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Barland Named One of Nation's Best Judges

The American Bar Association's National Conference of State Trial Court Judges honored Judge Thomas H. Barland, Eau Claire County Circuit Court, with its Award of Judicial Excellence at a ceremony in New York. Barland was one of two judges in the nation recognized for outstanding performance and achievement, excellence of character, and extraordinary service to the bench, bar, and community. The ceremony took place July 7, just three weeks before Barland retired from the bench.

In nominating Barland for the award, Chief Justice Shirley S. Abrahamson and Judge Harold V. Froehlich, Outagamie County Circuit Court, wrote: "Tom Barland

is not only a great judge in the courtroom but also an innovator. He has worked on numerous projects including jury standards, development of [alternative] dispute resolution, cameras in the courtroom, and judicial education. Tom Barland stands for excellence."

Throughout his 33 years of judicial service, Barland was recognized by his peers for his leadership and innovation. He worked on Wisconsin's 1978 court reorganization; helped draft the Wisconsin Code of Evidence and authored a highly regarded book on the subject; pioneered alternative dispute resolution in the court system; *continued on page 9*



Judge Thomas H. Barland speaks at an American Bar Association event in New York.

Retired Army Officer to Direct Lawyer Regulation



Keith L. Sellen

The Wisconsin Supreme Court has appointed a retired Army legal officer from Virginia as director of the newly created Office of Lawyer Regulation. Keith L. Sellen—who grew up on a dairy farm north of Green Bay—will start work on Sept. 11.

Sellen was most recently chief of doctrine and training development at the Judge Advocate General's School in Charlottesville, Va. In this position, he designed, developed, co-authored, and published the future legal services program for 4,200 lawyers serving

worldwide. This program is a five-year plan that sets out fundamental principles and gives guidance to the Army's legal offices.

Prior to this, Sellen spent three years in Germany managing legal staff, supervising professional misconduct investigations, advising government ethics investigators, mediating disputes between the State Department and foreign legal officials, and more. During his Army career, Sellen also has been a criminal defense counsel at Fort Benning, Ga., chief command counsel in Seoul, Korea, and chief prosecutor at Fort Gordon, Ga.

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Conway, Judge of the Year



Judge Dennis D. Conway

Judge Dennis D. Conway, Wood County Circuit Court, has been named "Trial Judge of the Year" by the Wisconsin Chapter of the American Board of Trial Advocates (ABOTA). Conway received the award at an event in Madison on June 29.

ABOTA is a national organization of civil trial attorneys including 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.

Conway, a former chief judge and chief of the Committee of Chief Judges, has served on the bench in Wisconsin Rapids since 1977.

Winners of the award in past years are: Judges Thomas H. Barland, John J. DiMotto, P. Charles Jones, James C. Eaton, Allan J. Deehr, N. Patrick Crooks, Robert W. Landry, Susan R. Steingass, George A. Burns Jr., and James P. Fiedler. Of these past winners, Crooks, DiMotto, and Eaton are still active judges. ❖

Hearings Set on Lawyer Regulation, Judicial Election Activity

The Supreme Court has set hearing dates on a number of proposals, including one that would create a diversion program within the new lawyer discipline system, and another that would regulate judges' campaign activities.

Lawyer Regulation System

At a public hearing on Tuesday, Sept. 12, the Court will address a proposal from James L. Martin, interim director of the Board of Attorneys Professional Responsibility (BAPR), for an intake system that would provide alternatives to discipline in appropriate cases.

The Court created the new lawyer regulation system to replace BAPR on May 22. The new rules take effect in September and the Court will receive written comments on these rules until March 2001. A public hearing will be held in April 2001.

The framework of the new Lawyer Regulation System can be found on the court system Web site at www.courts.state.wi.us/bapr/office_of_lawyer_regulation.htm.

Judicial Elections and Ethics

The Court will hold a public hearing on a proposed amendment to the Code of Judicial Conduct on Tuesday, Nov. 7. The amendment would incorporate language on campaigns, elections, and political activity based upon the recommendations of the Commission on Judicial Elections and Ethics.

When the Code of Judicial Conduct went into effect on Jan. 1, 1997, the portion of the 1968 Code of Judicial Ethics that governed the political activity of judges and campaign conduct of candidates for judicial office was left intact pending an in-depth analysis of these areas.

In March 1997, the Court appointed the Commission on Judicial Elections and Ethics to study political activity and campaign conduct and submit recommendations for a new rule. Senior Judge Thomas E. Fairchild, U.S. Court of Appeals, Seventh Circuit, chaired the commission. Its report can be found on the court system Web site at www.courts.state.wi.us/supreme/elections/e&ecom.html. The amendment to be discussed in November proposes changes based on the report. ❖

District I Has Success with 'Failure to Appear' Pilot

by: Susan Byrnes

Misdemeanor/Intake Court coordinator

Milwaukee County

Milwaukee County Chief Judge Michael J. Skwierawski has taken a new approach to getting misdemeanor cases back on track after a defendant fails to appear in court. In a pilot project that began in March, two of the 11 misdemeanor branches were enhanced with the addition of a failure to appear (FTA) unit responsible for bringing a defendant back to court after a missed appearance. To date, the effort has returned 50.2 percent of the defendants within a week of their failed appearances. The pilot project is so successful that Skwierawski is planning to expand the FTA unit to include two additional misdemeanor branches by the end of the summer.

The effort requires system-wide cooperation among the courts, the District Attorney's Office, the Public Defender's Office, the Clerk of Circuit Courts Office, Wisconsin Correctional Service, and the Milwaukee County Sheriff's Office.

Judges involved in the pilot can either issue a bench warrant immediately or issue a bench warrant, stay it for seven days, and refer the case to the FTA unit. The FTA caseworkers, employed by pretrial service vendor Wisconsin Correctional Services, a non-profit agency, attempt to return the defendants to court via telephone contact or reminder letters. If the defendant returns voluntarily within seven days, the bench warrant is never issued and the case progresses, although the court has the option of altering the defendant's bail status. However, if the defendant does not take advantage of this opportunity, the enforcement part of the FTA project kicks in. The sheriff's department now proactively searches for and arrests FTA defendants who do not voluntarily return during the seven-day window.

"The FTA project has been a great success in our branch," said Judge Michael B. Brennan. "Wisconsin Correctional Service has

located and brought back into court more than half of the defendants whom I ask them to find. Some cases even resolve the day the defendant is escorted into court by the FTA caseworker." Judge Carl Ashley also responded positively to the addition of an FTA unit to his misdemeanor branch: "The idea that a substantial number of files will not sit dormant for extended periods of time is a great aid to the effective and timely administration of justice," he said. "The results of the program strongly support expansion."

Skwierawski implemented the FTA pilot project in response to the high failure to return rate and the number of outstanding bench warrants entered into the system. "We're making a deliberate attempt to change defendants' attitudes about missing a court date," he said. "The prevailing attitude of misdemeanor defendants seems to be that if they fail to show up for court, nothing serious will happen to them. Word is getting out and defendants not associated with the FTA pilot project are voluntarily turning themselves in on outstanding bench warrants."

In the past, due to budget constraints, criminal bench warrants were shelved and the court system had to wait until the defendant was picked up in conjunction with a new offense. Once rearrested, a defendant with two or more pending cases and a prior court miss would likely sit in jail on cash bail.

Approximately 34 percent of the defendants in the Milwaukee County Jail have been returned on bench warrants. Recent reports from the intake court process indicate that 19 percent of the cases reviewed each day have been through the system at least one time previously. This "churning" of cases is a costly problem for Milwaukee County. Having defendants returned to court by the FTA unit spares the cost of re-arrest, detention, and repetitive court processing. ❖

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Eich Ends 26-Year Career on the Bench



Judge William Eich

Wisconsin Court of Appeals Judge William Eich will retire from the bench on Oct. 1, capping a 26-year career in the Wisconsin courts. Eich, 61, plans to work as a court-appointed and private mediator/arbitrator, in addition to serving as a reserve judge.

Eich's career in Wisconsin government has spanned more than 35 years. In 1965, he became an assistant attorney general in the Wisconsin Department of Justice and was promoted to deputy attorney general three years later. From 1971 to 1975, he served as chairman of the Wisconsin Public Service Commission in the administration of Governor Patrick J. Lucey. While on the commission, Eich gained a national reputation for his advocacy in energy-related consumer and environmental issues. In 1975, Lucey appointed him to the Dane County Circuit Court, where he remained until 1985, when Governor Anthony S. Earl named him to the Wisconsin Court of Appeals, District IV. Eich served as the Court of Appeals' chief judge from 1989 to 1998, longer than any other chief judge.

A graduate of Beloit College and the University of Wisconsin Law School, Eich has been a frequent speaker at judicial conferences in Wisconsin and around the country and has published articles in state and national law journals on a variety of law-related topics. He is a former lecturer in law at the University of Wisconsin and served for several years as a member of the faculty of the Institute for Judicial Administration at the New York University School of Law.

Eich was active in many areas during his judicial career. He received citations from, among others, the Associated Press of

Wisconsin for his work in promoting greater public access to the courts, and the Wisconsin chapter of the National Women's Political Caucus for his leadership in achieving gender equity in the law and legal institutions. In the mid-1970s, Eich was instrumental in securing rule changes that permitted cameras in Wisconsin courtrooms. He later served on the legislative council committee that drafted Wisconsin's sexual harassment law. More recently, he served a six-year term on the Wisconsin Judicial Commission, was active in State Bar of Wisconsin committees promoting civility in court proceedings, and chaired a statewide task force created to secure full access to the courts for persons with disabilities. ❖

The Chief Justice on Eich's Retirement

I have known and admired Bill Eich for about 30 years, as a personal friend and outstanding judicial colleague and public servant. Bill has made his mark in this state as a lawyer, as chairman of the Public Service Commission, as a circuit court and Court of Appeals judge, and as chief judge of the Court of Appeals. He will be sorely missed on the bench but he has promised me he will be available as a reserve judge for circuit court work and for other assignments. Although we plan to get him back to work as soon as he's willing, we wish Bill many happy years of retirement.

—Shirley S. Abrahamson

Retirements

'Judge Monday' Retires—Again

Former Milwaukee County Circuit Court Judge William Jennaro has retired from the bench a second time after donating each Monday during the past year to reserve judging to help relieve pressure in Milwaukee's Family Court Division.

