

cc: Sara W

Juneau County Circuit Court

Copy

Honorable Paul S. Curran - Branch II
200 Oak Street
Mauston, WI 53948-1349

Terry L.A. Reynolds
Register in Probate/Juvenile Clerk
(608) 847-9346
Fax (608) 847-9349

Nicole Gottschalk
Court Reporter
(608) 847-9312
Fax (608) 847-9529

Chris Woggon
Judicial Assistant
(608) 847-9567
Fax (608-847-9529

November 30, 2017

RECEIVED
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Director of State Courts

Chief Justice Patience D. Roggensack
Wisconsin Supreme Court
P. O. Box 1688
Madison, WI 53701-1688

Chief Justice Roggensack:

I write to express my concern and opposition to the dissolution of Judicial Administrative District 6.

On November 8, 2017, I received an e-mail from our District Court Administrator Ron Ledford on behalf of Chief Judge Potter. In the e-mail, sent to all the judges in District 6, Mr. Ledford made us aware of a proposal that is under consideration. The e-mail contained a proposed realignment map and indicated that the matter would be placed on the agenda for the District 6 meeting at the Judicial Conference.

The map indicated three counties in District 6 - Juneau, Clark, and Adams - would be assigned to District 7, and the other counties would be assigned to other districts. There was no explanation given as to the rationale behind these reassignments. At this point, I do not know who proposed this idea, who is advocating it, or why.

At our District Meeting during the Annual Judicial Conference, no one from the Administrator's State Court's Office (or from any of the districts to which District 6 counties are to be assigned) was present to discuss the reasoning for this move. Therefore, we were not provided with any insight into the policies and procedures of the various districts to which we are proposed move. It became clear during our meeting that no one in our District was consulted about this. The discussions led me to believe this was a "done deal." It would seem to me that the District Meeting at the Annual Conference would have been a perfect opportunity to provide the District 6 Judges with an insight into how their potentially new districts work, but that opportunity was missed.

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Chief Justice Patience Roggensack
November 27, 2017
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I presume that my interpretation is wrong. It is hard for me to imagine that this kind of move would be made without study, basis, or consulting with any of the Judges affected.

The only explanation we were given was that such a move would increase "efficiency." However, that contradicts common sense. The Administrative Districts exist to provide administrative assistance to the Courts. There was no indication that any staffing changes would be made at the Districts to which the District 6 Courts would be assigned. It contradicts common sense to assume that the same staff in District 7, which presently serves twelve counties, would be more efficient providing administrative assistance to 15 counties.

Since 2008, when I was elected to the bench, District 6 has been a very collegial and helpful body. As you may know, the second judge in Juneau County, Judge Roemer, retired suddenly in July. The Governor has declined to appoint a replacement. District 6, led by Mr. Ledford, has been very helpful and supportive in dealing with this difficulty. We have quarterly District Meetings which are both educational and informative, and they support the cooperative relationship among the Judges. I have no idea if the same can be said about the other Districts.

In short, I do not know why this proposal has come forward. I do not know what study or level of thought was put into it. I do not know who is advocating it, nor do I know why. On such a record, I oppose the change.

Sincerely,



Paul S. Curran
Circuit Judge

PSC:caw

Copy

Chief Justice Patience Roggensack
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Page 3

c: Justice Shirley Abrahamson
Justice Ann Walsh Bradley
Justice Annett Ziegler
Justice Michael Gableman
Justice Rebecca Bradley
Justice Daniel Kelly
Honorable Randy R. Koshnick
Chief Judge Gregory Potter
Deputy Chief Judge Guy Dutcher
Honorable Daniel G. Wood
Honorable Jon Counsel
Honorable Bernard N. Bult
Honorable Todd J. Hepler
Honorable W. Andrew Voight
Honorable Michael Screnock
Honorable Wendy J.N. Klicko
Honorable Guy D. Reynolds
Honorable Nicholas J. Brazeau, Jr.
Honorable Todd Wolf
Honorable Brian Pfitzinger
Honorable Martin DeVries
Honorable Joseph Sciascia
Honorable Steven Bauer
Honorable Thomas D. Eagon
Honorable Robert Shannon
Honorable Thomas Flugar
Honorable Mark Slate
District Court Administrator Ron Ledford

From: Daniel Wood
To: Sara Ward-Cassady
CC: Brian Pflizinger; Joseph Sciascia; Steven Bauer; Todd Hepler; Andrew...
Date: 12/18/2017 3:29 PM
Subject: Proposed 6th District Realignment

Dear Ms. Ward-Cassady-

I am the Judge for the Adams County Circuit Court and am affected by the plan you conceived for the dissolution of District 6. Since that plan affects me, I need to decide whether to support, oppose or simply be indifferent about it. If implemented, the plan will undoubtedly have some negative effects for me. Adams County is geographically in the middle of District 6 and realignment would put it on the very fringe of District 7. Instead of being within 30 to 45 minutes of courthouses for six other counties in District 6, realignment would put me within such distance of only one courthouse in District 7. Indeed, the Juneau County Justice Center would be the only courthouse within a one hour drive. The driving distance to district headquarters would increase from one hour to 90 minutes. The plan will also disrupt the excellent cross-county relationships that have been developed by judges in this district. Finally, I must note my dismay that, instead of engaging in a comprehensive examination of changes that could be made statewide to improve efficiency and provide the most bang for the taxpayer buck, it *seems* that District 6 is being singled out for elimination.

