



# The Third Branch

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## Circuit Court Records Available Online

Need information on a Wisconsin circuit court case? For the first time in state history, circuit court case information is available online. With the implementation of Wisconsin Circuit Court Access (WCCA), the Circuit Court Automation Program is making circuit court information easily available to all the people of the state.

WCCA is a program that allows anyone with an Internet connection and a Web browser to view circuit court case information through the Wisconsin court system Web site, www.courts.state.wi.us. Information searches can be conducted statewide or county by county. The program was first made available to law enforcement, district attorneys, and county agencies in late March.

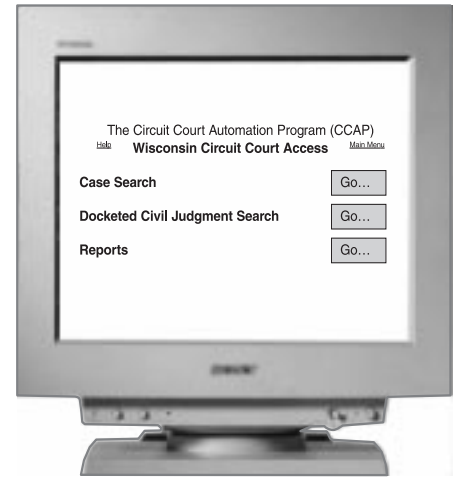
Anticipated users include: attorneys, abstractors, credit agencies, employment screeners, and the media.

WCCA provides detailed information about circuit court cases, including the defendant's name, the charge(s), and the sentence in criminal cases. For civil cases, the program displays judgment and judgment party information.

WCCA can perform case and civil judgment searches and generate reports. The case search option offers a range of search criteria, such as name, case number, case type, prosecuting attorney, issuing agency, case status, citation number, and State Bar of Wisconsin lawyer identification number.

The civil judgment search option allows searches for judgments by judgment date,

*continued on page 14*



Wisconsin Circuit Court Access is now available on the court system Web site.

## Victim Notification Law Challenges Courts

*Editor's note: Legislation that went into effect December 1, 1998, greatly expanded the rights of victims in felony and misdemeanor cases. Judges from rural and urban jurisdictions across the state were asked how the law has affected the operation of their courts.*

**Judge Thomas H. Barland,  
Eau Claire County Circuit Court:**



The victims' rights law has slowed down the processing of cases. We can no longer take an initial appearance and a plea in a single day, because notice must be given to the victim. This makes it especially difficult if we are dealing with a minor offense and the defendant has come from some distance away. Our district attorney has interpreted the law to require notice to police officers on a charge of obstructing

a police officer. Sometimes it is hard to locate the officer on short notice.

I do not think it should apply to misdemeanors. On intake we deal with scores of these in just one hour. It is very easy to slip up. I feel sorry for out of town defendants who have come long distances at great expense, only to be told they will have to come back again, even though they want to plead guilty, pay their penalty and get it over with.

*continued on page 17*

### Inside

1999 Election Winners .....	3
Court Reporter Shortage .....	7
Bus Trip Lesson .....	20

# Forum Brings Together State, Federal Tribal Courts



Chief Judge James B. Mohr

**I**tem: A Native American woman comes to Vilas County Circuit Court seeking a domestic abuse restraining order against a family member. Does the state court have jurisdiction to hear the case? The Wisconsin Court of Appeals said it does not, because the tribe had a domestic abuse ordinance, and a tribal court to enforce it.

**I**tem: A member of a Native American tribe is arrested and convicted in tribal court of hunting deer during the closed season. He

is then charged, tried and convicted in state court for the same offense. Double jeopardy? The Wisconsin Court of Appeals, acknowledging the dual sovereignty doctrine, said 'no' in an unpublished opinion and upheld the two convictions.

