases and graduation.

Treatment: Ineffective

Many drug courts in Wisconsin struggle with providing appropriate treatment for participants for a variety of reasons. The Eau Claire County Drug Court is no exception. The Drug Court accepts only high risk, high need drug and alcohol offenders. Evidence shows the Drug Court should be providing treatment for our participants in the amount of about 200 to 300 doses within a calendar year, but not extending past that calendar year. Our current treatment regimen provides only approximately 75 to 100 doses of treatment within a calendar year, and sometimes thereafter.

Drug Court treatment providers, for the most part, use talk therapy. The treatment modalities that have been determined most effective in changing offender behavior that should be utilized by referral agencies providing treatment services to Drug Court participants include structured social learning and cognitive behavioral therapy. Evidence shows treatment is most effective if there is an emphasis on the thought-behavioral link and structured skill building, including the use of modeling and role play. These modalities should be utilized by treatment providers, the probation agent, coordinator, and even the judge, when meeting with and addressing participants. The Drug Court will be required to look for treatment providers in the community who are capable of providing the amount and type of treatment that is appropriate. The staff and treatment team will also be required to obtain training to support these treatment modalities.

The Drug Court Program in Eau Claire County is in the process of writing a request for proposal to obtain bids from treatment providers in our area that can provide the degree and type of treatment recommended. Brian Lovins from the University of Cincinnati will be traveling to Eau Claire County in October to provide overall cognitive behavioral therapy training to our treatment team and court personnel.

Additional recommendations for the drug court:

- Assignment of groups and services to participants to match their style of learning and responsivity factors.
- Development of relevant and measurable completion criteria which determine how well a client progresses in



Judge Lisa K. Stark

Great summer reads

This is the start of what might become an annual tradition: the (perhaps) useful and somewhat interesting – if not particularly original — “great summer reads” story. Wisconsin judges were asked for their recommendations. Here is what they said.

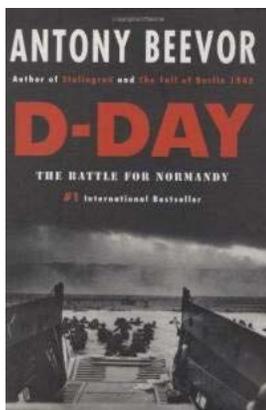
**Judge Daniel P. Anderson,
Court of Appeals (retired):**

D-Day: The Battle for Normandy
(Viking, 2010)

By Antony Beevor



Judge Daniel P.
Anderson



A critical look at the invasion of Normandy and the battle for France. Beevor weaves together extensive archival research with revealing anecdotes from those who fought the battles. The author is adept at integrating personal experiences, tactical engagements, operational intentions and strategic plans. Beevor’s heroes are the men for fought through the hedgerows and his anti-heroes are the commanders on both sides whose weaknesses endangered the soldiers.

**Judge Roderick A. Cameron,
Chippewa County
Circuit Court:**

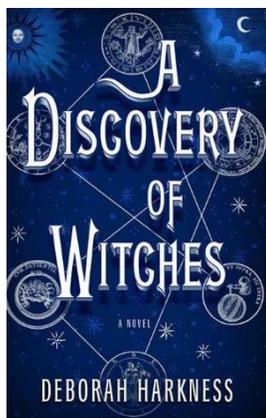
A Discovery of Witches
(Viking, 2011)

By Deborah Harkness



Judge Roderick A.
Cameron

Historian Deborah Harkness asked herself, “If there were vampires, what would they do for a living?” Her bestseller, *A Discovery of Witches*, gives her answer. I learned about the book on a Friday night in March listening to “Fresh Air” as I



drove to Hudson. It took until mid June for the area library system to get me a copy. There was a long waiting list. I was intrigued by a character who had lived for over 1,500 years. I was fascinated by the interplay of a witch and vampire falling in love, the historical references and the portrayal of a vampire as a creature with feelings, among other things. I finished it in four or five days. I thought the

book picked up in the second half. I am looking forward to the second volume, which should come out next year.



Judge Pedro Colón

**Judge Pedro Colón,
Milwaukee County
Circuit Court**

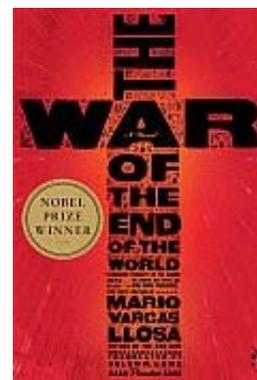
2666: A Novel

(Farrar, Straus & Giroux, 2004)

By Roberto Bolaño

The War of the End of the World
(Picador USA, 1981)

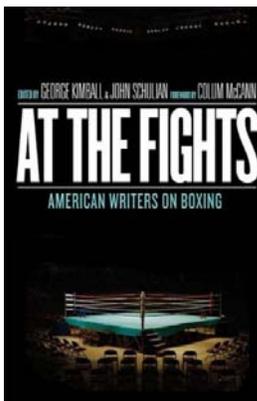
By Mario Vargas Llosa



*At the Fights: American
Writers on Boxing*

(Library of America, 2011)

Edited by George Kimball and
John Schulian



**Chief Judge Mac Davis,
Waukesha County
Circuit Court:**

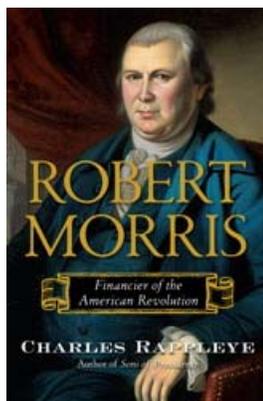
*Robert Morris: Financier of
the American Revolution*
(Simon & Schuster, 2010)

By Charles Rappleye



Chief Judge Mac Davis

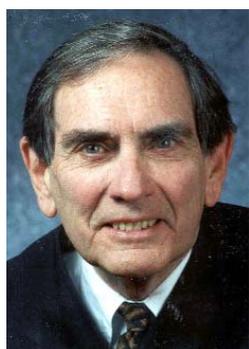
For those interested in America’s Revolutionary Period this book is a must read, even though not up to the standards of David McCullough or Ron Chernow. Money talks, they say, which is why Morris may have been as key to the young nation as Adams or Franklin. A fairly easy read, with a few dry stretches, the book provides many interesting details about operations of the Continental Congress, financing of the Continental Army,

Reads *continued from page 12*

monetary and credit issues, Philadelphia and Pennsylvania politics, and Morris' business and personal life. When in Philadelphia, George Washington always stayed at the Morris home. Enough said.

Chief Judge William D. Dyke, Iowa County Circuit Court:
Reckless Endangerment: How Outsized Ambition, Greed and Corruption led to Financial Armageddon
(Times Books, 2011)

By Gretchen Morgenson and Joshua Rosner

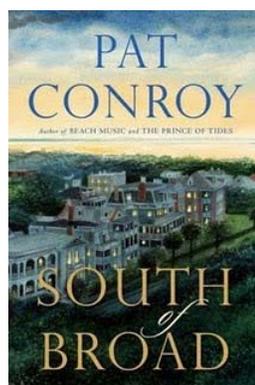
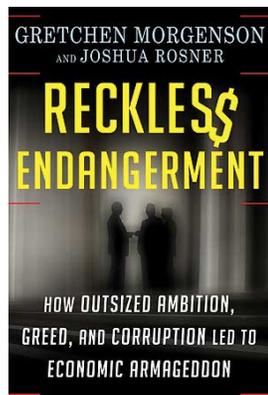


Chief Judge
William D. Dyke

For those interested in a little 'light reading' this is about the money crunch and how we got where we are. Morgenson is a Pulitzer-Prize-winning journalist at *The New York Times* and Rosner is an expert on housing finance.

