

2026–27 Critical Issues Report

Planning Priorities for the
Wisconsin Court System

**Wisconsin Supreme Court
Planning and Policy
Advisory Committee**

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Critical Issues: Planning Priorities for the Wisconsin Court System 2026 – 2027

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Hon. Audrey K. Skwierawski
Director of State Courts

Subcommittee Staff

Ann Olson
Office of Court Operations

Mission of the Wisconsin Court System:

The mission of the Wisconsin Court System is to protect individuals' rights, privileges and liberties, to maintain the rule of law, and to provide a forum for the resolution of disputes that is fair, accessible, independent, and effective.

Executive Summary

The Planning and Policy Advisory Committee (PPAC) of the Wisconsin Supreme Court develops the biennial Critical Issues Report to identify key matters affecting the court system. The Supreme Court and Director of State Courts use this information to explore initiatives or actions, such as pilot projects, rule petitions, or study committees. The Critical Issues Report may also be used as the basis for budget proposals or administrative recommendations.

PPAC recommends that the Supreme Court and Director of State Courts prioritize two critical issues during the 2026-2027 period: Mental Health, and Court Security.

Mental health has consistently ranked as a top issue among court system stakeholders who participate in the critical issues survey. The action steps in this issue area focus on identifying potential legislative changes, supporting cross-system improvements to help address mental health at the local level, and expanding state-level collaboration between the court system and state agency partners.

A second issue, court security, focuses on responding to the evolving nature of threats facing judges, court facilities, and the justice system as a whole. Activities in this area include proactive strategies to help identify and address security needs at the local level, and supporting the physical security of the state's many court facilities.

PPAC Planning Subcommittee

PPAC was created through Supreme Court Rule Ch. 70.14 in 1990 to advise the Supreme Court and the Director of State Courts and to provide a forum for the exchange of ideas between judges and justice partners. The smaller, more focused Planning Subcommittee was created in 2001 to provide input regarding the court system's strategic planning efforts. To this end, the Planning Subcommittee developed and has issued a Critical Issues report since 2002. The Director of State Courts and PPAC have responded to the report's recommendations in a variety of ways, including creating standing and ad hoc subcommittees, directing the work of staff in the Office of Court Operations, and developing biennial budget proposals for consideration by the Supreme Court.

Report Methodology

The planning process for the 2026-2027 critical issues cycle began by identifying issues for inclusion on a statewide survey of court stakeholders and justice partners. In July 2025, an online survey collected feedback from internal and external stakeholders. A breakdown of survey participants is included in Appendix A. The survey asked respondents to rate the importance of eight topics on a scale of 1-5, with 5 being the most important:

- Mental Health
- Substance abuse/treatment courts
- Use of technology and artificial intelligence (AI)
- Attorney recruitment and retention
- Self-represented litigants/access to justice
- Court security
- Making the record
- Wellbeing and trauma

Each of the 8 topic areas also included several subtopics under each heading with the same 1-5 ranking scale.

The 2025 survey received 748 total responses, which is similar to the number received in 2023 (742). In 2025, there were 382 “court” respondents (judges, court commissioners, district court administrators, clerks of circuit court, and other court staff) and 366 “non-court” respondents (private-sector attorneys, non-profit or certain government attorneys, district attorneys, public defenders, county staff, treatment court or pretrial personnel, corporation counsel, elected officials, and others).

The Planning Subcommittee reviewed the survey results and selected two issues as priorities for the 2026-2027 cycle, as well as several other issues of importance. In drafting recommendations for action steps to address the critical issue topics, the Planning Subcommittee focused on how the court system could address each issue by establishing goals and, where possible, proposed timelines for each goal.

Critical Issue 1: Mental Health

Issue Overview

Mental health has been highlighted in several past Critical Issues reports, and it remains a top concern for judges and court system stakeholders. In 2022, the *National Judicial Task Force to Examine State Courts' Response to Mental Illness* (National Taskforce) made several recommendations for how state courts can better address the needs of individuals with mental illness. Wisconsin has taken several steps toward implementing several of these recommendations.