In spite of those identified concerns, I want to try and keep an open mind about the plan. I endeavor to keep a big picture perspective on the bench, and intend to do so here. If there are substantial benefits to this plan that outweigh the disadvantages it creates for my District 6 colleagues and me, I want to take them into account. Whether I decide to henceforth support, oppose or be silent on this plan, I want it to be an informed decision. Unfortunately, scant information has been provided. The minutes of the November 14 chief judges meeting simply refer to generic conclusions such as "potential efficiencies" and that a workload study as to the effect on the administrative capacities of other affected districts was apparently not necessary because of your belief that the DCAs could take on the extra workload without any reduction in service.

Given the negative effects of this plan that I have identified, I would appreciate, on a macro level, an articulation of the plan's benefits as well as a rational basis on which to conclude both that those benefits will be realized and that services to the affected counties will not be diminished. At the micro level, I would appreciate an assurance that at least some consideration was given to the impact that this plan will have on individual judges.

The minutes of the November 14 meeting indicate that, in response to a query from Judge Maxine White, you offered to prepare an outline of the rationale for the realignment. Please provide me with a copy of that rationale; I am confident that my colleagues would also like to review it.

Thank you for your attention to this matter. I understand that Judge Koschnick will soon make a formal recommendation to the Supreme Court on this issue. Before he does so, I would like the opportunity to formally advise him of my position on the issue. Therefore, your timely response is appreciated.

I am copying my District 6 colleagues, Judge Koschnick and the members of the Supreme Court in order to inform them of both this request and the concerns that I have noted.

Sincerely,

Dan Wood

From: Randy Koschnick
To: Daniel Wood
CC: Ward, Sara; Diane Fremgen
BC Dean Stensberg
Date: 12/19/2017 10:34 AM
Subject: Re: Proposed 6th District Realignment
Attachments: D6 Realignment.xlsx; District 6 Realignment Talking Points.docx

Dan,

I'm responding for Sara as she has resigned from her position effective 1-1-18 and is on vacation until that date. Replacing Sara as Deputy Director of Court operations will be Diane Fremgen, effective 1-2-18. Attached you will find the talking points memo that you referenced. This memo was provided to each chief judge for use at the district luncheon meetings at the Judicial Conference last month. Also attached is a realignment map, distance chart and judicial balancing document which you may find informative.

This proposal arose upon the DCA for District 6 announcing his retirement in August or September, 2018. I then put forth to Sara Ward Cassidy the same question that I put to any supervisor with a vacancy: Can you justify filling this position and are there viable alternatives to filling the position? Her answer was: 1) based upon workload demands and the capabilities of the other DCAs, she could not justify filling the position; 2) we could effectively meet the needs of the courts in these counties by the proposed realignment and, in her opinion, the level of service to the courts will be at or above the current level of service; 3) the realignment would better balance the number of judges in the various districts; 4) the proposed realignment would save approximately \$250,000 annually.

That's the long and short of it. I'm certainly willing to consider any additional information and/or informed opinions relevant to whether filling this position can be justified as well as whether an alternative realignment plan might be more effective, perhaps even statewide as you suggest.

If I propose the realignment to the Supreme Court, which I am likely to do in the near future, it will be in the form of a formal petition. I'm certain that the Court will also welcome any relevant information if and when they consider such a petition.

One final thought: if the needs of the affected counties are not effectively met by this realignment, District 6 could be recreated and staffed via a subsequent petition to the Court.

Thanks for your interest in this issue.

Merry Christmas.

Randy



DANIEL G. WOOD
CIRCUIT COURT JUDGE

Kristi M. Klaus
Electronic Reporter
608-339-4214

Adams County Circuit Court
402 N. Main St. • P.O. Box 200
Friendship, WI 53934
608-339-4215

Chris Langer
Register in Probate
608-939-4213
FAX: 608-339-4596

December 21, 2017

Chief Justice Patience Roggensack
Wisconsin Supreme Court
Madison, WI

Re: Proposed Dissolution of the 6th Judicial Administrative District

Dear Chief Justice Roggensack:

Greetings.

Because Ron Ledford announced his impending retirement as the District 6 DCA, the deputy state courts director, on her way out the door, conceived a plan whereby a statutorily-created judicial district that has existed for decades will be dissolved and its 11 counties realigned into five other districts. According to an email that I received from Judge Koschnick, the purported bases for doing so include that it will result in a better balance in the number of judges in the various districts, approximately \$250,000 will be saved and the service to the courts will be "at or above" the current level.