Judge Thomas T. Flugaur, Portage County Circuit Court:
South of Broad
(Dial Press, 2010)
By Pat Conroy

The story is of high school classmates (1970s) from different backgrounds (race, social, economic, and sexual orientation), who remain lifelong friends. Conroy is a natural at weaving great skeins of narrative, and in my opinion writes his best work to date. It's an unforgettable tale.



Judge Thomas T.
Flugaur



Judge Christopher Foley

Judge Christopher Foley, Milwaukee County Circuit Court:

Where Men Win Glory: The Odyssey of Pat Tillman
(Anchor Books, 2009)

By Jon Krakauer

Riveting, absolutely riveting!!

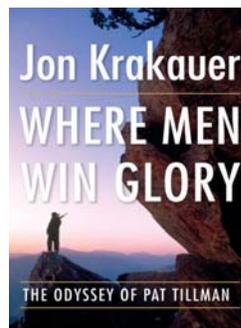
Judge William E. Hanrahan, Dane County Circuit Court:

Cutting For Stone
(Vintage, 2009)

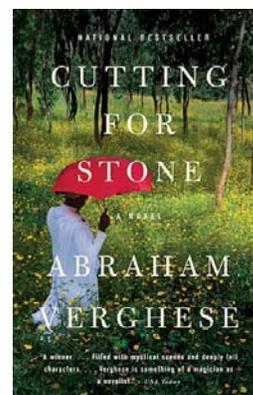
By Abraham Verghese

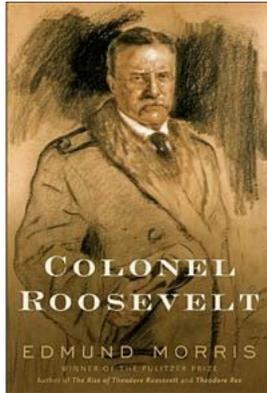
Verghese has set the story amidst the political conflict and corruption of post-colonial Ethiopia, expertly weaving a captivating story of twin brothers born of an unspoken liaison between a brilliant, but unconventional, British surgeon and a Catholic nun/missionary from India. Although the book is guaranteed to transport the reader in time and place, Verghese – who is actually a surgeon himself – demonstrates that he truly has his finger on the pulse of humanity. With great insight, Verghese exposes the frailty of the human existence in this tale of love, survival, betrayal and redemption. Although at times offering a bit too much surgical detail for my liking, this book is one I highly recommend for your must-read list this summer.

see Reads on page 14



Judge William E.
Hanrahan



Reads *continued from page 13*

Judge David A. Hansher

Judge David A. Hansher, Milwaukee County Circuit Court:

Colonel Roosevelt
(Random House, 2010)
By Edmund Morris

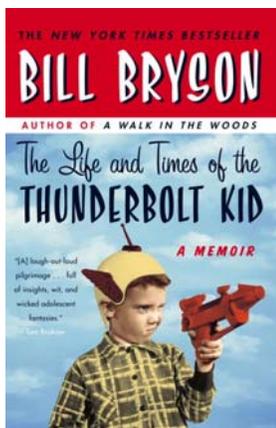
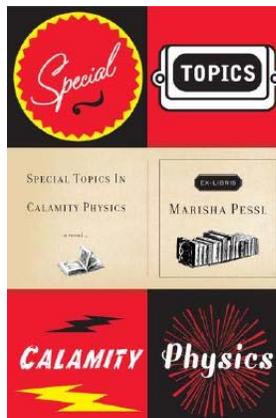
Biography of President Teddy Roosevelt after his second term. Most interesting fact was Roosevelt supported the recall of judges during his run for a third term in 1912.

Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court:

Special Topics in Calamity Physics
(Viking 2006)
By Marisha Pessl

If you want a murder mystery wrapped in a humorous story filled with cites from the Beatles to physics textbooks this is an entertaining read. I hate footnotes but I read every one in this book because it was fascinating to see how they were woven into a good story.

The Life and Times of the Thunderbolt Kid
(Broadway, 2007)
By Bill Bryson

Chief Judge
Jeffrey A. Kremers

For pure laughter, try this book. If you grew up in the 1950s, this is spot-on funny and nostalgic.

Judge Patrick J. Madden, Iron County Circuit Court:
A Users Guide to the Brain, Perception, attention and the four theaters of the brain
(Vintage, 2002)
By John J. Ratey, M.D.

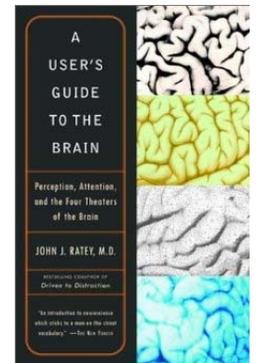


Judge Patrick J. Madden

A clearly written book which has influenced my thinking.

From the book: Mental problems, from hot temper to laziness, from chronic worry to excessive drinking, all have roots in the biology of the brain.

Judge Sarah B. O'Brien, Dane County Circuit Court:
Devil in the White City/Murder, Magic, and Madness at the Fair that Changed America
(Vintage 2003)
By Erik Larson



Best book I've read this summer is not a new book, but one I skipped when it came out in 2003. Chicago, the Black City, was a filthy, dangerous place in 1890. In the first six months of 1892 the city had nearly 800 violent deaths. Three years earlier the French had hosted a World's Fair that was beautiful and glamorous, featuring a miracle of engineering, the Eiffel Tower. When this country decided to celebrate the 400th anniversary of Columbus' discovery of America with an exposition to rival the fair hosted by the French, surprisingly Chicago was chosen to host this event. Somehow the architects chosen to bring the fair to life had to deliver a marvel of architectural beauty from the desolate fairgrounds in far too short a time. Their madness in doing so was rivaled only by that of a serial killer who took up residence not far from the fairground.

The killer was strikingly good looking and attractive to the ladies, a quality that would lead many of them into jeopardy. A physician later opined about him that "Great murderers, like great men in other walks of activity, have blue eyes." I wonder how many of you have found that to be true.

As the great engineers and architects of the World's

PPAC *continued from page 6*

Judge Elliott M. Levine

Planning Subcommittee's public member) replaces Diane Treis Rusk. The subcommittee has begun conducting focus groups around the state as part of the development of a long-range strategic plan for the court system.

Information from these focus groups will be collated and used by the subcommittee to

assist in the development of the court system's broad strategic goals. The Planning Subcommittee soon will begin work on the 2012-14 *Critical Issues Report* to identify the court system short-term priorities.

At its August meeting, PPAC received the



Chief Judge Mary K. Wagner

final report and recommendations from the Subcommittee on Limited Scope Representation and the Specialty Court Recordkeeping Committee. The National Center for State Courts also sent a

representative to conduct a focus group for the Effective Justice Strategies Subcommittee Consultant Project.