Jennaro, who served two terms in Milwaukee County Circuit Court before retiring in 1984 to go into private practice with the law firm of Cook & Franke, earned the nickname 'Judge Monday' from his colleagues in family court.

Reserve Judge Keberle is Honored

When Ronald D. Keberle, then a county court judge, decided to run for the circuit court in 1969, he thought he had a good chance of winning. Then President Richard Nixon stirred the pot. "Melvin Laird had been the Congressman and he had just been appointed Secretary of Defense [by Nixon]," Keberle recalled. "So they had a great big election for Congressman in our district and whereas normally you would have 20 percent of the people going to vote, you had about 60 percent."

Keberle, whose base of support was the Republican Party, found himself running in an election where the Democrats came out in droves for the opportunity to turn over a congressional seat (they were, in fact, successful: David R. Obey, then minority leader in the

state Assembly, was elected to Congress, where he still serves). Keberle won the judicial race, but his margin was so slim that there was a recount in all four counties in the circuit. As a result of the recounts and a lawsuit, Keberle could not take the circuit court bench until eight months after his election.

He spent the next 18 years on the bench, traveling the circuit between Lincoln, Marathon, Oneida, and Vilas counties. Keberle also served as the first chief judge of the Ninth Judicial District.

Keberle retired from reserve work at the end of 1999 and was honored with a plaque from the Wisconsin Supreme Court presented by Chief Judge James B. Mohr at a ceremony in April. ❖

Deputy Director to Leave

Wendy L. Wink, deputy director of state courts for management services, has resigned her post to pursue a new direction in her career. Wink took the position in July 1999 and has led the Management Services team in the nuts-and-bolts work that keeps the court system running as well as the innovative projects that will see the courts into the future.

Wink thanked Director of State Courts J. Denis Moran "for giving me the opportunity to be part of this terrific organization." At press time, there was no information on a replacement. ❖

Wisconsin Courts Work on *Pro Se* Plans

Not long ago, a merchant sued a customer in Waukesha County. The customer showed up for court without an attorney (as is common in small claims matters) and told the court commissioner that he wanted to contest the claim. He was given the appropriate form for answering the claim and instructed to file it within 15 days. The commissioner told him the Mediation Center of Waukesha County, which provides information and mediation services for small claims disputes, could answer his questions about court procedure.

After speaking with the Mediation Center staff, the man decided to try mediation to solve the dispute. He completed a mediation request form and mailed it to the Mediation Center, along with the answer form.

"We then called the plaintiff to try to arrange a mediation and were surprised to learn that he already had a default judgment," said Attorney Cathy A. Warmington, a volunteer mediator. "It turned out the defendant had sent us the original [form], rather than filing it with the court. He was confused, as are many of the people we see." Fortunately for this defendant, the merchant was still willing to talk with him to work out their differences.

Warmington explained that parties are often confused from the start. Some do not understand what "contest" means, and so they indicate in court that they do not wish to contest a claim and a judgment is entered against them—much to their surprise. "If there was a place people could go and sit down and get their questions answered," Warmington said, "we'd see a lot less of this."

Finding new and creative ways to help people without lawyers has become a top priority of courts around the state. The goals of these projects are to:

- inform *pro se* (self-represented) litigants about court processes so that they are better prepared at court proceedings and have reasonable expectations of potential outcomes,
- reduce court delays caused by unprepared litigants, and
- decrease the number of questions on the law posed to clerk's office staff and judges, who by law are not permitted to give legal advice.

Below are summaries of three projects in the works.

The Court Assistance Program, Waukesha County

The non-profit Wisconsin Correctional Services, in partnership with the Waukesha County Circuit Court, recently received a \$25,000 grant from the Milwaukee Foundation to hire a project coordinator to develop and implement a court assistance program. The grant will be matched with almost \$15,000 of in-kind support—including staff time, a computer, desk, telephone, postage, and office supplies—from Clerk of Circuit Courts Carolyn Evenson.

The person who is hired will work closely with court officials, community partners, and the bar on all phases of the program. The coordinator will work in the courthouse assisting self-represented litigants with initial filings in family law cases. This service is scheduled to be available before the end of the year.

Wisconsin Correctional Services is seeking additional grant support to fund the coordinator position full time for two years and to expand program services. Organizers hope the program will eventually become an umbrella resource center to include broader assistance with injunctions, tenant-landlord conflicts, and small claims and probate cases, as well as family law.



Chief Judge
Kathryn W. Foster

"The point is to provide person-to-person contact," said Chief Judge Kathryn W. Foster, Waukesha County Circuit Court. Foster first became interested in an assistance center several years ago when an effort by county agencies to provide better customer service coincided with an unusually challenging *pro se* trial she was hearing. At the same time, she learned about the Maricopa County, Ariz., Court Self-Service Center—which has two staffed assistance centers, a 24-hour telephone information line, and a Web site to help people help themselves in court. "Timing is everything," Foster said. "I was convinced that we all needed something like that."

Foster is leading a team that is drafting an action plan to provide meaningful and informed access to the Waukesha County courts for people who do not have lawyers. The team also includes Evenson and Warmington as well as Chief Deputy Clerk Diane Burd and Patricia Koppenhoefer, Legal Aid Society.

The court assistance center is just one part of the action plan. The Waukesha team's additional goals are to expand the working group to include other stakeholders, explore the possibility of additional program space within a courthouse remodeling plan, and possibly build an Internet component.

The Self-Represented Litigants Initiative, District Ten

The Tenth Judicial Administrative District, which encompasses 13 northwestern Wisconsin counties, also has a team that is designing a plan, called the Tenth District Self-Represented Litigants Initiative. The initial tasks include: surveying litigants, attorneys, and court staff; collecting forms, brochures, and other materials currently in use; meeting with all local bar associations; and establishing a broad-based district advisory committee.

The team has discussed the concept of providing various levels of service in different counties. For example, the minimum, level-one services would include information on how the legal process functions and a roster of local attorneys. Level-two services would include forms and instructions, level-three services would include informational seminars on the law and free legal clinics, and level-four services would provide a self-help legal center.

Members of the Tenth District team include: Chief Judge Edward R. Brunner, Barron County Circuit Court; Judge Eugene D. Harrington, Washburn County Circuit Court; Clerk of Circuit Court Clara Minor, Dunn County; Family Court Commissioner George L. Glonek, Douglas County; Attorney Timothy J. O'Brien, St. Croix County; County Board Supervisor Janet Rubenzer-Pike, a former clerk of circuit court from Chippewa County who runs a program for self-represented litigants; John Voelker, executive assistant to the chief justice; and Gregg T. Moore, district court administrator and team leader.

In May, the Tenth District team and the Waukesha team attended the Justice Management Institute's (JMI) national workshop, *Developing Effective Pro Se Litigation Programs*. JMI awarded \$1,400 stipends to each team and waived the conference

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Tribal Forum Study Committee is Developing Three Projects

The eight-person Study Committee of the State/Federal/Tribal Court Forum has identified three key projects it will recommend this fall to the full Forum. The Forum, which began meeting in March 1999, was created to increase communication and cooperation among the various courts. Its members include state, federal, and tribal court judges and staff.

Information Clearinghouse

The study committee has recommended developing a central repository, or information clearinghouse, with tribal court information. The committee envisions creating a Web site where lawyers and other parties involved in litigation in the tribal courts could go to find each tribe's court rules, laws, constitutions, information on jurisdiction, directories of judges and staff, and resources such as treatment facilities.

Attorney Howard J. Bichler, an *ad-hoc* member of the committee and chair of the State Bar of Wisconsin's Indian Law Section, is exploring ways to pull together the necessary information and tap into repositories that might already exist.

Regional Meetings

The committee will also recommend that meetings be organized on a regional basis to bring together tribal and state officials. In addition to court personnel, the committee envisions inviting law enforcement, human services, the Department of Natural Resources, probation officers, victims' rights organizations, and others who might want to join a discussion of local issues and needs.

"The recent Supreme Court directive requiring state and tribal judges to confer [see *Teague v. Bad River Band of the Lake Superior Tribe*, 2000 WI 79] underscores the need for tribal and state judges to meet, get to know one another, and look at appropriate protocols for addressing potential jurisdictional disputes," said Chief Judge James B. Mohr, chair of the study committee. Mohr added that the regional meetings might generate ideas for issues that the Forum could address in the future. He said the Forum might also consider helping the regional groups to resolve any concerns that are identified.

Judge Barbara B. Crabb, U.S. District Court, is drafting a plan for the regional meetings that will include possible locations.

Continuing Legal Education

The study committee has identified areas that are not addressed by the legal education systems of the Director of State Courts Office, the State Bar, and the Tribal Judges Association. The committee proposes that the Forum offer education programs at regional meetings to focus on an individual tribe's practices, for example. Issues that crop up in multiple regions could be addressed at statewide seminars. ❖

For more information on the clearinghouse project, contact Bichler at (715) 349-2195; for information on the regional meetings, contact Crabb at (608) 264-5447 or barbara_crabb@wiwd.uscourts.gov; for information on the education initiative, contact Mohr at (715) 479-3638 or james.mohr@courts.state.wi.us.

PPAC to Showcase Videoconferencing Technology

by: Dan Wassink
senior policy analyst
Director of State Courts Office

Courts around the country are using technology to save time and money. Videoconferencing is a prime example. Bringing an attorney, witness, defendant, or language interpreter into the courtroom via this technology can help litigants avoid delays and speed a case along without compromising the integrity of the proceedings. More and more judges are using videoconferencing in civil and criminal cases for certain motions, hearings, arraignments, initial appearances, and even testimony.

The Planning and Policy Advisory Committee (PPAC) recognizes this trend and is sharing videoconferencing information with judges and court users throughout the state.

2000 Judicial Conference

PPAC is organizing a discussion and technology demonstration at the October Judicial Conference. Uses, costs, advantages, *continued on page 15*

Tenth District, Tribal Courts Hold Conference

Tribal court leaders and judges from the Tenth Judicial Administrative District will meet on August 25 to begin developing a working agreement on jurisdictional issues between the state and tribal courts.

The conference will focus on Public Law 280, the 1953 federal act that gives state courts the authority to handle criminal and civil cases on Indian land. "As tribal courts begin to increase their exercise of jurisdiction under 161 agreements and Act 280, it is of vital importance to our constituents and our courts that we ... resolve areas of legal conflict between the judiciaries of our sovereign state and nations," wrote those convening the conference.