There are 249 circuit court judges in Wisconsin and 10 judicial administrative districts; that means an average of 25 judges per district. Currently, by my count, D6 has 23 judges. The other affected districts have/will have the following:

	<u>Current</u>	<u>Proposed</u>
D3	23	27
D4	20	23
D5	27	33
D7	18	22
D9	17	23

Of note is the fact that the range of judges for the affected districts will shift from a low of 17 and a high of 27 to a low of 22 and a high of 33; the gap between them will actually increase by one from 10 to 11. Also noteworthy is the fact that the result of this plan will be to increase the number of judges in three of the affected districts to at or near where D6 *already* is, 23. These two facts beg the question: Why eliminate D6? If nine districts is, in fact, the ideal number, why not come up with a comprehensive, statewide, realignment plan that truly evens out the numbers of judges in every district and makes more sense than arbitrarily eliminating one district because the DCA is retiring? For instance, if realignment is truly necessary, why not look at doing so in a way that better aligns with the district maps for the court of appeals? If necessary, statewide realignment could also consider the current status of judicial need by county, not just the current

number of judges for each county. According to a report given at our September district meeting, four of the 11 counties with the highest judicial need statewide are in D6.

Regarding the savings issue, I am a conservative person by nature and certainly support saving taxpayer money whenever possible. (I have left my judicial assistant position vacant for over six months and will probably not fill it in an effort to save my county money.) However, is the elimination of one district necessarily the best way to save money? Again, if nine districts is the ideal number, why not create them from a statewide perspective and factor in other considerations on a comprehensive basis that could lead to even more savings?

Regarding service to the courts, I find it hard to believe that eliminating one district and creating an unbalanced increase in case load for five other districts (not to mention increasing the sprawling size of D7 and travel times between courthouses for the counties added to it) will keep service at the current level, let alone improve it. As Judge Paul Curran noted in his recent letter to you, D6 currently has two judicial vacancies for which the governor has decided not to make appointments and they will remain unfilled until after the election next year. Mr. Ledford's office has done a fine job of ensuring that reserve judges and judges from neighboring counties are provided to fill those gaps. After all, access to justice requires access to the courts. We know from that experience that the current district alignment has ensured that justice is available during this period. I am reluctant to leave the availability of justice in the future to what, according to the "talking points" memo, amounts to a hunch by the outgoing deputy director that the affected districts will be able to take on the added workload without a reduction of service.

In short, I write to you to oppose the plan to eliminate D6. The current makeup of the district has fostered many collegial cross-county relationships between geographically and demographically similar counties and has, in my 17 years of practice and two-plus years on the bench, worked well for the citizens of the district. I respectfully suggest that, if realignment is necessary, a comprehensive, statewide realignment is the better way. Such a realignment could also create a dialog by stakeholders on broader efforts to create efficiencies and save taxpayer dollars.

I thank you and your colleagues for your consideration. Best wishes for a very merry Christmas and a happy and healthy new year.

Sincerely,

Daniel G. Wood
Adams County Circuit Court Judge

From: Barbara Key
To: Randy Koschnick
Date: 1/5/2018 4:28 PM
Subject: Re: D6 Realignment

I support the realignment. District 4 will do all it can to assist in the transition.

Judge Barbara H. Key
Circuit Court Branch 3
P.O. Box 2808
Oshkosh, WI 54903-2808
Phone (920) 236-4835
FAX (920) 424-7795

From: James Morrison <James.morrison@wicourts.gov>
To: Randy Koschnick
Date: 1/6/2018 3:27 PM
Subject: Re: D6 Realignment

I personally support the realignment. No one in district 8 suggested any concern about it whatsoever at the judicial conference and the few comments that I have heard of all centered on the idea that anything that can be done to reduce unnecessary cost should be done.

As the Chief Judge I understand that the DCAs have important functions but honestly few of the Circuit Court judges have any idea what the DCA does for them. That is really our responsibility to make that clearer and I am trying to do that.

Judge James Morrison

From: Jason Rossell <jason.rossell@wicourts.gov>
To: Randy Koschnick
Date: 1/5/2018 3:13 PM
Subject: Re: D6 Realignment

Good idea and reduces inefficiencies. Have a good meeting. I'm in Atlanta until Wednesday.

Sent from my iPhone

From: Maxine White
To: Randy Koschnick
Date: 1/8/2018 2:14 PM
Subject: Re: D6 Realignment

Good afternoon and Happy New Year!

At the meeting of District 1 - which was held at our WI Judicial Conference back in November 2017, I summarized in great detail the proposed changes to District 6, the historical backdrop, and the rationale for the specific proposed realignment of District 6. No one expressed any concerns nor presented questions about the details in the presentation or the specific proposal. I did confirm that there are no other plans being developed nor anticipated at this time for any additional realignment(s).

I also note for your record that both Chief Justice Roggensack and former Chief Justice Abrahamson attended our District 1 meeting.