Further information about PPAC, its subcommittees and initiatives can be found at: www.wicourts.gov/about/committees/ppac.htm. ■

Questions about PPAC and its subcommittees may be addressed to Shelly Cern in the Office of Court Operations, (608) 266-8861 or michelle.cern@wicourts.gov.



Judge William S. Pocan

Evaluation *continued from page 11*

acquiring pro-social behaviors. The Drug Court has created barriers to progression through phases that have virtually nothing to do with behavior change or progress through treatment. For example, a participant is required to be employed for advancement from Phase 1 to 2. Despite the fact they are clean, sober and otherwise compliant, they may be delayed months in progressing through the program because of their inability to find a job.

- Increasing the adequacy of our reward structure. The ratio of rewards to punishments should be at least 4 to 1.
- Provide additional family support and training.
- Develop an aftercare component of greater quality and integrity.
- Consider the development of other supportive programming than NA or AA meetings for participants. There is no evidence that shows NA and AA meetings are beneficial to clients and may in fact be harmful.

Additional recommendations to improve treatment:

- Use single-sex groups.
- Never use treatment as a punishment. Punishments should be individualized, considered undesirable by the offenders, varied, match the intensity of the infraction, and immediately applied after the infraction. After a punishment is applied, pro-social alternatives should be modeled by the facilitator.
- Complete client reassessment to determine the progress on meeting target behaviors. This can be achieved through a pre/post test or through reassessment on a validated risk and need instrument. Proper pre/post test examples include the TCU Criminal Thinking Scale, the drinker inventory of consequences – short term index of problems, the criminal sentiment scale, and the How I Think questionnaire.

Summary:

The Eau Claire County Drug Court Program was not surprised by the overall outcome of the CPC evaluation, but was disappointed with the results nonetheless. This is especially true since the program has been very effective with respect to outcome evaluation measures for years.

However, the Drug Court team as a whole felt that the evaluation process was extraordinarily useful. They believe it correctly identified the strengths and weaknesses of the program. The recommendations made for change were understandable, credible, and supported by research. The Drug Court team believes it is capable of implementing the necessary changes without significant increase in costs. It is in the process of developing an action plan to organize and prioritize the steps needed to follow the CPC recommendations, determine who is necessary to complete the goals and regularly evaluate their successful completion.

When the court is re-evaluated in two to three years it is expected our practices will be more evidence-based and we will be even more effective in assisting participants to make long-term behavioral changes, thus reducing recidivism. In short, we believe we will be highly effective.

Other Wisconsin drug courts may be able to have their processes evaluated using the CPC model. Several Department of Corrections employees, such as Eugene Olson, a policy analyst who worked on the evaluation of the Eau Claire County Drug Court, were trained to conduct CPC evaluations. It is hoped the Department of Corrections will permit these employees to share their expertise and conduct evaluations of drug courts across the state over the next several years. ■

For more information concerning the CPC evaluation, visit the Web site for the University of Cincinnati School of Criminal Justice at www.cech.uc.edu/criminaljustice. You may also contact Judge Lisa K. Stark at (715) 839-6149, or Eau Claire County Drug Court Coordinator Pat Isenberger at (715) 839-1526.

Long-serving court staff members step down

The following long-serving court administrators stepped down this spring: District Court Administrator Jerry Lang, District Four; Policy Analyst Kathleen M. “Kassie” Murphy; and Court of Appeals Chief Staff Atty. Margaret “Peg” Carlson. Murphy and Carlson are profiled in this issue; Lang will be the subject of a future article.

Courts’ resident expert retires

Thirty-two years ago, after eight years of law-related employment, Kathleen M. “Kassie” Murphy found herself facing a difficult choice between a job in Telluride, Col. (ski lift operator) and a job in Racine, Wis. (court administrator).



Kathleen M. “Kassie” Murphy

She chose Wisconsin and never looked back.

This summer, after spending more than three decades in the Wisconsin court system, Murphy – the go-to person for just about any question related to the administration of the courts – retired.

Murphy served in a variety of capacities in Madison and elsewhere in the state. She is responsible for helping to lead a laundry list of major initiatives, including the development of the

Consolidated Court Automation Programs (CCAP).

Murphy began her career in January 1979 in the district court administrator’s office in the Second Judicial District. After five years there, she was named director of the Patients Compensation Panels (now called the Medical Mediation Panels). Soon after, she was appointed deputy director of state courts. In that capacity, Murphy ran the Office of Court Operations, which provides technical assistance to the circuit courts in areas such as records management, caseload management, personnel and policy analysis. Murphy served in that role for 12 years, working for former Director of State Courts J. Denis Moran, before deciding to take a break from the courts. She was convinced to return, this time as district court administrator in the Eighth Judicial District. After seven years in that position, Murphy moved to Madison to fill a position that took advantage of her institutional knowledge and expertise. She served as circuit court policy and procedure advisor for four years prior to her retirement.

In this post, Murphy focused on helping the court system to make the best possible decisions about allocation of resources. She developed quantitative and qualitative measures to assess the work of the circuit courts, and used data to answer a broad range of questions from the media,

the public, court administrators and judges. She also served as staff liaison to committees.

Murphy said she would miss participating in worthwhile projects and experiencing the “constant learning process” of life in the court system. She also will miss “the people I have had the opportunity to work with both in Madison and around the state.”

On the not-miss list: vuvuzelas (noisemakers that protesters regularly use on the Capitol Square).

Murphy has many plans for retirement. At the top of the list: putting her new Madison condo in order and getting a dog. She also plans to travel and pursue consulting opportunities.

Chief staff attorney retires from COA

Margaret “Peg” Carlson, who served for 20 years as chief staff attorney at the Court of Appeals, retired from her post in June. Court of Appeals Chief Judge Richard S. Brown called Carlson “my right hand” and said, “She is going to be missed, big time.”

Carlson’s successor is Jennifer D. Andrews, a longtime Court of Appeals staff attorney for the District II Court of Appeals.

“I’ve worked closely with Jenny for a long, long time and have great respect for her intellectual ability, her production, her efficiency and her dedication to the court,” Brown said.

Carlson began her law career right out of Marquette Law School as Brown’s law clerk, and worked for the Court of Appeals for nearly 30 years. She was named chief staff attorney in 1991. Brown called Carlson “an outstanding chief (and) a leader and a guardian of all of our staff attorneys.”



Chief Justice Shirley S. Abrahamson, left, and Court of Appeals Chief Judge Richard S. Brown join Chief Staff Atty. Peg Carlson at her retirement party in Madison.

As chief staff attorney, Carlson supervised the 12 Madison-based staff attorneys who support the work of the 16 Court of Appeals judges. Staff attorneys handle the motions and petitions filed with the court and help to draft decisions.

“I will miss working with the other attorneys – folks dedicated to providing the best legal counsel to the Court of Appeals

judges – and with the judges,” Carlson said. “I’ll also miss working with other offices in the court system, such as Management Services, which provide invaluable assistance in the day-to-day operation of the Court of Appeals.”