In 2024, the Director of State Courts secured a technical assistance grant from the State Justice Institute (SJI) to implement the Sequential Intercept Model, or SIM, in Wisconsin. A SIM mapping session identifies community resources and gaps in order to identify strategies to deflect people with mental health and substance abuse disorders away from the justice system and into treatment. These 2-day sessions bring a cross-section of stakeholders together to set priorities through a community action plan.

Further areas recommended by the National Taskforce includes examining emergency mental health detention and competency statutes to identify possible changes, as well as creation of a dedicated staff position to provide guidance to the court system and provide support to judges and other stakeholders on behavioral health issues. Minnesota, Illinois, Michigan, and Indiana have created state-level behavioral health coordinator positions to help develop the systems and tools that can improve responses to individuals with mental health co-occurring substance abuse disorders.

It should also be noted that many Critical Issues survey respondents highlighted the need to support the mental health of court officials, as well as to anticipate how traumatic testimony may impact jurors, court staff, interpreters, and others. Resources to help support jurors following a trial have been developed by the Committee of Chief Judges and are currently available for use.

Action Steps

1. Support the examination of the emergency detention section of Wis. Stat. Ch. 51 and § 971.14 regarding competency determination. A workgroup convened by PPAC Effective Justice Strategies (EJS) Subcommittee has been reviewing the competency process with a goal of proposing revised model legislation in 2026. A second workgroup will be formed in 2026 to examine the emergency detention section of Ch. 51.
2. Continue to support the organization and facilitation of Sequential Intercept Model (SIM) mapping workshops. Coordination of SIM workshops may also be accomplished through partnerships with the Wisconsin Department of Justice and the Wisconsin Department of Health Services.
3. Explore creation of a state-level behavioral health coordinator position. This position would provide guidance on behavioral health issues and serve as a liaison with state and local partners regarding behavioral health programs that intersect with the court system.

Critical Issue 2: Court Security

Issue Overview

Supreme Court Rule Chapter 68, Court Security, Facilities, and Staffing, was created in 2012 to help courts more effectively address local security needs. Chapter 68 provided guidance for county-level security and facilities committees to provide develop policies and procedures for improving court security, as well for tracking threats against court staff and members of the judiciary through use of the CS-265 Threat and Incident Report Form.

Since 2012, when Chapter 68 was adopted, the judicial security landscape has changed dramatically, and threats, violence, and deadly attacks against the judiciary have become more common. Three legislative acts adopted in 2024 (Wisconsin Acts 234, 235 and 236) expanded safety and privacy measures for judicial officers, including a process for protecting the personal information of judges and their immediate family members, and exemption of the judicial security profile from disclosure under the Wisconsin Public Records Law.

The 2025 Critical Issues Survey highlighted several aspects of court security where more resources and attention may be needed. Court respondents ranked several security-related subtopics as important, including the need for courthouse security assessments and support for court facility security improvements.

Survey respondents also indicated that security screening at courthouse entrances is a high priority. As of October 2025, 33 of Wisconsin's 72 courthouses have active, staffed security screening at the building entrance. Given that fewer than half of the state's courthouses currently have security screening, this is an area where a more proactive approach may be needed. County funding limitations, as well as the historic nature of many Wisconsin courthouses, often prevent county boards from instituting higher levels of court security screening at building entrances. Additional state resources designated toward courthouse security could help encourage more counties to institute screening or take other active steps to reduce court security threats.

Action Steps

1. Coordinate with state and local law enforcement personnel, including the Court Protection Unit of the State Capitol Police, to conduct courthouse security assessments. Final assessment reports should be shared with County Boards and used to craft budget requests for security improvements.
2. Explore creation of a state-funded program to provide grants to implement security improvements identified through formal security assessments or other assessment tools, such as the *Steps to Best Practices for Court Building Security* guide issued by the National Center for State Courts (NCSC).
3. Support efforts to improve court security for court system personnel and facilities. This includes ongoing security training at the state and local level and guidance on reporting threats and incidents using the CS-265 form. Efforts may also include seeking additional security personnel to help safeguard Supreme Court Justices.