If I can be of any other assistance on this or any other matter please let me know.
Thanks,
Maxine

From: Steven Bauer
To: Randy Koschnick; Brian Pflzinger; Joseph Sciascia; Martin DeVries
Date: 1/9/2018 4:04 PM
Subject: Re: District 6 Realignment

Randy,

I have enjoyed my relationships with colleagues in the current 6th district, and I know that our Clerk of Courts feels the same. Particularly, I have developed a familiarity with Columbia County as that is where most of our out-of-county cases are located. However, I am sure that similar relationships can be developed with the counties in the redesigned district. I don't see the proposed realignment negatively affecting Dodge County. You can share the comments.

Steve Bauer

From: Thomas Flugaur
To: Randy Koschnick
CC: Thomas Eagon; Robert Shannon; Todd Wolf
Date: 1/9/2018 1:18 PM
Subject: District 6

Judge Koshrick,

This email is to advise you that myself, Judge Thomas Eagon, Judge Robert Shannon, and Judge Todd Wolf, are all indifferent to the dismantling of District 6. Frankly, the District's geographical configuration from the southeastern part of the state (Dodge County), to practically the northwestern part of the state (Clark County) defies explanation. We believe that the plan to absorb the District 6 courts into other Districts makes a lot of sense, especially in this world of electronic filing and communication.

Years of frequent travel to Clark County (120 miles round trip) handling numerous major criminal, family and civil cases has fatigued all of us. We have no concerns with the level of support we will receive from District 9.

Judge Thomas Flugaur

PS Please feel free to share this email with anyone you deem necessary
PSS I am forwarding additional comments from Judge Shannon in a separate email.

>>> Robert Shannon 1/9/2018 12:19 PM >>>

tom, my observations:

centralization would seem to make sense here. it would significantly reduce administrative costs and i'm not aware of any basis to believe that consolidated administration of the districts would result in inefficiencies or reduction of any of the dca's essential functions. the proposal would probably have the opposite effect- it would allow for more options on assigning substitutions and recusals equitably and would likely increase the ability of the dca to obtain necessary docket coverage during periods when we are away from our branches or are otherwise unavailable- both of which have proven to be challenges for the current administrative district.

From: Greg Huber
To: Randy Koschnick
Date: 1/9/2018 3:49 PM
Subject: Re: D6 Realignment

Good afternoon, Randy.

If there is to be a realignment, it makes sense geographically to move Portage and Wood counties into the 9th District. It will, of course, create more work for the 9th by adding 6 Circuit Court judges, their court reporters and a number of municipal judges. However, I am confident that we can handle it at this time.

I assume that the reserve judge allotment for District 9 would increase and that the District 6 court reporter stationed in Wood County would continue to provide services to that part of the district. And I would like to point out that if a new judgeship bill were to pass, the expanded District 9 would be looking at adding 3 more judges to the total. Thanks.

Greg Huber

From: Robert VanDeHey
To: Randy Koschnick
Date: 1/9/2018 10:36 AM
Subject: Fwd: Re: D6 Realignment

Dear Randy:

Not being in District 6, I have no problem with the proposal. It seems like a reasonable cost-cutting move. The only issue concerning District 7 is its absorption of Clark County and the difficulty covering substitution requests. As pointed out by Pat Brummond, Clark County only abuts District 7 due to its proximity with Jackson County. The most recent Judge bill proposes an additional branch for each county based upon judicial need. If the bill is adopted, then there should be no problem. If not, we are looking at either increasing our use of reserve judges or obtaining coverage by judges not from an adjoining county. However, the cost savings from the realignment would be more than enough to off-set these expenses.

If the Court is looking at other places to use the cost savings, I would offer the Judicial Council. Without staff, the Council may be forced to suspend operations. I do not know if it is possible to allocate some of the savings to an existing state employee (or more likely two) to undertake some of the duties previously handled by April Southwick. There have been two areas identified where staff is needed. The first area would be administrative, and particularly having a person who could monitor the website, handle the mail and email, take minutes, prepare agendas and meeting packets, and ensure compliance with open records and open meetings laws. The second area would be legislative. This would involve someone to monitor proposed legislation and Supreme Court rule petitions and act as a liaison between the Council and the LRB and other state agencies.

I do not know if there are individuals in the Director's office or elsewhere who would have the time and inclination to take on these additional duties, and if so, what additional compensation they would require. I also do not know how the other Council members would view this proposal. This is simply an unvetted idea on how to possibly keep the Council functioning until the next budget cycle.

Respectfully submitted, Bob

From: Todd Hepler
To: Ann Bradley; Annette Ziegler; Daniel Kelly; Michael Gableman; Patien...
CC: Ron Ledford; Randy Koschnick; District 6 Judges
Date: 1/10/2018 8:46 AM
Subject: Proposed abolition of Sixth Judicial District

Chief Justice Roggensack and Justices of the Wisconsin Supreme Court:
If the name Clara Peller sounds familiar, you undoubtedly remember the Wendy's commercial in which the elderly actress peers down at a large, fluffy hamburger bun with a very small patty and crustily questions, "Where's the beef?"[1]

I write to respectfully express my concerns regarding the proposed abolition of the Sixth Judicial District and, to paraphrase Peller's question, ask "Where's the data?"