Judge Don Costello of the Coquille Indian Tribal Court in Oregon—a state that also follows Public Law 280—will help the group identify issues and develop effective agreements between the court systems.

Convening the conference are: Chief Judge Louis Bearheart and Associate Judge Gloria Merrill, St. Croix Chippewa tribe; Judge Sheila Corbine, Lac Courte Orielles tribe; and Chief Judge Edward R. Brunner, Barron County Circuit Court. Circuit court judges from the Tenth District and judges from the Bad River, Coquille, Lac Courte Orielles, and Red Cliff tribes are also expected to participate.

The Tenth District conference has its roots in the State/Federal/Tribal Court Forum that began its work in March 1999 with *On Common Ground: A Meeting of State, Federal and Tribal Courts*. The first meeting brought together more than 120 judges, lawyers, professors, legislators, federal marshals, and court staff on the Oneida Reservation in Green Bay. ❖

Tenth District Hosts National Experts

by: Gregg T. Moore

District Ten court administrator

Experts on improving services for litigants without lawyers worked with judges, clerks of circuit court, family court commissioners, and court administrators during the Tenth Judicial District's biennial retreat in Cable. In addition to focusing on meeting the challenges posed by self-represented (*pro se*) litigants, the retreat tackled improving public trust and confidence in the court system.

Thanks to funding from the National Council of Juvenile and Family Court Judges (NCJFCJ), two nationally renowned speakers from Arizona—Judge Rebecca Albrecht and Bob James—served as faculty. Both Albrecht and James have played key roles in implementing the award-winning Self-Service Center in Maricopa County. The Center is designed to help people help themselves with their legal challenges by providing court information, court forms and instructions, and connections to professional service providers.

Nationally, more litigants are choosing to represent themselves—a trend reflected in the 13 counties of the Tenth District (Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Dunn, Eau Claire, Polk, Rusk, St. Croix, Sawyer, and Washburn). From 1996 to 1999, the percentage of self-represented litigants in the district's family court cases increased from 43 percent to 53 percent. Participants in the retreat met in small groups to identify issues arising from the increase in *pro se* litigants and to suggest solutions.

The NCJFCJ also provided funding to purchase the American Judicature Society book, Meeting the Challenge of Pro Se Litigation: A Report and Guidebook for Judges and Court Managers (1998) for each county. The book covers legal and ethical issues, challenges to the courts, resources for management of self-represented litigants, and policy recommendations.

I led a discussion on the second major theme of the retreat—improving public trust and confidence in the courts. I focused on improving access to justice, providing prompt and affordable resolution of disputes, treating litigants equally, providing effective judicial leadership, and enhancing public understanding of the courts. These issues were the focus of the National Association for Court Management's March conference, which many Wisconsin justice system representatives attended.

Executive Assistant to the Chief Justice John Voelker also spoke about the Wisconsin Public Trust and Confidence Initiative. A 10-member committee made up of representatives from the judicial system, State Bar of Wisconsin, and League of Women Voters is studying justice-related issues and will be developing a plan later this year to assist the bench and bar in maintaining and enhancing public trust in Wisconsin's justice system.

The Tenth District retreat served as an excellent opportunity to bring court leaders together to focus on key efforts for improving the administration of justice. ♦

For more information, contact Moore at (715) 839-4826 or gregg.moore@courts.state.wi.us.

Budget Process Underway



Court system Budget Director David Suchman explained the budget process to the Supreme Court's Planning and Policy Advisory Committee in May.

While the court system's budget request for fiscal years 2001-2003 will not be submitted to the State Budget Office until late September, work on the request has been underway since last winter.

A survey went out to all judges and clerks of court in March to solicit ideas on a variety of budget topics, ranging from court reporters to interpreters to reserve judge salaries. Department heads, district court administrators, and other court staff were also queried. The response rate was over 25 percent, and more than 30 ideas were suggested for inclusion in the Court's biennial budget request.

Due to the relatively high response rate and abundance of good ideas, the remainder of the summer will be spent sifting and winnowing so the strongest possible items can be submitted.

By late summer, the Supreme Court's Planning and Policy Advisory Committee will review the items to determine whether they are consistent with the court system's strategic plan. Supreme Court review and approval is expected in early September.

Details of the final request will be made available on the court's Web site, www.courts.state.wi.us, by late September or early October. ♦

Army Officer

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Sellen worked as an intern with the Wisconsin Supreme Court while studying law at the University of Wisconsin Law School. He completed his undergraduate work at the U.S. Military Academy at West Point, graduating in the top five percent of his class. From 1988 to 1991, he was an associate professor of law at West Point.

Sellen will replace James L. Martin, who has been acting as interim director of the Board of Attorneys Professional Responsibility. Martin has been an employee on loan from the City Attorney's Office in Madison. He anticipates returning to the City Attorney's Office on Oct. 1.

The Supreme Court rules creating the Office of Lawyer Regulation to replace the Board of Attorneys Professional Responsibility will take effect in September. The Court intends to take written comments on the new system in March 2001 and hold a public hearing on the rules in April 2001. ♦

Gender Committee Focusing on Subtle Bias

Martin Luther King Jr. once noted that all progress is precarious and that the solution of one problem merely brings us face to face with another problem. The Wisconsin justice system has solved many of its more visible gender bias problems—not many women attorneys find themselves addressed as “honey” in court anymore and the language in forms and jury instructions has been made gender-neutral—and now it is tackling the more subtle bias problems.

It is the task of the Special Committee on Gender Neutrality to identify areas where gender bias continues to be a problem and to find ways to eradicate it. The Wisconsin Judicial Conference authorized the committee in 1996 and its work is now focused on building a package of educational materials.

Entitled *EXERCISES IN FAIRNESS: Human Issues in our Justice System*, the package is built on three video vignettes with accompanying discussion materials. A

separate tape shows Attorney Susan R. Steingass (a former judge and State Bar president) facilitating a discussion of the vignettes at a district judges’ meeting. Judge Moria Krueger, Dane County Circuit Court; Attorney Tess E. Meuer, Wisconsin Coalition Against Domestic Violence; and Attorney Iris Christenson created the vignettes and discussion materials in partnership with the Participation of Women in the Bar Committee.

The package will enable local bar leaders and others to give presentations on gender bias in the justice system and components of the package may be used in a variety of ways to promote fairness in the courts. The vignettes are currently used in municipal judge training and the package will be introduced in Wisconsin’s two law schools this year.

Members of the Special Committee on Gender Neutrality include: circuit court Judges Daniel S. George, Columbia County (chair); Dorothy L. Bain, Marathon

County; Dennis J. Barry, Racine County; Krueger; James E. Welker, Rock County; and Maxine A. White, Milwaukee County. Other members are: Judge Bruce Goodnough, Twin Lakes Municipal Court; Meuer; and District Court Administrator Steven R. Steadman, Seventh Judicial Administrative District. Circuit court Judges Jean W. DiMotto, Milwaukee County, and Edward F. Zappen, Wood County, have also joined the committee in an advisory capacity.

In recent months, ties have been established through Attorney Barbara L. Burbach, representing the Diversity Outreach Committee of the State Bar of Wisconsin, and Walworth County Court Commissioner Judith M. Stern, representing the Wisconsin Family Court Commissioners Association. ❖

For more information on the committee’s work, contact Meg Ford, Office of Court Operations, at (608) 267-7764 or meg.ford@courts.state.wi.us.

History of Gender Bias Work in the Wisconsin Courts

The Special Committee on Gender Neutrality is the fourth generation of committees authorized to examine issues of gender bias in the legal system.

1985-1988: The Special Committee on the Participation of Women in the Bar, formed by the State Bar of Wisconsin at the urging of a group of women lawyers, randomly distributed a gender bias survey to State Bar members. The results of the survey overwhelmingly reflected a concern, primarily among women lawyers but also expressed by a significant number of men, about gender bias against female lawyers and litigants. The special committee recommended formation of a task force.

1989-1991: The Wisconsin Equal Justice Task Force spent 18 months examining gender bias—real or perceived—in Wisconsin’s legal system. The task force:

- conducted public hearings,
- surveyed justice system professionals,
- conducted focus groups with attorneys throughout the state,
- interviewed prison inmates,
- examined laws,
- scrutinized probation files, and

- trained volunteers to pull information from court files to document court practices.

The task force’s final report detailed incidents of gender bias in civil, criminal, and family law, and against lawyers, and recommended formation of a Supreme Court Gender Equality Committee.

1993-1995: The Gender Equality Committee determined which of the 1991 recommendations came under the authority of the Supreme Court and examined what actions had been taken. In its 1995 final report, the Gender Equality Committee noted significant progress had been made in addressing the task force’s recommendations, but suggested instituting a standing Supreme Court committee to work on the areas that had not yet shown improvement and to continue monitoring gender bias concerns.

1996-present: The Special Committee on Gender Neutrality is charged with continuing to identify issues of gender bias in the justice system and developing ways to eradicate it.

Forty-five states and a number of federal circuit courts have established gender bias task forces. These efforts have been initiated by a variety of institutions and organizations, including state supreme courts, judicial councils, and bar associations. ❖

Improving Jury Experience

At a focus group meeting in Appleton, a hairdresser commented that the jury system was not sensitive to people's time and schedules. Having to wait until the evening before she was scheduled to serve to find out if she was needed meant canceling all of her appointments for the next day—even though she might have ended up being available. She suggested that notifying jurors the prior morning, instead of evening, would make a big difference. This is one suggestion of many that the Public Trust and Confidence in the Justice System Initiative has collected through focus groups.

Each year, more than 43,000 Wisconsin residents serve on juries in county courthouses throughout the state. Even more report to the courthouses, but are not called to hear a case. For many it is their first, and sometimes only, encounter with the justice system.

The way jury service is managed can affect how the public perceives the justice system. In 1997, the Wisconsin Supreme Court took steps to improve the jury system when it amended the state statutes to reduce the maximum term of service to one month and increase the amount of time between terms of service to four years. The new rule also mandated an evaluation of each county's system. While these steps improved Wisconsin's jury system, the courts continue to look for ways to balance the needs of the courts and those of the individuals called to serve.