The Lac du Flambeau tribe currently handles all traffic, child welfare, juvenile, landlord/tenant, natural resources, and divorce matters occurring on its reservation and has indicated an interest in prosecuting certain misdemeanors. The Menominee Nation handles all cases involving Native Americans on its reservation. Last year, the Lac du Flambeau Tribal Court had 1,016 cases filed. "Tribal courts are doing the people's business and they are making a difference on their reservations," said Chief Judge James B. Mohr, Vilas County Circuit Court. "Had they not handled those cases, a number of them would have come into my court (further taxing an already full docket)."

But jurisdictional issues have created problems that need resolving. The courts took a big step in that direction in March with *On Common Ground: A Meeting of State, Federal and Tribal Courts*. The meeting—the start of what will be a two-year series of discussions—brought together more than 120 judges, lawyers, professors, legislators, federal marshals, and court staff on the Oneida Reservation in Green Bay.

The program has its roots in the Tribal Forum the State Justice Institute set up in the early 1990s to encourage communication between the state and tribal courts. While other states have brought together state and tribal judges, Wisconsin appears to be the first to invite the federal bench to participate.

Justice N. Patrick Crooks, chairman of the state court delegation to the Forum, called the meeting a big success. "We were delighted at the attendance and the enthusiasm all the participants brought to the process," Crooks said. "The Forum laid the foundation for better communication and cooperation among the court systems."

The federal judges were equally pleased. "It was a fascinating mix of perspectives and a good overview of development of the courts

in the tribes and of the differences among the tribes," said Judge Barbara B. Crabb, U.S. District Court, Western District. "It gave us a good introduction to how the tribes approach the whole idea of their adjudication function." Crabb was impressed with the commitment to identifying specific problems and finding solutions. "For example, we talked about the need to learn what resources are available on the reservations so that when we deal with members of the tribes we can utilize their hometown resources. Right now, we don't really have a lot of knowledge about what's available," she said. A suggestion was made at the meeting that a list of tribal resources be created and shared with probation officers and judges.

Officials from the tribal courts were enthusiastic about that idea, and about the results of the Forum's first meeting. "We'd like to say a special thanks to the planning committee for conducting a forum of this nature on the Oneida reservation," said Stanley Webster, chief judicial officer for the Oneida Appeals Commission. "I thought it was just extraordinary that they would decide to hold the first forum here to open the doors."

At the center of the issues discussed at the Forum was Public Law 280, the 1953 federal act that gives state courts the authority to handle criminal and civil cases on Indian land. In small group breakout sessions, participants discussed family, juvenile, criminal, civil, traffic, and regulatory law.

Guest speakers were brought in from several states to share a variety of viewpoints. Professor Carey Vicenti, of the Arizona Institute of Justice Studies, gave a luncheon presentation that was widely praised. "He talked a lot about freedom and about the many different ways we all view freedom," Webster said. "(For the tribes), conformity is setting up a formal court. We have our own traditional methods of dispute resolution and he encouraged us to look at those traditions and build from there."

After hours of serious discussion, participants were treated to a performance by Native American actors from the Duck Creek Theater Company. The group did several court-related spoofs including a send-up of the "Judge Judy" television show.

The state, federal and tribal courts have each appointed delegations to review the concerns raised at the Green Bay meeting. The delegations are setting up a mechanism for dealing with these concerns and will meet in August. It is anticipated that there will be a total of three Forum meetings in the first year of the two-year

*continued on page 17*



Professor Carey Vicenti

JUDGE CHARLES D. HEATH

# Election 1999

## Voters Send Incumbents Back to the Bench

Shirley S. Abrahamson  
Supreme Court



Chief Justice  
Shirley S. Abrahamson

Chief Justice Shirley S. Abrahamson beat Attorney Sharren B. Rose by a 2-1 margin to win another 10-year term on the high court. Abrahamson was victorious in 71 of the state's 72 counties, including Brown County, where Rose lives.

The decisive win brought to a close a long and negative campaign that moved judges, lawyers, the media and the public to call for an end to the divisiveness that threatened to chip away at the public's confidence in the Supreme Court.