In addition to working on cases, the chief staff attorney is responsible for managing a variety of initiatives. For

RETIREMENTS

More longtime judges step down

The retirement of eight more judges this spring and summer brings the total number of departing judges to date in 2011 to 16. In this issue of *The Third Branch*, we profile five of the retirees: Edward E. Leineweber, Richland County; James M. Mason, Wood County; Donald A. Poppy, Calumet County; Benjamin D. Proctor, Eau Claire County; and Francis T. Wasielewski, Milwaukee. In the fall issue, Judges Edward R. Brunner, Court of Appeals, District III; Barbara A. Kluka, Kenosha County; Daniel R. Moeser, Dane County; and possibly others will be profiled. Judge Margaret J. Vergeront, Court of Appeals, District IV, also will be the subject of a future article; she plans to retire at the end of her term in 2012.

Other 2011 retirees who have been the subject of stories in recent editions of *The Third Branch* include Court of Appeals Judge Daniel P. Anderson, and circuit court Judges Patrick M. Brady, Marathon County; Darryl W. Deets, Manitowoc County; Harold V. Froehlich, Outagamie County; Thomas G. Grover, Menominee/Shawano Counties; Robert A. Hawley, Winnebago County; James O. Miller, Columbia County; and William M. McMonigal, Green Lake County.

Judge Edward E. Leineweber Richland County Circuit Court

When Edward E. Leineweber first became a judge, he spotted something in a book of essays by longtime jurists that stayed with him throughout his career on the bench.

“One of the contributors said that it takes 15 years to develop fully as a judge,” Leineweber recalled. “I have come to believe that’s true.”

Developing fully as a judge, Leineweber said, involves much more than sharpening decision-making skills. It means growing adept at managing a caseload, juggling multiple priorities and controlling one’s emotions.

“It’s not easy, and you pay a price for it in terms of time spent and stress levels,” Leineweber said. “But I have no regrets. I’ve had the opportunity to help solve real-life problems for real people in (mostly) bad situations. That’s a big responsibility, and also an enormous gift.”

Leineweber said he is most proud of having managed the ever-growing caseload in a one-judge county for 14 years while still looking at each person as an individual – a task that is not always easy.

“Each case is a mix,” he said. “You get negative and positive – rarely just one or the other. The positive, of course, is what keeps us going.”

Leineweber pointed out that “Judges see a constant barrage of negativity, failure, violence, sadness, drunkenness, drug abuse and overall bad behavior, much of it by the same folks, over and over.”

To try to address some of these issues, Leineweber helped to create several programs in Richland County including a



Judge Edward E.
Leineweber

mental health initiative and one of the state’s first clinics for self-represented litigants.

“*Pro se* has been a big part of the change in the way the courts work,” he said. “It’s getting to be rare to have both parties represented, so there’s this tension to manage the case and to help people who don’t know the rules, while still remaining neutral and impartial.”

Leineweber said he would miss the courthouse staff, law enforcement, the lawyers and “the people who stream through the courtroom daily, often frightened, but hoping to be treated fairly and with dignity, and to see justice done in their cases.”

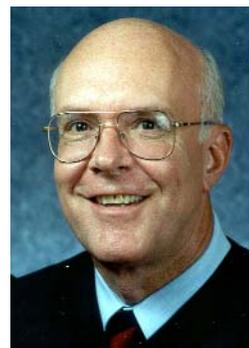
In retirement, Leineweber plans to practice law in an “of counsel” capacity at Bell, Moore & Richter in Madison. As an avid pilot and flight instructor who has managed small airports, he hopes to focus his law practice on cases involving aviation and Federal Aviation Administration rules. He also plans to “read the stack of books that’s been accumulating for years” and enjoy more time with his wife, a public school teacher, and his two adult daughters, who live in Milwaukee.

Judge James M. Mason Wood County Circuit Court

Judicial colleagues and co-workers will miss the company, wisdom and advice of Judge James M. Mason, who stepped down from the Wood County Circuit Court bench June 29 after 25 years as a judge.

“He’s got the qualities you’d want to see in any judge that sits on the bench,” fellow Wood County Judge Todd P. Wolf told the *Wisconsin Rapids Tribune*. “He was fair; he viewed the law and made the decisions in a fair and impartial manner.”

Wolf said he and fellow Wood County Circuit Court Judge Gregory J. Potter relied on Mason for advice, and Mason always steered them in the right direction.



Judge James M. Mason

Mason was first elected to the Wood County bench in 1986 after a decade in private practice. Before that, he served as an attorney volunteer in Service to America and for more than five years in the U.S. Army. During his judicial career, Mason served as a member of the Wisconsin Judicial Council (where he chaired the Evidence and Civil Procedure Committee) and on the board of directors of the Wisconsin Trial Judges Association.

Mason said he didn’t spend a lot of time thinking about retirement. But after discussing the situation with his wife Mary during a rainy vacation spent at home, it became clear the time was right.

“After a week of sitting around our kitchen table, we decided retirement would be a good thing,” Mason said, adding that good health and time to do things should not be taken for granted.

RETIREMENTS *continued from page 17*

Mason said he would miss the challenge involved in deciding cases, and the people he worked with. Mason was known for making conversation with many people throughout the courthouse as he frequently walked throughout the building. He also enjoyed judicial education activities. He said he would not miss some of the administrative tasks, which seemed to increase over the years.

Mason told the *Tribune* he enjoyed running for office because judges must consider how their decisions conform to the constitution and laws of the state and the nation and then explain the process to voters.

Mason said he hasn't fully charted his course for retirement, and preparing to leave office took more time than he expected. For now, he plans to spend more time golfing, camping and visiting and appreciating his seven grandchildren.

Judge Donald A. Poppy Calumet County Circuit Court

Judge Donald A. Poppy, who is retiring after 19 years on the bench in Calumet County, started his lengthy career in public service by winning an election as a long shot.

"It was 1974, I was just out of law school, and I needed to get my name out there, because back then you couldn't advertise for clients," Poppy recalled. "So I decided to run for district attorney. I ended up beating two other Republicans in the primary – lawyers with years of experience. Next thing I knew, I was Calumet County DA."

The job was particularly welcome because employment was hard to come by in 1974, Poppy recalled.

"It paid \$12,000 a year and I was really happy with that," he said. "A lot of my classmates couldn't find work at all."

Poppy served as part-time district attorney (and simultaneously worked as part-time family court commissioner and in private practice) until 1992, when he was elected to the county's single judgeship. He succeeded Judge Hugh Nelson.

As a new judge, Poppy faced a trial by fire. One of his first cases involved a local man who was caught on videotape shooting a dog in the head. The dog's owner had requested that the dog be killed so that his meat could be used for food. Animal rights activists were apoplectic and the community was disgusted. The case made headlines across the nation as commentators awaited Poppy's every ruling. Then, he did the unthinkable.

"I dismissed the charge," he said. "The statute said a person may humanely dispatch his own dog."

Not long after that, Poppy handled a case involving a girl who was kept in a cage by her parents. And more recently, he was called upon to preside in the matter of four women who lured a man to a local motel and glued his penis to his body. That one made headlines across the globe.



Judge Donald A. Poppy

"I've seen a lot in my time here," he said, "And I've always tried to do what is right. I'm proud of my record – I've been appealed to the Supreme Court five times, and affirmed every time."