As a result of discussions that began at the National Association of Court Managers annual conference in March, a chief judges' Subcommittee on Juror Selection and Treatment was established. It

includes District Court Administrators Gail Richardson and Steven R. Steadman; Chief Judge Robert W. Radcliffe, Jackson County Circuit Court; Judge Lee E. Wells, Milwaukee County Circuit Court; and Deputy Director Patrick Brummond. A second committee composed of clerks of circuit court will begin collecting information on additional juror issues and potential solutions that could be implemented statewide.

"We want to make the system as efficient as possible to respect the time of the citizens who support the work of the courts," Richardson said.

In June, the group submitted a draft report to the Committee of Chief Judges identifying a broad range of ideas to better accommodate the needs of jurors. These ideas include:

- Using jurors' time more efficiently by using Circuit Court Automation Project jury management reports to determine the actual number of jurors needed and juror eligibility.
- Using jury pools whenever possible and considering staggered trial starts to allow branches to share jurors more effectively.
- Making juror convenience a higher priority by limiting last-minute motions or pleas and not allowing unnecessary trial interruptions.
- Providing adequate parking, restrooms, telephones, and waiting areas for jurors.
- Offering public transportation vouchers on request.
- Providing notice of service the morning before the juror is scheduled to arrive at the courthouse instead of the evening before.

- Using postponements so that jury service can accommodate an individual's schedule.
- Limiting *voir dire* and questionnaires to only necessary questions to respect jurors' privacy.
- Implementing consistent guidelines for jury service postponement to make service more convenient.
- Helping jurors better understand their job by using orientation materials and preliminary jury instructions, and allowing note taking and juror questions.
- Continuing to educate judges and clerks of court on effective jury management, juror perceptions of evidence displayed electronically, and juror stress during and after sensitive trials.
- Advising jurors of opportunities to volunteer in court-related programs.
- Working with schools to educate students on the court system and on the importance of jury service.
- Welcoming jurors upon arrival and thanking them for their service at the end of a trial. Clerks of court or judges might consider sending thank-you letters or certificates of appreciation.

Legislative issues being considered include increasing juror pay, requiring employers to pay salaries when employees serve as jurors, and allowing people to volunteer for jury service. ❖

The committee would like to hear from judges and clerks of court who have implemented innovative juror management practices in their courts. Please contact Steadman at (608) 785-9546.

Appellate, Trial Judges Trade Places

Judges from the District IV Court of Appeals, headquartered in Madison, will participate in the Judicial Exchange Program in September and October with judges from circuit courts in Jefferson, Lafayette, Richland, Rock, and Wood counties.

Participating Court of Appeals judges are David G. Deininger (who will take the bench in Jefferson County) and Charles P. Dykman (who will sit in Wood County). Participating circuit court judges are: Daniel T. Dillon, Rock County; William F.

Hue, Jefferson County; William D. Johnston, Lafayette County; Edward E. Leineweber, Richland County; James M. Mason, Wood County; and Edward F. Zappen Jr., Wood County.

This unique opportunity for continuing education is aimed at making the different levels of state courts more aware of the issues their colleagues face. Trial judges also come away from the experience with insights into making a record that will better stand up to appellate review.

The program, started by Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson in 1997, was modeled after a similar program that has operated for years in the federal courts. Federal judges have found their program to be rewarding, but humbling. When U.S. Supreme Court Chief Justice William H. Rehnquist presided over a civil rights trial in Richmond, Va.—marking the first time this century that a U.S. Supreme Court justice had presided over a trial—he was reversed on appeal. ❖

The World Connects to Wisconsin



Waukesha County Circuit Court Judge Ralph M. Ramirez and District Attorney Paul Bucher met with judges and attorneys during their visit to Kazakhstan.

Several Wisconsin judges and court staffers have been tapped for overseas duty recently, sharing their knowledge in South America and central Europe.

Judge Moria Krueger, Dane County Circuit Court, participated in the International Association of Women Judges meeting in Buenos Aires, Argentina, in May (*see separate story*).

In April, Judge Ralph M. Ramirez, Waukesha County Circuit Court, accompanied a sister city delegation from Waukesha to the City of Kokshetau in Kazakhstan. The trip was funded with a grant from the U.S. State Department. Kazakhstan, a former republic of the Soviet Union, is bordered by Russia to the north and China to the southeast. To get there, Ramirez had to fly to Moscow and then take a 40-hour train ride followed by a three-hour van ride.

Also included in the delegation were: Waukesha County District Attorney Paul Bucher; Attorney Jennifer Miller, director of the Victim/Witness Unit in the District Attorney's Office; Marie Kingsbury, executive director of the Women's Center of Waukesha; and Kingsbury's staff assistant, Lynn Ketchum.

Ramirez and the others met with judges, prosecutors, and police to exchange information on handling domestic violence matters and to discuss establishing a women's shelter in Kokshetau. Plans to set up a shelter, underwritten by the local Business Women's

Association, are well underway. The shelter is expected to work closely with a free legal clinic that was recently established at the law school in Kokshetau. The delegation brought numerous posters, brochures, and handouts (translated into Russian) to be distributed at the shelter and the legal clinic.

In July, roles reversed as the group from Kazakhstan that is spearheading the effort to open the women's shelter visited Wisconsin to learn more about systems for addressing domestic violence. The visitors included the chief judge of Kokshetau, the deputy mayor, the chief prosecutor, a police major in charge of the domestic violence unit, the head of the Business Women's Association, a representative of the Feminist League, and an interpreter. Ramirez, Bucher, and the others arranged a variety of formal and informal meetings with the delegation—including a tour of the Supreme Court chambers with Chief Justice Shirley S. Abrahamson.

In June, Court Information Officer Amanda K. Todd traveled to Bratislava, Slovakia, to help conduct two days of workshops for judges and media. The trip was financed through the American Bar Association's Central and Eastern European Law Initiative, which provides expertise to nations that are attempting to build democratic court systems. ❖



Court Information Officer Amanda K. Todd ran a role reversal exercise as part of two days of judge-media training in Slovakia.

Barland

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served on the Circuit Court Automation Program (CCAP) Steering Committee that implemented one of the most successful court computer systems in the country; and chaired the Criminal Penalties Study Commission.

He has been honored as "Judge of the Year" by two Wisconsin organizations and has won numerous awards from law-related associations and a variety of local organizations for increasing respect for the court system. In addition, Barland has served on the Wisconsin State Historical Society's Board of Curators for nearly 40 years.

The other ABA honoree was Judge Donald P. O'Connell of Chicago, who serves as the chief judge of the Circuit Court of Cook County, the largest unified court system in the nation. O'Connell is credited with reforming the juvenile justice system of Cook County, streamlining procedures to cut the backlog of cases throughout the court system, initiating an innovative program to help domestic violence victims, implementing a voluntary mediation program, and increasing diversity in the courts. ❖

A Momentous Occasion

by: Judge Moria Krueger
Dane County Circuit Court



Judge Moria Krueger (center) met with judges from Nigeria at the recent International Association of Women Judges conference in Argentina.

The International Association of Women Judges (IAWJ) met in Buenos Aires, Argentina, in mid-May. Along with about 450 judges from all over the world, I attended with my husband, Edward. In addition to judges from the Americas, Australia, and Europe, many African judges joined us. There were even judges from mainland China (including a justice of their Supreme Court) and from Taiwan (these two groups did not speak to each other).

The theme of this year's assembly was *Women on the Edge*, focusing on the worldwide legal status of women who are mentally ill, in prison, victims, elderly, teen mothers, AIDS sufferers, or ethnic or cultural minorities.

Sessions—translated simultaneously into English, French, and Spanish—highlighted the vast differences among the various legal systems and their treatment of women. One of the benefits for an American judge attending such a conference is gaining a renewed appreciation of our country's sense of equal justice and of the relative safety and security of our judicial positions. Many of the women from other countries spoke of the threats and verbal abuse to which they were subjected.

Even the organizer of the conference and president of the IAWJ, Judge Carmen Argibay, bravely noted in her opening remarks that she had received absolutely no assistance or support for this event from Argentina's judicial branch. She said this in the presence of the country's chief justice and minister of justice, and her comments made the headlines the following day.

One of the friends I made from Nigeria is the chief judge for appeals of "customary" law. She has the unenviable task of trying to reconcile tribal law with western-based national law. She talked of intervening for widows who automatically become chattel of the husband's family upon his death and of enjoining female circumcisions. Many of her rulings have brought threats against her. Another African judge lamented the rampant corruption in her government and expressed the hopelessness created by working within such a system.

The conference's honoree was Judge Navanethem Pillay from South Africa, who is a judge of the United Nations International Court for War Crimes in Rwanda. She wrote a precedent-setting decision that declared:

Like torture, rape is used for such purposes as intimidation, degradation, humiliation, discrimination, punishment, control, [and] destruction of a person. Like torture, rape is a violation of personal dignity and rape, in fact, constitutes torture when it is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

If I had not attended this conference I would never have been aware of Judge Pillay's inspiring accomplishments or of the outstanding work being done in Canada on critical women's issues. For example, York University in Toronto is home to the International Women's Rights Project, which works with the United Nations' Division for the Advancement of Women in research and activism to improve the status of women throughout the world.

Not all the interactions were so weighty or serious. Friendships were made, and many of us sampled the tango clubs and fine restaurants of Buenos Aires. We all enjoyed the afternoon our hosts arranged at an Argentine ranch. At the closing banquet, we ate with judges from Nepal, Korea, Japan, and Canada. ❖

Judicial Fellowships Available

The Judicial Fellows Program is seeking applicants interested in the administration of justice who would like to spend a year (normally September-August) working within the federal judiciary.

Four fellows are chosen each year. They are assigned to the U.S. Supreme Court, the Federal Judicial Center, the Administrative Office of the U.S. Courts, or the U.S. Sentencing Commission. They work on various projects concerning the federal court system and judicial administration. Assignments and projects reflect the needs of the judiciary and the interests and capabilities of the fellows.

Candidates must be familiar with the judicial system and have at least one post-graduate degree and at least two years of

professional experience with a high record of achievement. Past fellows have had backgrounds in political science, public and business administration, economics, the behavioral sciences, systems analysis, journalism, and law.