The Sixth Judicial District should not be abolished and scattered at this time based on little more than intuition and a short-term timing opportunity. From the information presented, it appears that this recommendation is a knee-jerk reaction to two personnel issues and a building lease.

At judicial education conferences we are constantly commended to adhere to evidence-based decision making principles. The proposal at hand is the antithesis of evidence-based decision making. A few mileage calculations have been tossed around and there has been a calculation of estimated savings from staff reduction. There has not been sufficient study and the careful analysis needed to justify such a significant geopolitical shakeup.

No data has been presented which would lead to the logical conclusion that Wisconsin should have nine Judicial Districts instead of ten. In fact, after significantly more study, analysis and discussion than has presently occurred, the 1973 Citizens Study commissioned by Wisconsin's Governor recommended the creation of 17 or 20 Districts.

- Maybe the appropriate number of Judicial Districts is four (4) which would be aligned in accordance with the Court of Appeals Districts.

- Maybe District Court Administrators should each oversee two Judicial Districts with a small increase in support staff.

- Maybe we should have more Judicial Districts, fewer DCAs, and give the Chief Judges more responsibility.

My point is that there are other options which can, and should, be explored before making the drastic change of abolishing District 6. It is my understanding that there has been little or no consultation with other stakeholders such as Clerks of Court, District Attorneys, Public Defenders or State Bar of Wisconsin representatives.

Make no mistake about it, this realignment plan is a significant geopolitical realignment which will harm Columbia County.

This plan combines Columbia County with Dane, Rock, Green and Monroe and Sauk. Columbia County shares little in common with either Dane or Rock County. In fact, Dane County itself is larger than all of District 6 combined. Rock County is three times larger than Columbia County.

The counties in District 6 are relatively homogeneous with general court calendars and similar challenges. We possess significantly rural populations with relatively small urban populations and a larger makeup of rural residents. We have similar populations with similar values, resources and concerns.

For reasons of both substitution and conflict, the number of Columbia County cases being assigned out-of-county has been rising dramatically, leading to additional out-of-county cases being assigned to Columbia County Judges and out-of-county judges being assigned to Columbia County. If you ask the citizens of Columbia County, the last thing they want is some "liberal, activist judge from Dane County" coming up to Portage and presiding over their cases.

If objective data demonstrates a need to eliminate a District Court Administrator or a District, Judicial District boundaries should be re-examined on a state-wide basis and similarly-situated counties should be joined together, as appears to have been done when the Judicial Districts were initially created.

Setting aside the need for objective data and more meaningful analysis, there are intangible factors which should be given consideration before upsetting the status quo and scattering the counties of District 6. There is a level of collegiality among Judges in District 6 that is admittedly difficult to quantify but that has

grown out of many years of working together that I do not observe across other districts. Because of the small size of our counties, when a new judge is appointed or elected, that judge is assigned a mentor from another county in District 6 and strong interpersonal and inter-county bonds are formed. In addition to quarterly district-wide meetings, a group of first-term judges meets every other month or so to discuss concerns particular to newer judges. A group of second-term judges meets regularly as well. When issues arise, our judges pick up the phone and discuss them with each other. When there have been short-term and long-term judicial vacancies, judges from other counties have volunteered to cover those calendars.

This level of communication and cooperation between judges in similarly-situated counties will disappear with the abolition of District 6. This short-term opportunity to stash some cash is outweighed by the long-term harm it will cause the counties of District 6 and to the reputation of the Courts as a whole if it bases its decision on the scant information and cursory analysis that has been put forth thus far.

With all due respect, I join my colleagues who have previously written and urge the Court to reject any proposed abolition of District 6. There simply is not enough beef on this bun.

Thank you for your time and attention.

Sincerely,

Todd J. Hepler

Columbia County Circuit Court Judge – Branch I

|||

<https://www.youtube.com/watch?v=2MK9jJzbBT8>

Cc: All Supreme Court Justices

Hon. Randy R. Koshnick, Director of State Courts

Ron Ledford, District 6 Court Administrator

All District 6 Judges

Hon. Todd J. Hepler

Columbia County Circuit Court Judge

400 Dewitt St., P.O. Box 587

Portage, WI 53901

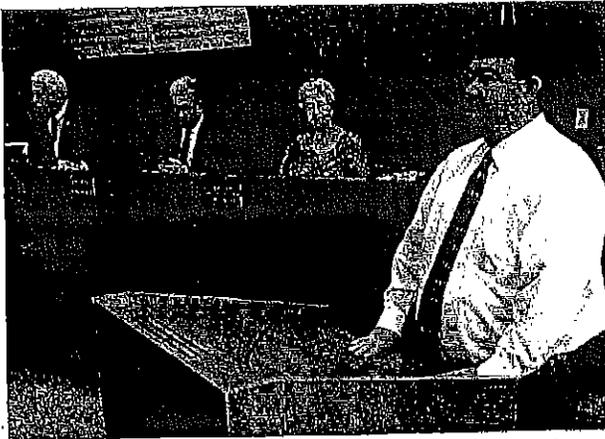
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FEATURED