For her part, Rose told the media she was "very proud" of the campaign she ran, which included a television advertisement featuring the grandmother of Cora Jones, a little girl who was murdered by a man who had been paroled. Judge Ralph Adam Fine had used this same case in his unsuccessful campaign against now-Justice N. Patrick Crooks in 1996. At that time, and again in this race, it was made clear that the Supreme Court was not involved in that case.

Endorsements from all the state's major newspapers, as well as numerous trial judges, sheriffs, district attorneys, community leaders and citizens helped propel the popular chief justice to victory. Judge Thomas H. Barland called her leadership "a breath of fresh air....She wants very much to improve the system as a whole," he said. Judge Harold V. Froehlich, president of the Wisconsin Trial Judges Association, said, "I'm a conservative, she's a liberal when it comes to judicial philosophy. But she is an outstanding chief justice as far as I'm concerned—the best one we've had in my career."

Abrahamson's third term will run from August 1, 1999, to July 31, 2009.

Gregory A. Peterson  
Court of Appeals, District III



Chief Judge  
Gregory A. Peterson

Chief Judge Gregory A. Peterson, Eau Claire County Circuit Court, ran without opposition for the Court of Appeals, District III. He will replace Judge Gordon Myse, who will retire when his term expires on July 31 (*see The Third Branch, summer 1998*).

Peterson, 52, has been a trial court judge since 1983. He is also chief judge of the Tenth Judicial Administrative District, which covers 13 counties.

Peterson and his family intend to remain in Eau Claire and he will commute to work in Wausau, where the Court of Appeals, District III, is headquartered. The district court handles appeals from the northern half of the state.

*continued on page 4*

### Chief Justice Abrahamson's Election Night Statement

For the third time in almost 25 years, I have asked the people of this state for their trust, their confidence and their votes as a member of the Supreme Court. And for the third time, they have given me just that.

Some things have not changed since that first election in 1979. I am still humbled. I am still grateful beyond words: first, to my husband, Seymour, and my son, Daniel, without whose support and patience none of this would be possible; second, to those of you who have worked so hard on my behalf over the three months of this campaign; and finally, to the voters of this state. They have rejected, once again, an emotional and divisive appeal based on misstatements about the law and the legal process. They have rejected, once again, the message of political partisanship and the campaigns of fear and negativism.

More important than what the voters have rejected, however, is what they have affirmed. The judges of this state are independent and nonpartisan, not because judges are inherently good or wise, but because the people of this state demand that their judges be independent and nonpartisan. This election reaffirmed that judgment. And next year, and the year after that, any candidate who runs for the Supreme Court would do well to remember the verdict of this evening.

People do not want Republican judges or Democratic judges. They want judges who look at the facts and the law—each time, for each case, for every individual or organization, for every plaintiff and every defendant. People do not want ideology or political philosophy in the judicial system. They do want fairness, impartiality, and common sense in the courts. And that is what they voted for today.

This is my first election as chief justice. The state constitution gives the chief justice responsibility for the state's courts, not just the Supreme Court. To the 250 trial court and Court of Appeals judges of this state, I pledge my continued support and my continued commitment to talk with them and to speak for them. To my colleagues on the Supreme Court, I pledge my continued commitment to work—with all of them—to improve the administration of justice in this state and to reclaim the legacy of the Wisconsin Supreme Court as one of the country's great state courts. I ask in return only a shared pledge from them to work hard, without partisanship or personal discord, toward that same goal. This state deserves no less. ♦

## Election 1999

continued from page 3

### Judge-Elect James O. Miller Columbia County Circuit Court, Branch 2



Judge-Elect  
James O. Miller

James O. Miller, a longtime Portage attorney who has been very active in the community, defeated Court Commissioner Ann Krummel by 209 votes, out of more than 9,000 cast, to become judge-elect for Columbia County.

He will replace Judge Lewis W. Charles who will retire July 31, after 25 years on the bench (see *The Third Branch*, summer 1998).

Miller served from 1976 to 1991 as a family court commissioner in Columbia County and has been a certified mediator since 1994. He has also served on the Portage Police and Fire Commission. He is now president of the Portage Business Improvement District and works in private practice with his brother.