The application deadline is Nov. 3. ❖

Personnel Officer Cheri A. Timpel has copies of the application materials; she can be reached at (608) 266-9795 or cheri.timpel@courts.state.wi.us. Questions and requests for materials can also be directed to Vanessa Yarnall, administrative director, Judicial Fellows Program, Supreme Court of the United States, Washington, D.C., 20543. Yarnall can be reached at (202) 479-3415.

The Nation Connects to Wisconsin



Judge
Daniel P. Anderson

State judges traveled to national conferences in the spring, returning with information to help improve the operation of the courts.

Judge Daniel P. Anderson, Court of Appeals District II, was appointed to serve as Wisconsin's ambassador to the *Summit of the States on Conflict Management and Dispute Resolution* in Lexington, Ky., on behalf of Chief Justice Shirley S. Abrahamson. The Council of State Governments paid his expenses.

Anderson learned that 31 states have a statewide office to monitor and manage dispute resolution. Most of these programs operate under the auspices of the courts. Wisconsin is in the minority of states that do not exercise some form of oversight over alternative dispute resolution (ADR) programs.

Anderson reported that dispute resolution is proving to be a valuable tool for resolving issues such as the siting of highways and power transmission lines.



Judge
Robert G. Mawdsley

The ability to bring various factions together to explore creative solutions is one reason it works so well. This success has spawned

the Policy Consensus Initiative, a non-profit group that encourages state officials—governors, legislators, and attorneys general—to use ADR to resolve policy disputes.

Judge Robert G. Mawdsley, Waukesha County Circuit Court, took part in the *National Workshop III on Sentencing and Corrections Challenges* on Hilton Head Island, SC. Mawdsley attended on behalf of the chief justice; the U.S. Department of Justice paid his expenses.

Mawdsley learned that the swiftness and certainty of incarceration appears to be a better deterrent than length of potential incarceration. He will share the research behind this finding, along with new information on managing sex offenders, offender re-entry, restorative justice, and more, with the Judicial Education Committee for possible presentation to local judges.

The workshop was part of an ongoing initiative to bring together policy-makers from the three branches of government in all 50 states for a candid discussion of sentencing and corrections issues. The Wisconsin Team, which had an opportunity to meet together and focus on local concerns, included: Superintendent Kyle Davidson, Division of Juvenile Corrections; Policy Advisor Mark Grapentine, Governor's Office; Deputy Director Kevyn C. Radcliffe, Office of Justice Assistance; Assistant Administrator Cynthia A. Schoenike, Division of Adult Institutions; and Rep. Scott Walker, R-Wauwatosa, chair of the Assembly Committee on Corrections and the Courts. ❖

Chief Justice Delivers Brennan Lecture

Speaking at the New York University (NYU) School of Law, Chief Justice Shirley S. Abrahamson—an NYU alumna—presented this year's *Justice William J. Brennan, Jr. Lecture*, entitled *The Ballot and the Bench*, on the historic debate between election versus appointment of judges.

"I come here this evening as a maven on the topic of the ballot and the bench. With my background [three contested elections to the Supreme Court], you might think I would be inalterably opposed to the elective system of selecting judges—both in practice and theory. But I am not—that is, I am not opposed to electing judges in a state like Wisconsin," Abrahamson said.

The NYU School of Law, the Institute of Judicial Administration, and the Brennan Center for Justice host the *Brennan Lecture Series*, inviting prominent legal professionals to give presentations on the state courts and social justice. The series is intended to provoke reflection upon and celebration of the state judiciary. Previous speakers include: Chief Judge Judith S. Kaye, Court of Appeals for the State of New York (the court of last resort in New York); Chief Justice Ellen A. Peters, Connecticut Supreme Court; and Judge George Bundy Smith, Court of Appeals for the State of New York.

An article based on Abrahamson's speech will be published in an upcoming issue of the *New York University Law Review*. ❖



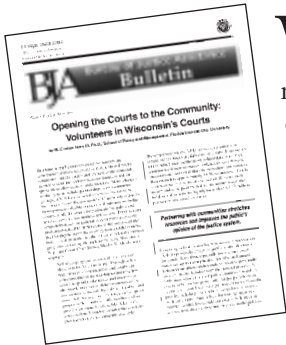
An estimated 85 lawyers, judges, and members of the news media turned out for Courts and the Media, a seminar held on June 8 in Madison. The half-day event was designed to improve communication between the third branch and the fourth estate, and enhance journalists' understanding of sentencing. Judge Patrick J. Fiedler, Dane County Circuit Court, first gave an overview of *Truth in Sentencing*, and then he and Judge Dennis C. Luebke, Outagamie County Circuit Court, led a role-reversal exercise in which journalists were asked to sentence a defendant in a very difficult homicide by drunk driving case. The exercise, which was used in a slightly different form at last year's Courts and the Media event in Green Bay, helps the media understand considerations in sentencing and may give them a new perspective on this most difficult part of a judge's job. Courts in California, Florida, Hawaii, Minnesota, Tennessee, and Texas are looking at replicating the program.

VOLUNTEERS IN THE COURTS:

A Partnership for Justice

by: Karen Leone de Nie
program assistant to the Supreme Court

Wisconsin Court Volunteers Receive National Recognition



Wisconsin's *Volunteers in the Courts Initiative* was singled out as a national model of court/community collaboration in a recent bulletin of the Bureau of Justice Assistance, a division of the U.S. Department of Justice (DOJ). "Opening the Courts to the Community: Volunteers in Wisconsin's Courts" outlines the various types of court-related volunteer programs active throughout the state.

The bulletin divides the state's more than 150 programs into 12 categories, including: alternative dispute resolution, court information and assistance, court ombudsman, domestic violence and sexual assault programs, family services, guardian services, jail and detention center programs, juvenile services, legal services, mentoring programs, probation/parole and community service programs, and victim services. The diversity of programs illustrates the many ways volunteers and courts can come together to better serve the community.

The 19-page bulletin includes profiles of several of the more than 5,000 people who comprise Wisconsin's *Volunteers in the Courts* troops—people like Curt and Elaine Creager, who are volunteers with the Dane County Court Appointed Special

Advocates (CASA) program. They have been advocating for children involved with the courts since 1995.

A grant from DOJ funded the research, which was conducted by political science Professor W. Clinton Terry of Florida International University. Terry visited Wisconsin in 1998 to gather information on how and why the courts use volunteers.

The *Volunteers in the Courts* project was started in 1996 under the direction of then-Justice Shirley S. Abrahamson and then-Chief Justice Roland B. Day to explore including volunteers in court-related work and the practical implications of expanding the role of volunteers in the Wisconsin court system. Since then, the initiative has hosted a series of workshops and a statewide conference, and produced two editions of a catalog of court-related volunteer programs.

The success of these programs and the recognition the state has received is due to the work of people at the local level. "I met a large number of truly wonderful people," Terry said, "all of whom are committed to their volunteer work." ♦

"Opening the Courts to the Community" is available online at www.ncjrs.org/pdffiles1/bja/178935.pdf, or by calling the National Criminal Justice Reference Service at (800) 688-4252 (publication number NCJ178935). There is no charge for the bulletin. For a catalog of court-related volunteer programs in the state, visit the court system Web site at www.courts.state.wi.us/news/vl_progs.pdf or call the State Bar of Wisconsin at (800) 362-8096.

Courthouse Greeters Help Show the Way

Thousands of people enter the Sheboygan County Courthouse each year to file a legal form, attend a court proceeding, or obtain a marriage license or birth certificate. Until 1998, when the courthouse greeter program was started, finding the right office or even the right building was a challenge. Now when a visitor enters the courthouse he or she might be met by one of 34 volunteer greeters. In two and a half years, these volunteers have assisted more than 21,000 visitors.

The program recruits senior citizens to answer questions and direct courthouse visitors around the courthouse and administration building. It is an important service for those with business in the courthouse and for city and county agencies whose employees were, by default, directing visitors.

The volunteers receive four hours of training, including a tour of the government offices and a list of services they provide, a basic first aid lesson, and telephone orientation. During the

training, Greeter Program Director Pat Hafermann, Sheboygan County Department on Aging, plays up the job's benefits: "It's the one time in your life you can tell the attorneys where to go," she tells the volunteers.

The program was started by the Sheboygan County TRIAD, an association that brings seniors, law enforcement agencies, and the community together to address the needs of the community, especially senior citizens.

A similar program is run by the Dane County Retired Seniors Volunteer Program (RSVP) in the City-County Building in Madison. ♦

As with most volunteer programs, the Sheboygan County Greeter Program is seeking more volunteers. For information on volunteering or to learn more about how to start a greeter program, contact Hafermann at the Sheboygan County Department on Aging at (920) 459-3089.

Law Students Volunteer in Wisconsin's Courts

This summer, 29 law students from schools around the nation are volunteering as interns in 15 county courthouses and the Wisconsin Supreme Court. In its fourth year, the Volunteer Summer Law Student Internship Program continues to provide assistance to trial and appellate judges while also better preparing future lawyers. Since its inception, the program has brought more than 150 students to courts in Wisconsin.

Administered by the Office of Court Operations, the program matches applicants with judges who have requested an intern. This year, 36 judges have been assisted by a student intern (some interns work for more than one judge). The students are given a variety of tasks based on each court's needs, including researching and writing. Many interns also have an opportunity to observe judicial proceedings and shadow legal professionals.

Chief Justice Shirley S. Abrahamson started the project in 1997 by writing letters about the program to law schools nationwide. The internship offers students something that textbooks and classes cannot—a real-life experience of the justice system. ❖

For more information or to participate next year, call the Office of Court Operations at (608) 266-3121.

An Extraordinary Opportunity

by: Cassel McClure, law student at DePaul College of Law

Upon completing my second year of law school at DePaul College of Law in Chicago, I applied to the Volunteer Summer Law Student Internship Program. I was given a full-time internship with Chief Justice Shirley S. Abrahamson. It was an extraordinary opportunity.

Last summer I completed an internship with Western Wisconsin Legal Services in Dodgeville. This year I decided to volunteer in the Wisconsin courts because I wanted to continue gaining 'real world' legal experience not available in the classroom setting. I also had interest in pursuing a judicial clerkship upon graduation and felt an internship within the judiciary would help me make that decision. A further incentive for volunteering was the ability to earn course credit toward my law degree.

As an intern I have prepared bench memoranda, observed oral argument, reviewed and discussed opinions from other chambers, assisted in opinion editing, and aided in drafting concurring and dissenting opinions. I have developed my legal writing and research skills as well as expanded my analytical and reasoning abilities. It has also helped to further my understanding and knowledge of important legal subject matter, particularly in the areas of civil procedure and criminal, constitutional, and contract law.