He is also proud of leading the effort to start the county's Domestic Violence Court three years ago. Modeled on Milwaukee's program, the court provides intensive monitoring to ensure that offenders are meeting all the conditions of probation.

Poppy is just one year into his latest term, but he is ready for a new chapter. As the only judge in a county of 50,000, he is extremely busy and on call all the time.

"It's not like we have a duty judge," he said. "It's me, all the time."

The future holds plenty of trout fishing, Poppy hopes, and perhaps some work as a reserve judge. He also hopes to visit more with his three daughters. One is a CPA in Chicago, one is a financial analyst in Madison and one is a teacher in Stoughton.

"I'll miss the job, and I wasn't necessarily ready to go," Poppy said. "It's been challenging and interesting and different every day. And once in a while, you get a letter from someone whose life you helped turn around, and then it's all worthwhile."

Chief Judge Benjamin D. Proctor Eau Claire County Circuit Court

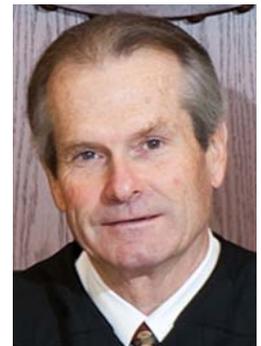
In 1988, when Chief Judge Benjamin D. Proctor first sought election to the bench in Eau Claire County, he emerged from the seven-way primary "a really weak second" to his good friend Eric J. Wahl – and then pulled off a surprise win two months later.

It was Judge Gregory A. Peterson – who joined the bench in Eau Claire in 1983 and moved to the Court of Appeals, District III in 1999 – who first convinced Proctor to throw his hat in the ring in that crowded primary election for the newly created Branch 4 seat.

"I had practiced law for 17 years, and I enjoyed that, but I never regretted for a moment becoming a judge," Proctor said. "The buck stops with the judge. You don't have to fight with

clients or argue positions you might not agree with – you just have to try to do what's right. And that's very satisfying."

For Proctor, doing what's right has meant building new programs that address the root causes of crime and help the system to function more effectively and efficiently. One of his projects was to help establish the Eau Claire Criminal Justice Collaborating Council (CJCC), one of the first CJCCs in Wisconsin. CJCCs bring together top decision-makers from every entity involved in the criminal justice system to improve existing procedures and establish new approaches to a community's unique challenges. They have



*Chief Judge
Benjamin D. Proctor*

RETIREMENTS *continued from page 18*

become an important tool for tackling improvements and initiatives that cannot be undertaken by any one agency or organization.

Proctor also helped develop AIM (Alternatives to Incarcerating Mothers) Court, a treatment court for single mothers, and a Veterans Treatment Court.

"I tried to provide the leadership for these programs, but really I've found that all you have to do is make calls and people are willing to jump forward to help," Proctor said. "So the credit goes to the judges, lawyers, law enforcement, social workers, Department of Corrections, court staff and others who have committed themselves to dealing with individuals in a way that doesn't fill the jails and prisons. We have saved millions of dollars in jail-bed days and reduced recidivism. I am very proud of the work we've done in Eau Claire."

In addition to his work in Eau Claire County, Proctor served as chief judge of the Tenth Judicial District from 2005 until his retirement in 2011. District 10 encompasses 13 counties and 27 judges in northwestern Wisconsin.

"As a chief judge, I was very fortunate to work with Judge Scott Needham [Proctor's deputy chief judge] and District Court Administrators Scott Johnson and Gregg Moore," Proctor said. "I also had an opportunity to work more closely with the staff at the state level, who are all highly educated and highly committed to serving the public."

Proctor's retirement from the bench gives him the opportunity to focus on mediation and case evaluation work. He also hopes to spend more time with his wife, Jan, a program director for Big Brothers Big Sisters, and the couple's two grown children, a daughter who works at Epic in Madison, and a son who serves as chief counsel to the Supreme Court of Palau, a Pacific island nation near Guam.

Judge Francis T. Wasielewski Milwaukee County Circuit Court

A good clue that Milwaukee County Circuit Court Judge Francis T. Wasielewski was about to hang up his robe was his recent bulk purchase of sheet music for piano.

"In anticipation of retirement, I ordered about \$60 worth of chamber music, so I'll have something to dive into right away," Wasielewski said. This is on top of "the pile" of other music he's been hoping to get to for years – Chopin, Beethoven, Schubert and Bach.

Wasielewski retired Aug. 1, after 28 years on the

Milwaukee County bench. He began his career on the bench in 1983, and has sat in all but one of the circuit court's divisions. He most recently served in family court, an assignment many judges dislike, but which Wasielewski said was satisfying because it allowed him to help people solve their problems.

"In family court, you see otherwise nice people under the most stressful circumstances of their lives," Wasielewski said. Sorting out family situations requires a judge to be empathetic without becoming emotionally involved –

sometimes a difficult balance, he said.



Judge Francis T.
Wasielewski

One of the most satisfying cases Wasielewski presided over was a product liability case in which he was eventually affirmed in the Wisconsin Supreme Court. The decision was satisfying because the Court held that the record developed during the four-week trial contained sufficient, credible evidence to sustain the jury's determination that a tire manufacturer was negligent in the design or manufacture of its tires.

Wasielewski said he hopes to serve as a reserve judge and possibly be involved in mediation. But he's also hoping retirement will create more time for piano and other pursuits, such as running, biking, traveling and visiting with grandchildren in Evanston, Ill.

Wasielewski has performed classical piano publicly at Polish Fest and at the Wednesday concert series at St. John's Cathedral in Milwaukee. At home, he still plays the Steinway grand piano he inherited from his parents.

The piano has been a great accompaniment to the sometimes-stressful work of judging. "A half hour at the piano, and whatever happened during the day seems more distant," Wasielewski said.

Wasielewski said he would miss many people with whom he worked, and the challenge of being a judge. On the 'won't miss' list? The seagulls that have made a habit of leaving their mark on his vehicle and others parked behind the courthouse. ■

Staff

continued from page 16

example, Carlson worked closely with CCAP to launch eFiling.

"It was Peg who implemented our policy decisions," Brown said. "She has been the go-to person not only for those in our court, but for decision-makers outside our court. I am sure I speak for [former Chief Judge] Tom Cane when I say that she helped make the chief judge job a palatable one."

In retirement, Carlson plans to golf. A lot.

"It borders on an obsession with me," she said, "and I'm

looking forward to being able to feed that obsession with reckless abandon."

She also plans to pull the occasional weed from the garden and, as a partial season ticket holder, enjoy more Brewers games.

"I love my Brewers and go to as many games as I can," she said. "And yes, I was at the Ice Bowl – but only for the first half, until my 11-year-old toes gave out." ■

EBDM *continued from front page*

to participate in intensive programming. The research shows that this is not effective, and that it is actually harmful to low-risk offenders. This makes the jobs of treatment providers and corrections personnel more difficult. Too many of our procedures have been driven by history, inertia and funding rather than evidence.

Our vision is a systemic overhaul. The courts, prosecutors, defense counsel, law enforcement, corrections, human services, county government and community representatives have worked hand in hand toward goals of fewer victims and a safer community.