He earned his bachelor's degree from Lawrence University in Appleton and his law degree from the University of Wisconsin Law School in 1971.

Krummel, judicial court commissioner since 1992 and director of Family Court Services, initiated the Community Service/Restitution Program and the Truancy Project for Columbia County Juvenile Court and currently supervises those programs.

She is the daughter of Reserve Judge Paul C. Gartzke.

### Judge-Elect Robert J. Wirtz Fond du Lac County Circuit Court, New Branch 5

Robert J. Wirtz, a Fond du Lac court commissioner and a partner with Sager, Pavlick, Wirtz & Fry, S.C., defeated opponent Jerald P. Donohue, a longtime Fond du Lac attorney, for the County's new branch of circuit court.

As commissioner, Wirtz presides in probable cause hearings for mental commitments and protective placements. In his practice, he emphasizes product liability litigation and medical malpractice defense as well as probate and real estate matters.

Wirtz is treasurer of Fond du Lac Residential Services and a past board member of the City of Fond du Lac Ethics Board, the Fond du Lac Red Cross, the University of Wisconsin-Fond du Lac Arboretum Advisory Committee, and the Mid-American Geographic Foundation.

Wirtz received his bachelor's degree from the University of Wisconsin and his law degree from the University of Missouri-Kansas City.

He and his wife, Nancy Braun Wirtz, have two daughters.

### Judge-Elect Randy R. Koschnick Jefferson County Circuit Court, New Branch 4

Assistant State Public Defender Randy R. Koschnick won 58 percent of the vote in Jefferson County to beat Thomas J. Levi, the son of a longtime Portage County judge.



Judge-Elect  
Randy R. Koschnick

Koschnick graduated from the University of Wisconsin-Stevens Point in 1982 and Hamline University School of Law in St. Paul in 1985. Since 1989, he has been an assistant state public defender in Jefferson. He also serves as office supervisor. Prior to this, he was a public defender in La Crosse.

Koschnick is co-author of *Local Court Rules of Criminal Procedure* for Jefferson County. He is also active as a judge in the Wisconsin High School Mock Trial Program and sits on the board of directors of People Against Domestic Abuse.

Koschnick is married with two daughters.

### Judge-Elect Dale T. Pasell La Crosse County Circuit Court, New Branch 4



Judge-Elect  
Dale T. Pasell

Dale T. Pasell, an assistant state public defender in La Crosse, won election to La Crosse's new branch by about 2,500 votes, beating opponent Marvin H. Davis, 58, who was making his third try for a judgeship. Pasell has served the public defenders office in various capacities (as assistant, first assistant and director of trial division) since 1979. Prior to this, he spent a year as a prosecutor in Green County.

Pasell received his bachelor's degree from the University of Wisconsin in 1975 and his law degree from the University of Wisconsin Law School in 1978. He also studied at the National Criminal Defense College at Mercer Law School in Macon, Ga., in 1990.

Pasell is a member of the State Bar's Indigent Defense Committee and sits on the Board of Directors of the State Bar's Criminal Law Section.

He is also a member of the River City Running Club and has completed 14 marathons in the past nine years. Pasell and his wife have two daughters and a son.

### Judge-Elect Glenn Hartley Lincoln County Circuit Court, New Branch 2

Glenn Hartley, 51, beat opponent Donald J. Dunphy, an assistant corporation counsel, by nearly 2,000 votes for Lincoln County's new branch of circuit court.

In private practice in Merrill since 1974, when he graduated from the University of Wisconsin Law School, Hartley has concentrated on personal injury litigation on behalf of both injured persons and defendants. He also works in the areas of family law, probate, small business organization and real estate. He has served on the State Bar of Wisconsin's Fee Arbitration panel for more than a decade and spent two terms on the Wisconsin Supreme Court's Board of Attorneys Professional Responsibility.

Hartley and his wife, Barbara, a registered nurse who works at Lincoln Hills School, have a daughter and a son.

continued on page 18

# Judicial Campaign Panel Talks Money, Free Speech

A panel of judges and lawyers took on judicial campaign financing in a lively two-hour session at the State Bar Midwinter Conference in Milwaukee.