I would encourage all law students to take advantage of the opportunities and experience provided by the Volunteer Summer Law Student Internship Program. It has been invaluable on both a personal and educational level. ❖

Law Day Celebrated Statewide



The Big Bad Wolf was tried six times over two days in the Manitowoc County Courthouse for Law Day 2000. More than 700 local second-graders participated.

President Dwight D. Eisenhower established Law Day in 1958 to provide an opportunity for reflection on American legal heritage and the role of law in society. Law Day has been celebrated around the nation every May 1 since then.

In 1997, Wisconsin launched its first statewide campaign to celebrate Law Day with open houses in the courts, giving judges, lawyers, clerks of circuit court, and others in government who do the work of justice an important opportunity to educate the public about the law.

For Law Day 2000, the Director of State Courts Office and the State Bar of Wisconsin again recruited judges, lawyers, clerks of circuit court, and registers in probate in each county to plan the celebrations. Several counties invited the public to learn more about the justice system through mock trials, tours, and other educational

presentations. A number of counties participated in the State Bar of Wisconsin's Life Planning 2000 initiative, which brought together attorneys and health professionals to educate their communities about advance care planning.

Following are descriptions of several of the events held this year.

Dane County again offered free legal advice at a booth in the courthouse. This was the fourth year the Dane County Bar Association sponsored the event, and the volunteer lawyers were kept busy all day. Most of the questions reportedly centered on family law. One woman told the *Wisconsin State Journal* that when she heard the event mentioned on the radio, she pulled her car over and ran into the courthouse. She was able to have her questions about the rights of minor children answered on the spot.

Also in Madison, the Wisconsin Supreme Court held a Law Day celebration in its temporary courtroom. Chief Justice Shirley S. Abrahamson and Justice Jon P. Wilcox addressed groups of children and adults who came to learn about the operation of the court system and the job of a justice. In addition, local court-related volunteer groups set up displays in the courtroom to educate visitors on the services they provide. Justice N. Patrick Crooks gave a Law Day presentation to the Downtown Madison Kiwanis Club on May 1, speaking on "Administrative Challenges Facing the Wisconsin Supreme Court."

Fond du Lac County presented a mock trial on date rape. Jurors were randomly chosen from among the local high school students who came to watch. After the student jurors deliberated and reached a verdict, Judge Dale L. English facilitated a discussion with the "jury" and the audience. English works with local attorneys each year to develop a new mock trial on a topical issue. The mock trial

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New Faces in Wisconsin's Courts

Judge Diane M. Nicks Dane County Circuit Court



Judge Diane M. Nicks

Governor Tommy Thompson appointed Dane County District Attorney Diane M. Nicks to succeed Judge Robert R. Pekowsky, who stepped down in May after 23 years on the bench (*see The Third Branch, Winter 2000*). The appointment took effect June 19 and will run through July 31, 2001.

In 1997, Thompson appointed Nicks Dane County district attorney, a position to which she won election in 1998. Prior to becoming district attorney, Nicks spent 16 years as a prosecutor in the Wisconsin Department of Justice. She began her law career in 1975 in private practice with Nicks and Nicks in Portage.

Nicks received both her undergraduate and law degrees from the University of Wisconsin. Prior to and during law school, she taught grade school in Chicago's inner city and in Madison.

Nicks is an avid gardener, scuba diver, and cook. She is married to Attorney Daniel D. Stier and has two grown children, Marisa and Casey Nicks.

Commissioner Julia E. Vosper Milwaukee County Circuit Court

Chief Judge Michael J. Skwierawski, District I, recently appointed Julia Elizabeth Vosper as a judicial court commissioner.

A former chief staff attorney in the *Guardian ad Litem* Division of the Legal Aid Society of Milwaukee, Inc., Vosper also has experience as a general practice attorney with Schneidman, Myers, Dowling, Blumenfield and Albert in Milwaukee.

"Julia brings a broad base of general law experience to the First District," Skwierawski said. "She understands the Milwaukee County court system and will make many positive contributions."

Vosper, a resident of Wauwatosa, received her bachelor's degree from St. Olaf College in Minnesota and her law degree from the University of Wisconsin Law School. She has served on several committees, including the Director of State Courts/Department of Justice Confidentiality Committee, the Attorney General's Children in Need Committee, and the Milwaukee Bar Association's Juvenile Bench/Bar Committee. ♦

People in the News

A consortium to address the needs of Spanish-speaking women who are victims of domestic abuse evolved from a workshop held at the Hispanic Chamber of Commerce (Milwaukee) annual luncheon in May. The group plans to assess the need for services for Latinas, survey available resources, and develop a plan and

timetable to meet the identified needs. A *Milwaukee Journal Sentinel* article named Wisconsin Court of Appeals Judge **Patricia S. Curley** and County Supervisors **Willie Johnson** and **T. Anthony Zielinski** as supporters of the initiative, which will begin domestic violence education at some Milwaukee churches with largely Latino congregations.

Chief Justice **Shirley S. Abrahamson** was honored at Marquette University's ninth annual *Criminology and Law Studies Awards Dinner* in March. She was the recipient of the *Lex et Justitia* Award in recognition of her dedication to truth and justice.

In 1943, **Michael T. Sullivan** was 19 years old, but the effects of polio prohibited him from enlisting in the armed services. Determined to serve his country, he started donating blood for wounded soldiers. Since that time, this reserve judge has donated 211 pints. In June, the Southeast Wisconsin Blood Center honored Sullivan for his dedication with a framed picture drawn by a child whose life was saved by blood donations. "I intend to donate until I reach 300 pints. I should reach that point at age 90," Sullivan told the *Greendale Village Life*.

Sonia Tellez has been translating Spanish into English since she was a child. She grew up in Colorado, where her Mexican parents and Spanish-speaking migrant workers came to her for help understanding important documents that were written in English. As an adult, her natural talent for interpreting turned a hobby into a full-time career. Today, Tellez is a court interpreter for Racine, Kenosha, Milwaukee, and Walworth counties. "It's really a third language, with all the legal terminology," Tellez told *The Journal Times* (Racine).

Former Wisconsin Supreme Court Justice **Janine P. Geske**, now adjunct associate professor in the Center for Dispute Resolution

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Obituaries

Judge Aaron G. Murphy Kewaunee County Court

Judge Aaron George Murphy, who practiced law in Algoma, Casco, and Kewaunee for more than 50 years, died Feb. 19. He was 92.

Murphy was Kewaunee County's judge for 24 years and served as district attorney for four years prior to becoming the county judge.

Murphy blended his legal knowledge and Catholic faith by serving on the Green Bay Diocesan Marriage Tribunal and providing legal counsel to Holy Rosary Parish, of which he was a member for 60 years.

A talented singer, Murphy performed in two church choirs and was active in barbershop quartets.

Surviving him are his wife, Catherine, six children, and numerous grandchildren and great-grandchildren. ♦

Navigating the Internet: Useful Web Sites

by: *Connie Von Der Heide*
reference/outreach services librarian
Wisconsin State Law Library
and *Karen Leone de Nie*
program assistant to the Supreme Court

“Creating a New Criminal Justice System for the 21st Century”

www.ncjrs.org/pdffiles1/bja/178936.pdf (PDF version)
www.ncjrs.org/txtfiles1/bja/178936.txt (ASCII text)

This on-line publication highlights innovative state and local programs that have improved the criminal justice system. Released in May by the U.S. Justice Department's Bureau of Justice Assistance (BJA), the monograph features evaluations of seven programs, including Pennsylvania's school-based probation plan, Oklahoma's drug courts, and Utah's day reporting centers. The second section focuses on the operation of multi-jurisdictional task forces and summarizes the elements critical to their effectiveness. The report is a product of BJA's Effective Programs Initiative, which helps state and local agencies generate and use evaluation results to develop strategies, improve programs, and design evaluations.

Justice Information Center (JIC)

www.ncjrs.org

The JIC is a service of the National Criminal Justice Reference Service (NCJRS). This site is a clearinghouse for publications, conferences, grants, and more, including a searchable database of more than 150,000 abstracts of publications—federal, state, and local government reports, books, research reports, journal articles, and unpublished research (where full text is available, hyperlinks are provided). The site now boasts an alphabetical listing of the over 1,200 full-text publications—a great place to start for those who already know the title they seek. JIC is divided into 10 broad categories: Corrections, Courts, Crime Prevention, Criminal Justice Statistics, Drugs & Crime, International, Juvenile Justice, Law Enforcement, Research & Evaluation, and Victims. Each section contains links to documents, Web sites, and discussion lists.

PPAC Videoconferencing

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and other aspects of courtroom technology, with a focus on videoconferencing, will be explored. A live demonstration will connect the audience to a correctional facility or other off-site location. Conference attendees will then have an opportunity to look at the equipment and to ask questions of judges and others who have used videoconferencing in the courtroom.

Resource List

In 1998, PPAC and the Wisconsin Counties Association convened a statewide videoconferencing committee. That group produced a comprehensive manual last year entitled *Bridging the Distance: Implementing Videoconferencing in Wisconsin*. The manual included an 18-item resource list.

Law Library Resource Xchange www.llrx.com

This is a bi-weekly Web journal that provides research and technology information for legal professionals. The journal's "Newstand" links to online articles on current law-related issues. "LLRXBuzz," published every Monday, identifies legal research Web sites on a wide variety of subjects and allows users to search the archives of sites featured in previous issues by subject. "Zimmerman's Research Guide" is a law librarian's "little black book." Useful to anyone doing research, this searchable guide offers advice—including Web site links, telephone numbers, and database suggestions—on hundreds of subjects. At every turn the editors invite users to make contributions and suggestions. As a bi-weekly publication with a thorough archiving system, *LLRX.com* is an ever-growing legal resource. It offers free bi-weekly e-mail updates listing the topics, issues, and authors appearing in the most recent issue.

Supreme Court of the United States

www.supremecourtus.gov

The U.S. Supreme Court stepped onto the information super-highway with its official Web site in April. The site includes full text of opinions from the 1999-2000 term (with a link to the previous year's bench opinions), the Court's schedule and argument calendar, background information about the Court and the justices, Court rules, bar admissions information, case handling guides, and public information, including a visitor's guide.