Columbia County Board joins judge in opposition to proposed circuit court realignment

LYN JERDE ljerde@wiscnews.com Dec 20, 2017



Columbia County Circuit Court Judge W. Andrew Voigt speaks Wednesday to the Columbia County Board of Supervisors in opposition to a proposal to eliminate Judicial Administrative District 6 and align Columbia County's courts administratively with those in much more populous Dane and Rock counties.

BUY NOW

Lyn Jerde/Daily Register

Before Wednesday morning, Columbia County Circuit Court Judge W. Andrew Voigt would have bet that few members of the county's Board of Supervisors knew what judicial district the county's courts are in, or why it matters.

But by the end of the meeting, he had the County Board's unanimous support for his efforts to oppose a proposed realignment of those districts, which

would have grouped Columbia County's courts with those of the much more populous Dane and Rock counties.

Such outspoken opposition, Voigt said, could very well hurt his judicial career by branding him as a "boat rocker." He couldn't be dismissed as a judge – not unless the county's voters don't re-elect him, anyway – but he could, he said, be permanently removed from consideration as a future chief judge of a judicial district.

"The district is way more important to me than that title, or some post," he said.

Voigt said the state Supreme Court and the director of state courts, Randy Koschnick, are considering a proposal to dissolve Judicial District 6 (one of 10), which includes the circuit courts in Columbia, Adams, Clark, Dodge, Green Lake, Juneau, Marquette, Portage, Sauk, Waushara and Wood counties.

All the counties in District 6 then would be realigned with one of the remaining nine judicial districts. The proposal, according to Voigt, calls for Columbia and Sauk counties to become part of a district that includes two of the state's metropolitan counties, Dane and Rock.

That could hurt Columbia County's court operations, Voigt said.

For example, substitute judges usually are assigned within their judicial districts – which could conceivably mean that one or more of Columbia County's three judges could be tied up for weeks in a long trial in Dane or Rock county.

Voigt said Dane County's 17 judges typically specialize, for two or three years on a rotating basis, in a specific type of case, whereas Columbia

County judges all hear all different types of cases.

"We have to do everything, every day," Voigt said. "Sometimes, I do a divorce case, followed by an injunction, then go back to some criminal cases."

Voigt said as far as he knows, the only benefit to dissolving District 6 would be a \$250,000 annual savings in the cost of operating the state's courts.

The County Board often passes resolutions stating the county's position on legislative issues, and forwards those resolutions to the governor and the lawmakers that represent Columbia County.

This resolution is unusual, however, because the Supreme Court, and not the Legislature, would have the final say on the matter.

Neither Voigt nor Corporation Counsel Joseph Ruf could hazard a guess as to how influential the resolution might be.

"However," Ruf said, "sometimes it's in the interest of a county to take a position."

To Voigt's knowledge, no other county body, including those of the other District 6 counties, has gone on record on this issue, though others might now that Columbia County has passed the resolution in opposition.

According to Voigt, Columbia County is about in the middle of the 11 District 6 counties, in terms of the number of judges it has -- three. One of the judge's posts is vacant due to the recent retirement of Judge Alan White. The other judge is Todd Hepler.

There are 23 judges in District 6, he said, and they enjoy a collegial relationship that may not exist in the other districts, as well as much commonality in

procedures such as court calendars.

Supervisor Matthew Rohrbeck of Portage said it makes little sense, in his mind, to align Columbia County's judiciary with those of two of the state's most populous counties.

"Just looking at this out of the blue," he said, "I would say we have significantly more in common with the other District 6 counties."

County Board Chairman Vern Gove praised the County Board's Judiciary Committee for bringing the resolution for the County Board's consideration, and praised Voigt for taking a stand.

"You're really putting yourself out there, and I understand that," Gove said. "That's why we need to support this."