Other Issues of Importance

In addition to the critical issues outlined above, several other topics are being addressed through ongoing efforts either within the Court System or in coordination with justice partners. These include the shortage of attorneys, collection of court user feedback, making the record, and artificial intelligence.

Attorney Shortage

As part of the 2025 Critical Issues Survey, judges and court commissioners were asked about what factors most often caused delays in criminal court proceedings. More than 70% of responding judges and commissioners indicated that delays were “very often” or “often” caused by the lack of attorney appointments for State Public Defender cases.

In recognition of the broad range of issues caused by the lack of attorneys, the Wisconsin Supreme Court convened an Attorney Recruitment and Retention Committee (ARRC) in June 2024. The committee was charged with examining the shortage of attorneys across the state and identifying potential solutions. The group’s final report and recommendations, which were presented to the Wisconsin Supreme Court in November 2025, focus on increasing the overall supply of attorneys, easing regional attorney shortages, and supporting other efforts to increase access to legal services in the state.

An array of partner organizations and stakeholders, including the Access to Justice Commission, will examine the recommendations outlined in the ARRC report, including

potential creation of a rural attorney recruitment incentive program, creation of a limited license professional program, and adoption of the Uniform Bar Exam.

Court User Feedback

Beginning 2024, La Crosse and Monroe Counties participated in a national pilot program focused on procedural fairness called The Fairness Project. This effort, developed by LaGratta Consulting and supported through the State Justice Institute, used tablets and online surveys to gather direct feedback from court participants. Questions focused on three main aspects: whether the judge treated them fairly, whether the judge helped them understand what happened in court, and whether the judge listened to their questions and concerns.

Through a combination of professional development, interactive learning, and litigant feedback, the project seeks to ensure that fairness is at the center of court operations. Survey feedback was combined with professional development and interactive learning to improve judges' practices in the courtroom. Participating judges indicated that the training, when paired with active monitoring of litigants' satisfaction, helped them be more mindful of whether they were approaching individuals in their courtrooms with respect, neutrality, and understanding.

The Fairness Challenge project is based on the concept of procedural justice, which focuses on the fairness of the procedures used by the court system, overall. Research has shown that procedural fairness is more important to court user satisfaction than whether or not a party had a favorable outcome. Procedural fairness can also improve public perception, confidence, and trust in the judiciary.

Several states regularly gather court user feedback and utilize this information to determine how courts are perceived on measures of access and fairness. Wisconsin has not undertaken a comprehensive review of court user feedback since 2003. The PPAC Planning Subcommittee plans to explore this issue in greater depth during the 2026-27 cycle and may consider the feasibility of a larger pilot project similar to the Fairness Challenge in additional counties.

Making the Record

Stenographic court reporter training programs have decreased in recent years, and as of October 2025, there are fewer than 20 programs nationwide. As a result, when court reporter vacancies occur, there are increasingly few stenographic court reporters available to fill these positions. Digital court reporting programs have emerged as an alternative path for court reporter training and certification, and digital court reporters now represent 42% of the state's court reporter workforce, up from 30% in 2023.

The Director of State Courts has convened a workgroup to examine how the field of court reporting is evolving and to devise solutions that support the different technologies and practices used by all court reporters to capture the record and create accurate transcripts. In addition, a subcommittee of the Committee of Chief Judges is currently examining some of the policies related to long-term file storage and transcript production. These efforts will help

preserve the court system's ability to protect the integrity of the record after court reporters leave service.