Writ: New Opinions from Courtroom to Café

writ.findlaw.com

FindLaw unveiled *Writ*, a new online magazine for the legal community, in May. In their introduction, the editors write: "the practice and culture of law too often remain cloaked in mystery. We want to change that. Our aim is to provide you with incisive, provocative commentary on everything related to law, from upcoming Supreme Court arguments to the latest legal thriller." The magazine has included commentary from Alan Dershowitz, noted criminal defense attorney; Martha Minow, professor of law at Harvard University; and Akhil Amar, professor of law at Yale University, among others. Sections include: "Commentary," which features op-ed style pieces; "News," with links to current online articles; and "Café," where writers explore the law and culture. ❖

This resource list was recently expanded to contain 58 videoconferencing sites and contacts from courts, correctional institutions, and state, educational, and health facilities. It can be viewed on the court system's Web site at www.courts.state.wi.us/circuit/pdf/vcman.pdf. The resource list can be found on pages 38-41, at the end of the manual.

Special note: On Oct. 26, at the 2000 Judicial Conference, PPAC will offer an information session for judges about the committee. Chief Justice Shirley S. Abrahamson, chair of PPAC, and other committee members will talk about the group's role, past achievements, and current projects. The panel will also answer questions, which will be solicited ahead of time as part of the final pre-conference mailing. Those planning to attend the conference are encouraged to take advantage of this opportunity to ask questions or provide comments. ❖

State Law Library Web Site a Treasure Trove of Legal Links

by: *Connie Von Der Heide*
reference/outreach services librarian
Wisconsin State Law Library

Looking for an easy-to-use Web site to access legal information of all kinds? Keep this address handy: wsll.state.wi.us. The Wisconsin State Law Library (WSLL) Web site is a one-stop shop for all state and federal primary resources as well as links to many other legal information sites.

The Web site was launched in 1999. Its design and content are largely the responsibility of two WSLL staff members, Elaine Sharp and Amy Crowder. Together they have created the layout and sorted the content to create a logical, easy to navigate site. "Our aim is to provide quick access to law-related materials from Wisconsin, other states, and the federal courts," Sharp said. "We strive to present this information in a clear, streamlined manner with no distracting animation or flashing banners."

To keep up with the dynamic nature of the Internet and the ever-increasing amount of information available on it, library staff is continually updating the WSLL Web site. Crowder has put together a new category, called "Wisconsin Topics." "It features links to sites of particular interest to *pro se* users," she said.

The site's revised home page, which debuted in the spring, offers six broad categories from which to begin. "Wisconsin Law" and "Federal & State Government Resources" follow the basic framework of government, with links grouped into legislative, executive, and judicial subcategories. All state and federal primary legal sources are accessible, including:

- Wisconsin Statutes;
- Wisconsin Administrative Code;
- opinions of the Wisconsin Supreme Court and Court of Appeals;
- decisions of Wisconsin officials and agencies such as the Attorney General's Office, Labor & Industry Review Commission, and Wisconsin Employment Relations Commission;
- U.S. Code;
- Code of Federal Regulations; and
- opinions of the U.S. Supreme Court and lower federal courts.

These sections also provide links to state and federal agency sites; information about pending federal and state legislation; directories of state and federal courts; and much more.

"Law Reviews & Newspapers," "Self-Help Guides," "Directories & Reference Tools," and "Law Search Tools" provide links to secondary legal information of interest to the bench, bar, and public.

The library's automated catalog is also accessible on the home page. It contains information about materials in the collections of the Wisconsin State Law Library, the Milwaukee Legal Resource Center (MLRC), and the Dane County Law Library (DCLL). The catalog is searchable by keyword, title, author, call number, and subject.

Alphabetical lists of videos and materials in the Young Lawyers Division collection are also available, as well as *Electronic Texts*, a list of over 800 titles with hypertext links to their Internet counterparts, many of which are full text.

The three remaining links on the home page provide information about WSLL, MLRC, and DCLL resources and services; allow submission of e-mail inquiries to the WSLL Reference Service; and provide links to catalogs of other Wisconsin libraries for convenient searching.

The Wisconsin State Law Library circulates materials to all Wisconsin court staff, government employees, and attorneys licensed to practice in the state. For information about borrowing materials by mail, contact the Library at (800) 322-9755. In Madison, call 267-9696.

Comments about the WSLL Web site and suggestions for additions or improvements are welcome. Call (800) 322-9755 or e-mail either amy.crowder@courts.state.wi.us or elaine.sharp@courts.state.wi.us. ♦

The Wisconsin State Law Library is located at 1 E. Main St., Second Floor, Madison. Hours are 8-5 Monday-Friday. The Milwaukee Legal Resource Center is located in Room 307A of the Milwaukee County Courthouse, 901 N. 9th Street, Milwaukee. Hours are 8-5 Monday-Friday. Phone (414) 278-4900. The Dane County Law Library is located in Room 315 of the City-County Building, 210 Martin Luther King, Jr. Blvd., Madison. Hours are 8:30-4:30 Monday-Friday. Phone (608) 266-6316.

Grants Information Center in Development

The Director of State Courts Office is piloting a Grants Information Center to provide information on grant funding for programs that reflect the strategic issues of the courts. It is hoped that easier access to funding opportunities might enhance the circuit and appellate courts' ability to experiment with innovative programming and strengthen court partnerships.

Staff are currently tracking funding opportunities in these areas: alternative dispute resolution, children and families, courthouse security, drug courts, general block grants and other federal funds, interpreters, juvenile justice, and court technology.

Just a reminder: Some grant applications, such as those to the State Justice Institute, need to go through the grant approval process required by the Supreme Court, which includes review by

both the court system's policy analyst and fiscal officer. The policy analyst, who is staff to the court system's Planning and Policy Advisory Committee, ensures that the projects are consistent with the court system's long-range strategic plan, and the fiscal officer ensures that the project budgets are reasonable. After the policy analyst and fiscal officer complete their reviews, Director of State Courts J. Denis Moran reads and signs the grant application. To read more about the grant approval process for certain grants, see Administrative Bulletin 96-17. ♦

Anyone who has information about grant sources or wants information about grants should communicate with Policy Analyst Dan Wassink, (608) 266-8861 or the local district court administrator.

Pro Se Plans

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The team working on the Tenth District's action plan for self-represented citizens includes: Clerk of Circuit Court Clara Minor, Dunn County; Attorney Timothy J. O'Brien, St. Croix County; Chief Judge Edward R. Brunner, Barron County; Court Commissioner George L. Glonek, Douglas County; Executive Assistant to the Chief Justice John Voelker; County Supervisor Janet Rubenzer-Pike, Chippewa County; District Court Administrator Gregg T. Moore, Eau Claire County; and Judge Eugene D. Harrington, Washburn County.

registration fees for the workshop. During the intensive three-day program, the Wisconsin teams (along with teams from courts in Delaware, New Jersey, Ohio, Michigan, Indiana, Minnesota, Hawaii, and Puerto Rico) took part in a variety of workshops and met in small groups to work on their action plans.

The Family Law Interactive Network, Dane County

Attorneys John E. Hendrick, Family Law Education, Inc., and Mary Beth Keppel, former president of the Dane County Bar Association, co-wrote a successful grant proposal to the Wisconsin Advanced Telecommunications Foundation (WATF) for the Family Law Interactive Network, which will provide Web-based legal assistance in the courthouse and public libraries. WATF is providing \$47,220 for this two-year pilot project.

The county bar, Family Law Education, and the Madison Public Library have teamed up to create the Network. Through high-speed Internet-access terminals at the Dane County Courthouse and public libraries, users will be able to:

- find, complete, and print legal forms;
- learn where and when to file documents and what to expect during a court proceeding; and
- e-mail questions to volunteer attorneys.

Internet users not at these locations will only be able to access general court information.

Specially trained librarians and courthouse volunteers will be on hand to assist Network users. The ultimate goal is to provide information to family court litigants who cannot afford attorneys.

The Network is forecast to be operational early next year and to serve approximately 5,400 people during the two-year project period. Family Law Education will continue and possibly expand the Network if it is successful; Richland County has already expressed an interest in the service. ❖

For more information on Waukesha County's court assistance program, contact Foster at (262) 548-7539, or Holly Patzer, Wisconsin Correctional Services, at (262) 544-5431. For more information on the Self-Represented Litigants Initiative, contact Moore at (715) 839-4826 or gregg.moore@dca10.courts.state.wi.us. To learn more about Dane County's Family Law Interactive Network, contact Hendrick at (608) 257-7744.

Statewide Pro Se Working Group

Members of the 21-person *Pro Se* Working Group have been meeting since September 1999 to study potential state and local responses to the expanding number of individuals who choose to represent themselves in court. The group has reviewed successful initiatives and the expanding body of research on the subject with the goal of producing a "best practices" report outlining court responses to self-represented litigants. The report is expected to be completed in early fall. ❖

For more information on the Working Group, contact executive assistant to the chief justice John Voelker at (608) 261-8297.

Law Day Celebrated

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and discussion were followed with refreshments. In advance of the Law Day event, Justice N. Patrick Crooks addressed the Fond du Lac Bar Association.

Manitowoc County put on a mock trial, *State of Wisconsin v. Big Bad Wolf*, for local second-graders. The trial was acted out six times over two days for more than 700 children who participated as audience members and jurors. Local actors played the three little pigs and the Big Bad Wolf, and Attorneys Jerome L. Fox, Ronald

A. Kaminski, Steven R. Olson, and Ralph J. Sczygelski tried the case. Judge Patrick L. Willis, Law Day chairman for Manitowoc County, presided.

In **Rusk County**, Judge Frederick A. Henderson presided over a mock trial scrimmage between the Wisconsin champions (the Rhinelander team) and the Minnesota champions (the Anoka, Minn., team). The scrimmage took place in Ladysmith, the halfway point between the two cities. Henderson reported that he had a great time working with the students and looked forward to doing it again. The Rhinelander team finished 14th in the nationals. ❖

New OWS/OAR Law Takes Effect

A portion of 1997 Wis. Act 84 covering operating while suspended (OWS) and operating after revocation (OAR) went into effect Aug. 1. The law treats the two violations in very different ways.