Follow Lyn Jerde on Twitter @LynJerde

Lyn Jerde

FROM THE WEB

Powered By ZergNet



Girlfriend
Accidentally
Kills Herself
Saving
Boyfriend



Why You Should
Always Ask Your
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Receipt



Nun Makes
Surprising
Claim About
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12 Revelations
About the Matt
Lauer-Ann
Curry Debacle



19 Weird,
Gimmicky,
Straight-Up Silly
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This Is What
Would Happen
If North Korea
Launched a Real
Attack



COLUMBIA COUNTY

Board of Supervisors

Vern B. Gove, Chair
Mary Cupery, 1st Vice Chair
James E. Foley, 2nd Vice Chair

112 East Edgewater Street
Portage, WI 53901

PHONE: 608-742-9654
FAX: 608-742-9602

January 12, 2018

Wisconsin Supreme Court
Office of Justices
16 East State Capitol
P.O. Box 1688
Madison, WI 53701-1688

To the Honorable Justices of the Wisconsin Supreme Court:

I am writing to express the Columbia County Board of Supervisors' ("Columbia County Board") opposition to the proposed dissolution and realignment of Judicial Administrative District 6. On December 20, 2017, the Columbia County Board adopted Resolution No. 39-17, a copy of which is enclosed with this letter. In adopting Resolution No. 39-17, the Columbia County Board took an official position supporting Columbia County's Circuit Court Judges, and opposing a proposal that will have a detrimental effect on the Columbia County Circuit Courts, and negatively impact the ability of those Courts to serve the citizens of Columbia County.

Prior to serving as a Columbia County Board Supervisor and Columbia County Board Chair, I had a thirty (30) year career as a law enforcement officer, retiring as the Detective Lieutenant of the Columbia County Sheriff's Office. During my law enforcement career, I worked with local, State, and Federal Law enforcement agencies and testified in complex cases in courts located in numerous other Wisconsin counties. Based on my experience as both a senior law enforcement management executive and as the Columbia County Board Chair, I am very familiar with the challenges involved in delivering top quality public services to our citizens at a fiscally responsible cost to our taxpayers; I have also learned however, that the cheapest solution is often not the best one when law enforcement and court operations are involved.

The proposed dissolution of Judicial Administrative District 6 may initially appear to make fiscal and organizational sense for the Wisconsin State Court system. However, the addition of Columbia County to Judicial Administrative District 5, which includes Dane, Green, Lafayette, and Rock does not make any sense for Columbia County. Both Dane and Rock County are so completely dissimilar to Columbia County that as a practical matter, Columbia County, along with Green and Lafayette, would be relegated to what could be at best described as an unimportant and largely ignored subset of a district dominated by Dane and Rock counties.

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On behalf of the Columbia County Board of Supervisors, the dedicated Columbia County employees who work in our Circuit Court system, and the citizens and taxpayers of Columbia County, I urge you not to make a rash decision to dissolve Judicial Administrative District 6 in an effort to save money and replace it with a poorly crafted realignment that will actually leave the Columbia County Circuit Courts worse off.

Sincerely,



Vern E. Gove, Chair
Columbia County Board of Supervisors

Enclosure

cc: Columbia County Circuit Court Judges (w/enclosure)
Director of State Courts (w/enclosure)
Wisconsin Counties Association (w/enclosure)

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RESOLUTION NO.
SYNOPSIS: Oppose Realignment of Judicial Administrative District 6
INTRODUCED BY: Judiciary Committee

To the Honorable Board of Supervisors of Columbia County:

WHEREAS, the State of Wisconsin Circuit Courts are organized into ten (10) Judicial Administrative Districts; and,

WHEREAS, Columbia County is included in Judicial Administrative District 6 along with Adams, Clark, Dodge, Green Lake, Juneau, Marquette, Portage, Sauk, Waushara, and Wood Counties; and,

WHEREAS, the Wisconsin Supreme Court and Wisconsin Director of State Courts are considering a proposal under which Judicial Administrative District 6 will be eliminated, realigned, and the counties currently in Judicial Administrative District 6 will be divided among the other nine (9) Judicial Administrative Districts; and,

WHEREAS, as a part of the proposed elimination and realignment of Judicial Administrative District 6, Columbia County will be added to Judicial Administrative District 5 which includes Dane, Green, Lafayette and Rock Counties; and,

WHEREAS, the proposed elimination and realignment of Judicial Administrative District 6 will have a detrimental effect on the Columbia County Circuit Courts and will negatively affect the ability of the Columbia County Circuit Courts to serve the citizens of Columbia County.

NOW, THEREFORE, BE IT RESOLVED THAT, the Columbia County Board of Supervisors opposes the proposed elimination and realignment of Judicial Administrative District 6 and urges the Wisconsin Supreme Court and the Director of State Courts to continue to maintain Judicial Administrative District 6; and,

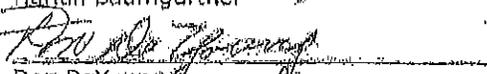
NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, the Columbia County Clerk send a copy of this Resolution to all members of the Wisconsin Supreme Court, the Director of State Courts, the presiding Judges of all Circuit Courts in Judicial Administrative District 6, and the Wisconsin Counties Association.