Artificial Intelligence

The 2025 Critical Issues Survey asked respondents to list ways in which artificial intelligence could benefit the court system, as well as how it could negatively impact the court system. Although most survey respondents recognized that there is likely some utility to using these evolving technologies, there was general consensus that human oversight is a necessity. According to respondents, acceptable uses that may benefit the court system included tasks such as helping summarize large amounts of information, summarizing cases, and assisting with the initial drafting of orders or decisions. Some respondents also saw opportunities for providing information to self-represented litigants, as well as for some tasks related to court reporting and initial generation of transcripts.

At the same time, respondents noted that generation of false information, also referred to as hallucinations, can damage the credibility of these tools, and that gen-AI technologies could compromise confidentiality, privacy, and data security. Over-reliance on these technologies could also erode the integrity of the justice system and reduce public confidence and trust.

The survey underscored that AI can only be used safely with strict policies and close human oversight and review. To this end, an Artificial Intelligence Task Force has been convened by the Director of State Courts and the Chief Information Officer in order to explore how this technology should be utilized within the Court System, and to determine which safeguards are needed to ensure that these tools are used properly.

Conclusion

This report identifies mental health and court security as critical issues for the court system to address during the 2026-2027 period, as well as several other issues of importance. The Planning and Policy Advisory Committee will monitor the action steps outlined in this report and will update the Wisconsin Supreme Court and the Director of State Courts on progress toward achieving these goals.

Appendix A: Summary of 2025 Critical Issues Survey Responses

Table 1: Number and Percentage of Survey Respondents by Type, Court Respondents

Court Respondent Type	Number	Percentage
Circuit Court Judge	113	30%
Court Reporter	104	27%
Court Commissioner	46	12%
Municipal Court Judge	32	8%
Juvenile Clerk, RIP, or both	32	8%
Clerk of Court or COC staff	25	7%
DCA, Manager, other Court Staff	19	5%
COA or Supreme Court	7	2%
Reserve Judge	4	1%
Total	382	

Table 2: Number and Percentage of Survey Respondents by Type, Non-Court Respondents

Non-Court Respondent Type	Number	Percentage
County Staff (Corporation Counsel, Treatment Court, CJCC, etc.)	110	30%
Prosecutor or Staff	108	30%
Office of the State Public Defender Atty. or Staff	70	19%
State Agency (DOJ, DOC, DHS, etc.)	18	5%
Corporation Counsel	17	5%
Other (Retiree, Advocate, Intern, etc.)	17	5%
Private Bar Attorney	14	4%
Non-Profit or NGO	12	3%
Total	366	

Table 3: Critical Issue Topic Ranking, Court Respondents
(Note: Ranking scale is from 1-5, with 5 being most important)

ISSUE NAME	AVERAGE SCORE (1-5)
1. Mental Health	4.3
2. Court Security	4.3
3. Making the Record	4.0
4. Wellbeing and Trauma	4.0
5. Attorney Recruitment and Retention	4.0
6. Use of Tech and Artificial Intelligence	3.8
7. Substance Abuse/Treatment Courts	3.8
8. Self-Represented Litigants/Access to Justice	3.7

Table 4: Critical Issue Topic Ranking, Non-Court Respondents

ISSUE NAME	AVERAGE SCORE (1-5)
1. Mental Health	4.5
2. Substance Abuse/Treatment Courts	4.1
3. Attorney Recruitment and Retention	4.1
4. Making the Record	4.0
5. Use of Tech and Artificial Intelligence	3.9
6. Court Security	3.9
7. Wellbeing and Trauma	3.9
8. Self-Represented Litigants/Access to Justice	3.8

Table 5: Critical Issue Topic Ranking, All Survey Respondents

ISSUE NAME	AVERAGE SCORE (1-5)
1. Mental Health	4.4
2. Court Security	4.1
3. Substance Abuse/Treatment Courts	4.0
4. Making the Record	4.0
5. Wellbeing and Trauma	4.0
6. Attorney Recruitment and Retention	4.0
7. Use of Tech and Artificial Intelligence	3.7
8. Self-Represented Litigants/Access to Justice	3.7