This culture of working together has made it much easier to form the alliance needed to move forward with this initiative. Our Criminal Justice Collaborating Council (CJCC) was established in 2006, building upon a long history of cooperation among the key players in the criminal justice system. The Office of the County Administrator provides invaluable staff assistance from Tiana Glenna, who serves as coordinator of the CJCC.

We believe there are many effective ways in which we can reduce harm in our community and prove that we are doing so through empirical data. We have understood for some time that we need to do a better job of gathering and analyzing data. Now, however, there is a sense of urgency about data collection.

There are two primary harm-reduction outcomes which Eau Claire County intends to achieve through implementation of EBDM practices. First, we are targeting a 20 percent reduction in the number of low- and medium-

risk offenders who are convicted of committing new crimes within three years of contact with the criminal justice system. Similarly, our goal is to reduce recidivism of high-risk offenders by 10 percent. We will begin by tracking contacts from the baseline year of 2010. Recidivism reductions will be measured yearly with the goals to be achieved within three years of implementation.

The second identified goal is to more effectively allocate and use criminal justice resources as evidenced by reduced criminal caseloads and incarceration levels. Here are the goals we hope to achieve:

- a 15 percent reduction in jail bed days associated with criminal cases
- a 15 percent decrease in the number of misdemeanor cases criminally prosecuted
- a 5 percent reduction of felony cases
- 5 percent fewer offenders placed on probation
- 20 percent fewer revocations

Once again, 2010 data will establish our baseline and we expect that yearly data will be available for comparison.

While these goals may seem ambitious, the research suggests they are attainable through the adoption and faithful use of evidence-based decision making principles. For us, that begins with universal use of risk/need assessment tools. We will implement a risk-based custodial arrest and pretrial release process based on the risk assessment tools and incorporate a research-based charging process including a pre-charging deferral program with the focus on keeping low-risk offenders out of the system. Evidence-based sentencing practices will examine who



The Milwaukee team celebrates the submission of its application with a gathering at Chief Judge Jeffrey Kremers' home. Attendees (left to right): Holly Szablewski, Milwaukee judicial review coordinator; Kit McNally, retired executive director, Benedict Center; Kremers; Atty. Tom Reed, first assistant state public defender; Atty. Paige Styler, assistant state public defender; Judge Richard J. Sankovitz, Rob Henken, president, Public Policy Forum.

see **EBDM** on page 21



A recent meeting of the EBDM Milwaukee team included (Clockwise from left) Deputy District Atty. Jeffrey Altenburg; Judicial Review Coordinator Holly Szablewski; Nick Sayner, director of Justice 2000 Pretrial Services; Roberta Gaither, regional chief in the Department of Corrections Division of Community Corrections; Atty. Paige Styler, assistant state public defender; Atty. Tom Reed, first assistant state public defender; Chief Judge Jeffrey Kremers; Kit McNally, retired executive director of the Benedict Center; County Board Sup. Willie Johnson Jr.; and Paulina de Haan, regional coordinator, City of Milwaukee Office of Violence Prevention.

EBDM *continued from page 20*

should be placed on probation, whether jail should be a condition of probation, and treatment interventions during straight sentences. All prison sentences will be informed by the COMPAS risk/need assessment tool. Finally, probation supervision will focus on needs identified by the COMPAS assessment.

Eau Claire County is about to begin implementation of a criminal justice system based on empirical research. We want a safer community, reduced recidivism, and all the collateral benefits of less crime. We believe adoption of evidence-based decision making practices is the best way to do this.

Judge Richard J. Sankovitz:**Milwaukee study reveals numerous opportunities**

Milwaukee's EBDM team includes 18 criminal law professionals and community leaders, including the mayor of Milwaukee and the county executive. The team is headed by Chief Judge Jeffrey A. Kremers. Of the many who contributed to our effort, our stalwart was Holly Szablewski, who has been organizing and supervising pretrial services in Milwaukee for more than twenty years. She works in the Chief Judge's Office as Milwaukee's judicial review coordinator. She helped identify this grant opportunity, mastered the research in the field, shepherded inputs from across the system and drove the project forward.

Milwaukee's experience studying its criminal justice system and planning improvements parallels Eau Claire's. We were fortunate to discover many of the same deep insights that our colleagues in Eau Claire discovered.

And our entry in the grant competition is similarly ambitious:

- By screening defendants before they make their initial appearance, employing actuarial risk instruments, we

believe we can safely release and/or supervise 15 percent more pretrial detainees in the community rather than in jail. We aim to generate at least \$1,000,000 in jail cost savings for reinvestment in the community, and at the same time reduce by at least 40 percent the already low rates at which defendants waiting for trial fail to follow pretrial rules.

- By bringing to the table more detailed information about an offender's risk of reoffending and particular criminogenic needs when plea negotiations begin – rather than at the end of the process, at sentencing – we will divert or defer prosecution in 10 percent more cases. We aim to generate at least \$350,000 in jail cost savings that can be reinvested in the community.

- Putting to work innovative research about the “dose” of rehabilitative programming needed to lower the risk of a probationer re-offending, we intend to demonstrate in a pilot project that after the offender has received the appropriate “dosage,” probation should terminate. We aim to cut the cost of probation supervision by at least 50 percent and at the same time reduce probation recidivism by 50 percent.

- By building a deeper, more rapidly accessible database of people with mental illness who have frequent contact with the criminal justice system, we plan to be able to offer, at the earliest stages of a criminal case, a better mix of community services and incarceration so that the process itself doesn't exacerbate their sometimes fragile, sometimes volatile conditions. We aim to reduce by 25 percent the number of people with mental health needs who lose their benefits due to being jailed or losing housing, and increase by 25 percent the number of individuals with mental health needs who are reconnected to the services they need within 20 days after arrest. ■

Summit *continued from page 3*

Youth need to feel heard and empowered by those in positions of power from day one or youth engagement is not a fair expectation.

Anderson and the three other former foster children participated in an inspirational presentation led by Cindy Hamilton from Casey Family Programs and circuit court Judge Christopher R. Foley, Milwaukee County.

Program chairs for the event were Judge Ramona A. Gonzalez, La Crosse County, and Donald Maurer, deputy director of the Waukesha County Department of Health and Human Services.

The Summit was a follow-up to a September 2008 gathering. Helping to organize the Summit was Atty. Donna Erez Navot, who has served as training coordinator for the Children's Court Improvement Program since 2009. Erez Navot resigned in July to accept a position at the UW Law School, where she will be coordinating a new mediation clinic. ■



Youth who once were in the foster system gave compelling presentations at the 2011 Wisconsin Summit on Children and Families. They pose here with program organizers and presenters: Back row, left to right, Judge Ramona A. Gonzalez, La Crosse County Circuit Court; Cindy Hamilton, Casey Family Programs; Judge Christopher R. Foley, Milwaukee County Circuit Court; Greta Anderson; and Donald Maurer, deputy director of the Waukesha County Department of Health and Human Services. Front row, left to right: Erika Steward, Charlie Sprenger, Raphael Walker.

PEOPLE

Outagamie County Circuit Court Judge **John A. Des Jardins** received a stunning e-mail from a man in a tiny German village in June: the remains of Des Jardins' uncle, 2nd Lt.