The Wisconsin Supreme Court in 1996 revised the Code of Judicial Ethics but decided not to adopt rules pertaining to political and campaign activity. Instead, in March 1997, the Court set up a 28-person commission chaired by Senior Judge Thomas E. Fairchild, U.S. Court of Appeals, Seventh Circuit, to draft a comprehensive set of ethics rules regarding these activities. The commission submitted a preliminary report to the Court and is now working on a draft rule for the Court's consideration.

The panel discussion, chaired by Judge William J. Bauer, U.S. Court of Appeals, Seventh Circuit, and sponsored by the American Judicature Society, mixed serious debate with lighthearted observations and a sprinkling of black humor as participants grappled with the difficult issues surrounding judicial campaigns.

Following are some verbatim comments from the panelists:

## Judge-Elect Carl Ashley Milwaukee County Circuit Court:

...(W)hen you're asking for money directly or indirectly, there is the perception that you can't be independent. But I think we're going to have to live with that because some of this is not going to be resolved by whatever system we choose. There's going to always be some sense that there's a little bit of perception that, 'you owe me something' but I hope that the credibility of our judiciary is such...that that's not going to be a major problem.

## Professor Charles Clausen Marquette University Law School:

*(Editor's note: Clausen is a member of, and research reporter for, the Supreme Court Task Force on Judicial Elections and Ethics)*

The reaction we got from some members (as the Task Force discussed a list of 200 problematic issues and realized the list "barely scratched the surface") is that this illustrates why things are so tough for judges. (Things become difficult) when you get into regulating judges' behavior involving campaign finance, campaign rhetoric, speech...what can I say, what can't I say. Organizational affiliations—can I go to this dinner? Can my wife have a bumper sticker on her car for a partisan candidate if I drive that car, too?

## Judge Neal P. Nettesheim Court of Appeals, District II:

The troubling thing to me is that the money does not always translate into that kind of positive...campaign that we would like



*Judge Neal P. Nettesheim: Negative campaigns, big money appearing in judicial races.*

to hear...and expect. Our campaigns unfortunately have over the years devolved into the same kind of look and feel that a lot of partisan political campaigns have. Oftentimes these campaigns have become very negative. They pander to the fears of the public and don't accurately depict and represent what the role of the judge truly should be. Oftentimes, the money takes over the candidates, takes over the issues, dominates the whole discourse and the candidates almost recede into the background.

## Attorney Susan Steingass President, State Bar of Wisconsin:

The amount of money that needs to be raised anymore to mount judicial campaigns I think seriously restrains (the) candidates whom you would most like to serve in that office. It is an extremely awkward position for a sitting judge or a (lawyer) who wants to be a judge, to be going around to events...shaking hands and trying to get money for that candidacy. There always is that awkward thing in the back of your mind. I think one thing that really needs to be done is full disclosure of who contributes to judicial campaigns and how much. I would like to see some adoption of rules that require that sort of disclosure.

## Judge Diane S. Sykes Milwaukee County Circuit Court:

The fact remains that judicial campaigns, and particularly judicial campaigns on the local level, are largely self-financed. And this is because of the difficulty raising money for these campaigns... The groups that regularly contribute money to other sorts of campaigns don't feel—and rightly don't feel—that they get anything for their contribution to a judicial campaign. At least not in the same way that a contribution to a partisan officeholder is going to get them access or the furtherance of some sort of a public policy agenda. I think there's a recognition out there that judges are independent, and must be independent, and need to retain that independence and can't be influenced by campaign contributions. ❖

## AJS Forms Wisconsin Chapter

The American Judicature Society (AJS) formally announced the launch of a Wisconsin chapter at the State Bar's Midwinter Conference.

AJS President Lawrence Okinaga, of Hawaii, said the chapter will be dedicated to elevating the profile of judicial independence as an important issue that affects the average Wisconsin resident. Educating the public will be the goal of the chapter.