Fiscal Note: NONE

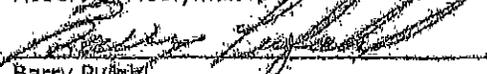
Fiscal Impact: NONE


Fred C. Teltgen


Harlan Baumgartner


Don DeYoung


Robert C. McClyman


Barry Pugh

JUDICIARY COMMITTEE

**CHAMBERS OF CIRCUIT COURT
COLUMBIA COUNTY, BRANCH II
COLUMBIA COUNTY ADMINISTRATION BUILDING
P.O. Box 587
Portage, Wisconsin 53901
(608) 742-9653**

**W. ANDREW VOIGT
CIRCUIT JUDGE**

**Marjorie Kurtz
Court Reporter**

**Marilyn Niedermair
Judicial Assistant**

January 12, 2018

To the Honorable Justices of the Wisconsin Supreme Court:

I write to express my serious concerns about the proposal to eliminate the Sixth Judicial District. The process by which this has been shared with those potentially impacted was disappointing and the rationale provided, at least so far, leaves much to be desired. What is maybe the most disheartening is that we have been told that while this isn't a "done deal", the burden is on those of us opposed to the plan to convince the Director of State Courts and/or the Supreme Court that this is not something that should be done. That does not inspire confidence that our opinions will be taken seriously.

There are a number of reasons why I believe that this plan is short sighted, at best. It seems to defy logic that asking fewer people to do more work would result in greater efficiency, unless it has been determined that there is too much staff. We have not been provided with any information, beyond the opinion of Sara Ward-Cassidy, that this area of the Director's office is over staffed. I believe that Professor Blinka would call that an "ipse dixit".

It is also obvious that this plan was hatched, not as a result of careful thought and planning, but because of a confluence of events that could make this decision comparably painless. The end of Judge Potter's term as Chief Judge, the expiration of the lease on the Stevens Point office space and Ron Ledford's retirement are presumed to all be happening in a short span of time. That, combined with a map that shows that 6th District Courthouses will still be reasonably close to their new District Office is the sum total of the basis for this decision as originally presented to us. We have since learned that a \$250,000 cost savings is also an important component of the decision making process and I have recently been made aware that a Rules Petition has been filed with supporting information.

Personally, I believe that the relative merits of the Judicial Districts and the functions of the District Court Administrators are areas that are ripe for review, especially in light of the recent progress in E-filing and paperless record keeping. However, jumping at a perceived opportunity without full review of the ramifications doesn't strike me as the best use of scarce judicial time and resources.

There are consequences that flow directly from any proposal like this. However, there doesn't seem to have been an attempt to determine what those all of those consequences might be. It appears that those that were discovered and might reflect negatively on the plan have been

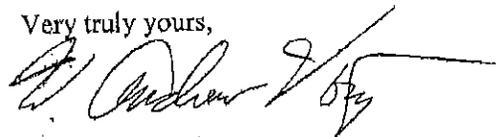
deemed unimportant already. My focus will be on the impacts to my county, but I would be remiss if I didn't at least mention what I'm told is the unique collegiality of District 6. We still meet quarterly, most often with no formal judicial education credits on the agenda. In fact, the meetings regularly include topics raised on the spot to address issues that have come up that other similarly situated judges might be able to assist with. We don't all get along all the time and there isn't 100% attendance, but I have been informed that these things do not regularly occur in all other Districts. As for Columbia County, the idea of becoming part of District Five creates a number of logistical and other challenges.

As a system, Columbia County shares far more in common with District 6 as it is currently constituted than the larger counties in District 5. Admittedly, Green and Lafayette Counties would easily fit into District 6, but Dane and Rock Counties are extraordinarily different. The issues they face in substantially more urban areas & the options that they have because of the number of judges in those counties are topics that do not translate well. One of the great benefits of District 6 is how relatable our shared issues are, so that we can offer helpful suggestions in one conversation and be the recipients of them in the next. Those are benefits worth retaining & encouraging. This isn't criticism of District 5 or any other District, but my impression is that my experience as a judge in Columbia County is very different than those judges in much larger counties.

One final issue of concern from Columbia County specifically relates to the handling of cases that are assigned out of the county. In my time on the bench (just more than one term), I have been assigned to cases in 8 of the 10 other counties in District 6. For the most part, I enjoy being able to assist in these matters, even though it is not particularly efficient to do so. I cannot imagine that Dane County assigns many cases out of county or that their judges are assigned out of county cases very often. The Clark County Courthouse is the only one currently in District 6 that is further away from my Courthouse than the other 3 Courthouses (Green, Rock & Lafayette) in District 5. From my perspective, the distance to the District office from each county is far less of a concern than the distances between the courthouses where cases are being assigned. There is a perception that some counties would move to districts where their travel requirements would decrease. That simply isn't true for Columbia County.

Judicial Administrative Districts have existed in Wisconsin for about 40 years. While there have been a few changes over those years, involving a very small number of counties, this would appear to constitute the first major change to that system since it was implemented. In light of this long history, it is probably more urgent that a full review be conducted to determine what changes should be made, responsibilities shifted, new efficiencies found and potentially money saved. It is unfortunate that instead, I am forced to oppose this poorly conceived plan.

Very truly yours,



W. Andrew Voigt
Circuit Court Judge

WAV/man