James A. Des Jardins, who had been missing in action since his plane was shot down in World War II, had been found. James' plane was struck by ground fire as he strafed a rail yard on return from a bomber escort mission in 1944. Some of his remains were returned to the family at the time, but the rest – and his airplane – remained missing.

Des Jardins, who gave a DNA sample to help the military confirm his uncle's identity, told *The Post Crescent* that his uncle's plane, a P-51 Mustang, was found in a body of



The wreckage of Lt. Des Jardins' WWII P-51 Mustang found near the Rhine River.

(who died six years before he was born) was not often mentioned because the topic was too painful for his grandparents, who had lost another son, bomber pilot **Earl Des Jardins**, in a crash in France just two months before James' plane was shot down.

A July press advisory from Governor **Scott Walker** announced the membership of the new Judicial Selection Advisory Committee, which he set up “to help guide the judicial selection process and ensure that judges of the highest caliber who share a commitment to the rule of law are selected to serve Wisconsin.” Chairing the committee is former Milwaukee County Circuit Court Judge **Michael B. Brennan**, who served on the bench from 2000-08. Members include: Atty. **Donald A. Daugherty Jr.**, co-chair of the Whyte Hirschboeck Dudek Business Litigation Group; Atty. **Katherine M. Longley**, an associate at Foley & Lardner and former law clerk to Seventh Circuit Appeals Court Judge **Diane S. Sykes** (a former justice of the Wisconsin Supreme Court); Atty. **Gerardo H. Gonzalez**, who defends clients in litigation and directs the GSH Litigation Group; Atty. Lon E. Roberts, a partner in Ruder Ware in Wausau; Atty. **William T. Curran**, a partner in Curran, Hollenbeck & Orton in Mauston; Atty. **Eric M. McLeod**, a partner with



Second Lt. James A. Des Jardins, whose remains and plane wreckage were found in Germany.

water near the Rhine River. A German man working on a local history project reached out to Des Jardins about the case, and ultimately was among those who dredged a local waterway and found the downed airplane.

Des Jardins told the newspaper that his uncle

An April report on WSAW-TV featured an interview with Portage County Circuit Court Judge **Frederic W. Fleishauer**. Fleishauer helped to start Justiceworks, Ltd., a non-profit in Portage County that aims to reduce recidivism by providing a variety of services to offenders re-entering the community. Fleishauer explained that re-entry programs are key to turning offenders into productive citizens.

“Until you give them that opportunity to see different patterns and that different patterns can actually improve their situation and avoid those difficulties, until they come to that realization, they're likely to go back to the patterns that brought them there in the first place,” he said.

Justiceworks recently announced the **Betty and Don Ermatinger** Justiceworks Endowment Fund. The fund will help to provide a stable funding base for Justiceworks programs.

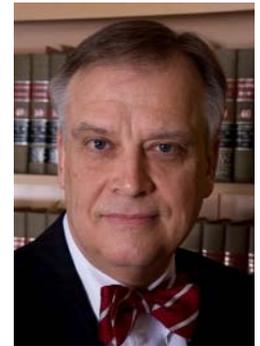
The “Odd Wisconsin” column produced by the Wisconsin Historical Society and circulated to newspapers across the state featured a tale about Civil-War-era Chief Justice **Luther Dixon** in May. Dixon's Supreme Court salary in 1857 was \$2,500, but war-time inflation pushed prices up and he found himself unable to make ends meet. Dixon approached the Bank of Madison for a \$500 loan, but he had insufficient collateral. The banker, **Lucien Hanks**, was not inclined to authorize the transaction, but a sympathetic bank director stepped in and secured a \$2,000 credit for Dixon. The director instructed the Hanks to keep quiet about the arrangement so as not to insult Dixon's dignity. According to the column, Dixon approached the teller again when his debt reached \$1,500, telling him, “Hanks, at one time, I did think you were a good banker, but I have now concluded you are a damn fool, because any man who

Michael Best & Friedrich in Madison; and Atty. Steven H. Gibbs, a partner in Hertel & Gibbs in Eau Claire.

“Courthouse screenings find 375 weapons” was the banner headline in the July 14 edition of the *Stevens Point Journal*. The report focused on the results of a new metal detector screening procedure at the Portage County Courthouse. In the first three months with the new system, screeners uncovered 289 knives and an assortment of razors, scissors, pepper spray, ammunition and tools.

As other counties have discovered, perimeter weapons screening also serves as a deterrent.

“On a daily basis, we have five to 10 people who come up and see the screening and turn around and walk away,” said Portage County Sheriff's Sgt. **Mike Lukas**, who heads the court services unit. “We don't know what they have on them.”



Judge Frederic W. Fleishauer

PEOPLE *continued from page 22*

would loan me \$1,500 when I have nothing but my homestead is not competent to be in the business of banking.” Following the tirade, Dixon requested – and received – another \$500.

On June 17, the Wisconsin Judicial Council held its final meeting of the year in the Wisconsin Assembly Parlor at the State Capitol. Many special guests and alumni members attended, and several outgoing members were honored at a ceremony recognizing their contributions and thanking them for their service. The Judicial Council is a 21-member body whose principal statutory responsibilities are to study and make recommendations relating to: (1) court pleading, practice and procedure; and (2) organization, jurisdiction and methods of administration and operation of Wisconsin courts.

Sara Flanagan, daughter of Milwaukee County Circuit Court Judge **Mel Flanagan**, has won the **John and Kathleen Gorman** Public Health



Sara Flanagan, a graduate student in public health and daughter of Milwaukee County Circuit Court Judge Mel Flanagan, was recently selected for a prestigious award from Columbia University's Mailman School of Public Health. Flanagan is shown here in Bangladesh. She has also worked on projects in Ghana and Ethiopia.

Humanitarian Award for her commitment to developing healthcare programs for people in need. This competitive award is presented annually to one graduate student at New York's Columbia University Mailman School of Public Health. Flanagan has worked as a volunteer on AIDS projects in Ghana and Ethiopia, and most recently traveled in Bangladesh.

The National Judicial College announced in June that circuit court Judges **Ann N. Knox-Bauer**, Taylor County, and **Todd L. Ziegler**, Monroe County, were accepted to participate in the “Innovative Leadership/Management Skills for Current and Future Court Leaders Program.” The two judges will join more than 40 judges from across the country at two resident programs in Reno, Nev. (in fall 2011 and spring 2012), and will participate in five companion webcasts.

An international cycling team competing in the Tour of America's Dairyland stayed at the home of two local cycling enthusiasts – Jefferson County Circuit Court Judge **William**



Photo Credit: Lisa M. Roys, State Bar of Wisconsin

Judges who represent the judiciary on the Wisconsin Judicial Council get together at the last meeting of the term. They include (left to right) Judge Mary K. Wagner, Kenosha County Circuit Court; Judge Patricia S. Curley, Court of Appeals, District I; Judge Edward E. Leineweber, Richland County Circuit Court; Judge Maxine A. White, Milwaukee County Circuit Court; and Justice Patience Drake Roggensack, Wisconsin Supreme Court. Not pictured is Gerald P. Ptacek, Racine County Circuit Court.