Judges and court staff wishing to participate may contact Harriet Wilson Ellis, (312) 558-6900, ext. 107, or e-mail hwellis@ajs.org. Those interested in learning more about the organization may contact Judge Richard S. Brown, Court of Appeals, District II, (414) 521-5232, or e-mail richard.brown@courts.state.wi.us. ❖

## CCAP Budget: No Relief

The Circuit Court Automation Program (CCAP), Wisconsin's national award-winning court technology system, is facing another budget crisis.

CCAP provides computer hardware, software, training and support to 2,600 users in nearly every courthouse in the state. The program depends upon fees generated from civil filings, garnishments, small claims, and other actions for funding.

While the governor's budget indicates a \$1 million increase annually in CCAP funding, the increased revenue will not be sufficient to fund even non-discretionary expenditures in 1999-2000. This gap between bills that must be paid and anticipated revenues is approximately \$400,000.

If the governor's budget recommendations are approved, CCAP will have to dip into existing revenues to cover this shortfall. This means that CCAP will have fewer dollars available for its ongoing base needs.

Requests for funding for additional staff, equipment replacement, infrastructure improvements, and a pilot imaging project (to test the usefulness of integrating document imaging into the court management system) were effectively denied.

In addition to not providing sufficient revenues, the governor's budget denied CCAP's request for additional positions. This will lead to longer waits for service, deteriorating equipment and outdated software. The planned completion of outstanding implementations has also been put in jeopardy.

Chief Justice Shirley S. Abrahamson and Director of State Courts J. Denis Moran addressed the Joint Committee on Finance on March 25 with these concerns, and with a request for increased compensation for reserve judges. In addition, Chief Judge Thomas Cane, Court of Appeals, District III, addressed the Committee to request additional staff attorneys in the Waukesha and Milwaukee appellate offices. The text of Abrahamson's and Cane's remarks can be found on the court system Web site, [www.courts.state.wi.us](http://www.courts.state.wi.us). ❖

## Appellate Workshop Gives Hands-On Experience

The University of Wisconsin Law School hosted a unique learning experience featuring faculty from the state and federal appellate courts on March 8. The justices and judges conducted the first-ever Appellate Skills Workshop for 30 attorneys who snapped up spots on the day it was announced.

The attorney-students came from Fox Point, Green Bay, Hudson, Janesville, Jefferson, Kewaunee, Madison, Milwaukee, Rhinelander, River Falls and Waukesha to attend the program. One Wisconsin lawyer currently living in Alaska even came back to take part.

The group of 30 (numbers were limited to facilitate one-on-one interaction) attorney-students participated in a full day of interactive, hands-on workshops designed to improve their appellate advocacy skills. In preparation for the workshop, each attorney was assigned to write a brief for critique. Throughout the day, each brief received critique from several justices, judges and members of the State Bar's Appellate Practice Section. In addition, six courtrooms were set up, each with a panel of three justices and judges, and each participant presented a respondent's argument (the appellant's argument was presented on videotape by Attorney Brady C. Williamson). Immediately following the arguments, attorney-students received a personal critique from one of the justices or judges on the panel.

To end the program, a model oral argument was presented by two experienced government lawyers, Sally L. Wellman, of the Department of Justice, and Charles B. Vetzner, of the State Public Defender's Appellate Division. A faculty panel discussed the oral argument and then took questions from the attorney-students.

Participants and organizers were delighted with the workshop. "We thought it was a huge success," said Attorney Donald L. Romundson, an appellate practitioner and former law clerk to Wisconsin Supreme Court Justice William A. Bablitch and Court of Appeals Judge Thomas Cane. "The participants really appreciated what they got out of the workshop. They were very happy to do all the work because it was such a useful experience for them." Romundson added that faculty learned something from their direct



Attorney Jeffrey Davis presenting at the Appellate Practice Workshop.

interaction with the attorneys as well. He emphasized that all appellate judges in the state were supportive of the workshop, but some could not participate due to scheduling conflicts.