The general scheme of Act 84 was to make all OWS offenses civil forfeitures and all OAR offenses criminal. Imposing such a system in one quick jump, however, would have resulted in a huge increase in OAR cases in circuit courts. Accordingly, the Legislature provided an interim period in which revoked drivers have an opportunity to reinstate their licenses before first-offense OAR becomes a criminal offense, which occurs on May 1, 2002.

The Legislature has specified whether suspension or revocation applies to each traffic offense for which either sanction might have been imposed under the old law. Most of these changes were made effective on Jan. 1, but a few changes that are part of 1997 Wis. Act 84 have not yet been implemented for computer-related reasons. For example, the Department of Motor Vehicles (DMV) is still suspending drivers for first-offense operating while intoxicated (OWI), and still revoking drivers under the Safety Responsibility Law. Act 84 calls for revocation and suspension for those violations, respectively, and the DMV expects to implement those changes by next spring.

Operating While Suspended

Wisconsin Statutes Section 343.44(1)(a), the OWS part of the new law, prohibits:

1. driving while suspended, and
2. driving in violation of a restriction on an occupational license issued to a suspended driver.

A person's knowledge that his or her operating privilege is suspended (scienter) is no longer an element of the offense. All OWS offenses result in a straightforward forfeiture. There is no possibility of a fine or jail time. Under section 343.44(2), "any person who violates sub.(1)(a) shall be required to forfeit no less than \$50 nor more than \$200."

An additional driver's license sanction is available to the court in an OWS case if needed:

1. On first, second, and third offense OWS in a five-year period, courts have the option of suspending the driver's operating privilege for additional time. The court cannot revoke the operating privilege.
2. On fourth offense, the court must revoke the driver's operating privilege for six months. A shorter revocation may be ordered if the court places the reasons on the record. If the court does not enter an order, the Department of Transportation is required to impose the six-month revocation. This will also occur if the court enters an order for a shorter period but the conviction status report does not reflect that order. It is important for the clerk to advise the DMV of such orders.

Operating After Revocation

Section 343.44(1)(b), the OAR paragraph of the new law, prohibits:

1. driving while revoked, and
2. driving in violation of a restriction on an occupational license issued to a revoked driver.

Because all OARs will eventually be criminal offenses, scienter remains an element of the offense. Second and subsequent offense OAR is already a criminal offense with penalties of up to \$2,500 and up to six months in jail.

Under the legislation, the chief judge of each district is required to adopt sentencing guidelines for use in OAR cases. The Committee of Chief Judges will work to ensure that these guidelines are as uniform as possible. The expectation is that penalties will reflect both the seriousness of other acts committed while the person was driving with a revoked license and the driver's history.

Reinstatement

Section 343.44(1g) provides that suspensions or revocations remain in effect until a person reinstates his or her operating privilege. ❖

Contact the Bureau of Driver Services at (608) 267-1854 with questions, or e-mail cnr.dmv@dot.state.wi.us.



For the past four years, members of the courthouse staff in Washington County have participated in a run/walk to benefit the American Cancer Society. On June 4, 47 people—including judges, staff from the Clerk of Courts Office, and employees of other courthouse departments and their families—took part in the event wearing special T-shirts in memory of Judge James B. Schwalbach, who died in 1997 after battling cancer. The shirts read: "The Courthouse Remembers Judge James B. Schwalbach." The participants say they continue to take part in the run/walk in hopes that they will not have to add any additional names to the shirts.

People in the News

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Education's graduate program in dispute resolution, has joined the Wisconsin Department of Corrections' restorative justice initiative. Geske facilitates victim empathy panels in which victims describe their personal experiences to offenders. In a recent session, a widow of a slain police officer, a sexual assault victim, and a victim left blind and partially paralyzed by a juvenile burglar shared with offenders the impact these events have had on their lives. Following the presentation, Geske facilitated a discussion on forgiveness and empathy, according to *Caucus Newsletter* (Marquette University Center for Dispute Resolution Education). Describing restorative justice, Geske said: "Rather than looking at crime as a harm to the state, restorative justice looks at the harm to victims, victims' families, the community, and offenders."



Justice
Ann Walsh Bradley

On May 4, more than 100 students came to Madison to hear oral argument before the Wisconsin Supreme Court, reported the *Appleton Post-Crescent*. Their visit was part of the *Court with Class* program, which brings high school classes from around the state to attend oral argument and meet with a justice. During the lunch break, Justice **Ann Walsh Bradley** told the students about her most challenging case—*State of Wisconsin v. Matthew C. Janssen* (1998). Janssen had defecated on an American flag. State law had made desecrating the nation's flag a crime, but when the Supreme Court considered the case they found the law unconstitutional. The Court established that attacks on the flag, as a symbol of the United

States, are an expression of opinion that is protected by the First Amendment. Although her father-in-law was one of the flag-raisers on Iwo Jima and her family holds the flag as sacred, Bradley said that she, along with the rest of the Court (the vote was 7-0), had to uphold the Constitution. "I remember a lot of my family was not happy with that [ruling]," she said.

In the same edition ran a story about *Flags of Our Fathers*, the bestselling and critically acclaimed book by **James Bradley**, brother-in-law of Justice Bradley. The story focuses on the men immortalized in the photograph of the flag-raising on Iwo Jima, and through them the book tells the story of World War II. James Bradley's father was one of the six flag-raisers.

The May issue of *VIOS Voice*, the newsletter of the Outagamie County Volunteers in Offender Service (VIOS), featured the following note from a client: "[VIOS] and my parents have helped me change my life for the better. About one year ago I was party to a wrong doing, and VIOS has helped me realize that there is good within myself. VIOS has helped me set goals for my future. I am going to attend school in the fall... I would just like to thank VIOS."



Judge Dale L. English

"Peer power!" was the headline of an article in *The Reporter* (Fond du Lac) on plans to start a local teen court. Fond du Lac County Circuit Court Judge **Dale L. English**, Police Department Liaison Officer **John Graham**, and Juvenile Intake Officers **Sharon Hilbert** and **Diane Burton** are leading the task force. The group envisions a teen court that would give juvenile offenders (misdemeanors only) the option of being sentenced by their peers. Youth would serve as defense and prosecuting attorneys and jurors, and an adult—a law enforcement officer, judge, or community leader—would preside.

At the first meeting, several teens who had been arrested gave a teen court demonstration. "What members of the task force saw was that these kids are excited about doing this," English said. The group hopes to have the program in place early next year.

A plaque honoring **Rhoda Lavinia Goodell**, the first woman admitted to practice law before the Wisconsin Supreme Court, was placed in the Rock County Courthouse in March, reported the *Evansville Citizen*. In 1874, Goodell was admitted to the Rock County Circuit Court Bar. The following year, when one of Goodell's cases was appealed to the Wisconsin Supreme Court, she petitioned for admission to practice before the Court (at that time admission to one bar permitted an attorney to appear before all courts in Wisconsin except the Supreme Court). Her petition was denied. Chief Justice **Edward G. Ryan**, speaking for the Court, described her efforts as "a departure from the order of nature." He wrote: "Nature has tempered woman as little for the juridical conflicts of the court room, as for the physical conflicts of the battle field." Goodell later persuaded the Wisconsin Legislature to pass a bill prohibiting denial of admission to the bar on the basis of sex. Goodell again applied for admission to practice before the Court. Her petition was granted on June 18, 1879; Ryan dissented. The plaque was made possible by the Rock County Women's History Committee. ❖

30-Year Employee Honored

When Barbara Allar began working in the Waupaca County Clerk of Courts Office in 1970 as a clerk/typist in the traffic division, everything was done manually. She recalls indexing, receipting, and recording all court record events by hand.

Thirty years later, Allar continues to play a key role in the office. Her colleagues recognized her dedication with a July 6 luncheon in her honor.

As deputy clerk, Allar works mostly on felony and misdemeanor cases. She currently works for Judge John P. Hoffmann, and also worked for Judges Nathan Wiese and A. Don Zwickey.

Her co-workers report looking forward to working with Allar for many years to come. ❖

The Third Branch

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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 Judiciary. Send questions and comments to: Amanda K. Todd, Court Information Officer, P.O. Box 1688, Madison, WI 53701-1688. Phone (608) 264-6256. E-mail: amanda.todd@courts.state.wi.us.

New Committee Seeks Applicants

The new Appointment Selection Committee of the Wisconsin Supreme Court began meeting in May and is seeking lawyers and non-lawyers who are interested in serving on various boards and committees, including the State Bar Board of Governors, the new lawyer regulation system boards, and the Board of Bar Examiners.

Appointments will be made on a continual basis as openings occur and applications (consisting of a resume and a cover letter indicating the body on which the candidate wishes to serve) are welcome at all times. The appointment procedure is designed to produce appointments solely on an applicant's integrity, intelligence, experience, and commitment.

The 12-person Appointment Selection Committee chose Attorney Michelle A. Behnke and Mona Steele, secretary/treasurer of the National League of Women Voters, as its co-chairs. The committee is comprised of lawyers and non-lawyers who were designated by various county bar associations (which were chosen by lot) and by the chairs of the State Bar of Wisconsin's Family Law Section, General Practice Section, and Government Lawyers Division. Also nominating people to serve on the selection committee were the chair of the state Ethics Board, the co-chairs of the Joint Legislative Council, the deans of Wisconsin's two law schools, and the chair of a randomly selected District Responsibility Committee. The members serve three-year terms. ❖

To apply, send a resume and cover letter to: Appointment Selection Committee, c/o Clerk of the Supreme Court, PO Box 1688, Madison, WI 53701-1688, or call Cornelia Clark at (608) 266-1880. More information on the boards is available through the Clerk's Office or on the court system's Web site (under "What's New" at www.courts.state.wi.us).

Get Your WEBNews Here

The Director of State Courts Office has started a free Internet scout service called **WEBNEWS**. This service e-mails weekly information and links to research, reports, and Web sites that address some of the issues facing the Wisconsin court system. **WEBNEWS** is not intended to be an exhaustive reference, but rather a time-saver for judges, court administrators, and others in the justice system.

The National Conference of State Trial Court Judges is now exploring starting a similar service for its members, a project that Judge Michael W. Nowakowski, Dane County Circuit Court, is helping to lead.

To receive **WEBNews** weekly by e-mail, simply send a blank e-mail with "web news" on the subject line to Court Information Officer Amanda K. Todd at amanda.todd@courts.state.wi.us. ❖

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