F. Hue and his wife, **Laura Challoner**. The 10-day event was sponsored by the Wisconsin Milk Marketing Board and took place in June. The *Jefferson Daily Union* reported that the six-person team of professional cyclists – from New York, California, the Dominican Republic and Colombia – was delighted to make Jefferson its home base. “The Hues have been really excellent,” one cyclist told the newspaper. “They’ve gone above and beyond to make sure we have food ready for us when we get back from the races at 10 p.m.”



Judge Ann N. Knox-Bauer



Judge Todd L. Ziegler

“Judge goes to bat for the poor” headlined a profile of Milwaukee County Circuit Court Judge **Richard J. Sankovitz** in the *Wisconsin Law Journal*. The *Journal* noted that Sankovitz, who has served on the bench for 15 years and is currently presiding judge in Milwaukee's Felony Division, is committed to encouraging young lawyers to participate in *pro bono* programs. In addition to his work for the poor and underrepresented, Sankovitz, the newspaper noted, “is also



Judge Richard J. Sankovitz

PEOPLE *continued from page 23*

armed with an extensive knowledge of baseball, like that of the federal judge he clerked for, **Terry Evans**, and has been known to pose the occasional trivia question to unsuspecting friends.”

Supreme Court staff baked and frosted 450 cupcakes in May to help raise funds for ovarian cancer research. Staffers baked cupcakes at home, and set up an assembly line frosting operation over a lunch break at the Capitol. The group was organized by **Mary Roderick**, judicial assistant to Justice **Annette K. Ziegler**. Roderick's daughter, **Trish Priewe**, was being treated for kidney stones five years ago when, by chance, doctors discovered ovarian cancer. She is now cancer-free and celebrated the milestone by organizing the event “Make Some Noise for a Quiet Cancer”. The cupcakes were sold at the event in Lodi that raised \$8,000 for the UW Carbone Cancer Center.

In May, Milwaukee County Circuit Court Chief Judge **Jeffrey A. Kremers** and Deputy Chief Judge **Maxine A. White**

participated in a role play in the General Mitchell International Airport Safety Exercise Program along with about 100 other volunteers. Kremers was assigned to be very uncooperative with law enforcement commands while searching for his wife who was among the victims of a crash. White played a victim on board the plane needing appropriate diagnosis for transport and treatment. Teams of firefighters, emergency medical technicians and other officers from Milwaukee County and Racine, Kenosha and Waukesha counties, along with federal officers as far away as Chicago, performed various tasks including containment of this mock airplane disaster, triage, medical diagnosis and treatment of victims, casualty control and decontamination.



Chief Judge
Robert J. Wirtz

Fourth District Chief Judge **Robert J. Wirtz**, Fond du Lac County Circuit Court, toured the criminal and civil courts in Dubai in April. Dubai is one of the seven United Arab Emirates. Wirtz reported that the courts are modern and well-funded, and that court proceedings are shown on TV screens located outside of each courtroom so the public can view what is transpiring.



Chief Judge **Jeffrey Kremers** (left) and Deputy Chief Judge **Maxine A. White** participate in a role-play exercise at Milwaukee's Mitchell Field to help train emergency responders. Each participant wore a wristband that classified him/her according to level of injury and need for attention. Kremers' need for attention was presumably high: he was playing the uncooperative spouse of a person involved in a plane crash.

No eFiling yet, however.

Wirtz reported that Dubai does not have jury trials, even in capital murder cases.

“They questioned me extensively regarding jury trials,” Wirtz said. “They seemed impressed that we would allow citizens (not judges) to decide the facts of a case. They noted how expensive it must be to have justice delivered by jurors as opposed to judges.”

Ross Voelker, son of Director of State Courts A.

John Voelker and his wife, **Becky**, is one of six Wisconsin student baseball players to receive a \$500 scholarship from the Wisconsin

Baseball Coaches Association. The scholarships are awarded based upon grades, recommendations, contributions to the respective team, and essays written by the recipients. Ross graduated from McFarland High School and plans to attend Grinnell College in Iowa this fall where he will study biochemistry.

The association's notice of the scholarship noted Voelker's accomplishments:

“Success on the baseball field, a tremendous student, umpiring Little League games, volunteering, working a part-time job; Ross Voelker seems to do it all.” ■



Ross Voelker, son of Director of State Courts A. **John Voelker**, poses in his team uniform.



Judge **Mark T. Slate** (right), newly elected to Green Lake County Circuit Court, is sworn in by retired Justice **Jon P. Wilcox**. Before he became a Supreme Court justice in 1992, Wilcox served in neighboring Waushara County, and also was chief judge of the Sixth Judicial District. Slate succeeds longtime Judge **William M. "Mike" McMonigal**, who retired this spring. On the bench is retired Judge **David Willis**, who served in Green Lake County prior to McMonigal.

Chief Justice

Shirley S. Abrahamson

Director of State Courts

A. John Voelker

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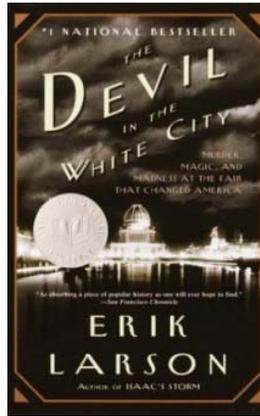
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The Third Branch is a quarterly publication of the Director of State Courts Office, providing news of interest to the Wisconsin court system.

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Columbian Exposition worked to create the beautiful White City against all odds, the strange gentleman worked to effectuate his evil purposes nearby. Though the book reads like fiction, it is not. It is a fascinating tale of good and evil, beauty and disaster, in Chicago, a city we thought we knew but whose past was hidden from us until now.

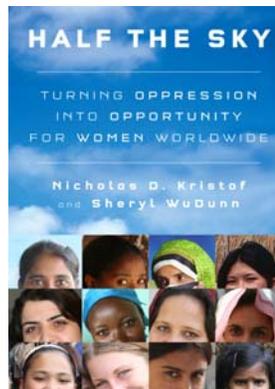
Judge Mary Triggiano, Milwaukee County Circuit Court:

Half the Sky: Turning Oppression into Opportunity for Women Worldwide

(Vintage 2009)
By Nicholas D. Kristof and Sheryl WuDunn



Judge Mary Triggiano

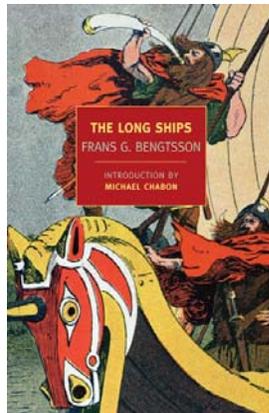


An ancient Chinese proverb maintains that women hold up half the sky. This book is a series of essays and anecdotes that highlights stories of heroic women worldwide who are committed to ending oppression of women and advancing human rights. The authors also discuss practical ways to effect the change that is needed.

Judge Thomas J. Vale, Green County Circuit Court:

The Long Ships
(NYRB Classics, 1954)
By Frans Bengtsson

Excellent adventure novel set in the Viking age a thousand years ago. Historical fiction based on thorough scholarship. Informative and entertaining; and it has absolutely nothing to do with being a circuit court judge. ■



Judge Thomas J. Vale