Supreme Court faculty included: Justices William A. Bablitch, N. Patrick Crooks, David Prosser, Jr., and Jon P. Wilcox; retired Chief Justices Roland B. Day and Nathan S. Heffernan; and former Justice Janine P. Geske. Court of Appeals faculty included: Judges Daniel P. Anderson, Richard S. Brown, Thomas Cane, Patricia S. Curley, Charles P. Dykman, William Eich, Michael W. Hoover, Gordon Myse, Harry G. Snyder, Patience D. Roggensack, Margaret J. Vergeront; and Reserve Judge Paul C. Gartzke. Judge John C. Shabaz, U.S. District Court, Western District, and Dean Howard Eisenberg, Marquette Law School, also participated as faculty.

Judge Frank H. Easterbrook, Court of Appeals, Seventh Circuit, gave the keynote address, winning high marks in follow-up questionnaires as an excellent speaker. Justice Bablitch kicked off the program with a speech entitled *Persuading the Court: Effective Briefs and Argument*, which a number of participants praised as giving practical tips that they planned to incorporate into their work.

Another workshop is being planned for 2001 at Marquette University Law School. ❖

# PPAC Focuses on Court Reporters, ADR

by: Dan Wassink  
Senior Policy Analyst, Director of State Courts Office

The Planning and Policy Advisory Committee (PPAC), the court system's primary long-range advisory group, has formed two new subcommittees to examine court reporting and alternative dispute resolution following a discussion with the Supreme Court. These two issues present unique challenges and opportunities for court managers.

## The Court Reporter Shuffle

Finding and retaining good workers in the current labor market can be difficult. But imagine having a job vacancy that goes unfilled for nearly two years. Such was the case when a Wisconsin court reporter resigned in August 1996. Due to a lack of applicants, it was not until June 1998 that a new reporter was on the job. That may be an extreme case, but a shortage of court reporters is becoming common in the state. This means district court administrators often need to shuffle resources at the last minute to ensure that each courtroom has a reporter available to prepare the official record of court proceedings. Sometimes this is not possible and judges are forced to delay or cancel court for the day.

The PPAC subcommittee will take a long-range look at this problem and suggest solutions to the shortage that will also support existing, official court reporters. Several reporters have been called in to help with this effort.

## A Ringing Endorsement for ADR

Now imagine a challenge of a completely different sort. A couple has lived together for several years before deciding to get married, but the relationship breaks up before they walk down the aisle. She refuses to give back the engagement ring, a treasured family heirloom that had belonged to his mother. He sues to get the ring back.

This is a true story, one which was resolved by finding common ground. Both parties very much wanted to maintain

the bond the man had developed with the woman's son from a previous relationship. So the man agreed to continue that relationship and the woman agreed to give the engagement ring to her son. Both individuals were happy with the result, which settled the material dispute and saved an important relationship at the same time.

The unique resolution of this case was possible through alternative dispute resolution (ADR). ADR uses several different methods, most often mediation by a third neutral party, to resolve civil disputes outside of the traditional courtroom setting. That saves valuable time and money for all concerned. It also allows the litigants to proceed in a less adversarial setting and come up with their own solution, with the help of a mediator.

After a public hearing in 1993, the Supreme Court adopted a rule authorizing circuit courts to refer cases for court-connected ADR. The Supreme Court rule allows a judge to order the parties to attempt an alternative means of settlement such as binding arbitration, mediation, mini trial, nonbinding arbitration, and summary jury trial. The parties may agree on the settlement alternative, the person to provide the settlement alternative, and the payment of the provider. When the parties cannot agree, the judge selects the least costly alternative that he or she believes is likely to bring the parties together in settlement. However, the judge may not order certain settlement alternatives, such as binding arbitration or summary jury trial, without the parties' consent.

Over the last six years, the use of ADR in many Wisconsin courts has helped reduce case backlogs. However, this is still a relatively new field and there are roadblocks that prevent its expansion in the court system. The PPAC subcommittee plans to examine the types of ADR programs operating around the state and identify features that make them successful. In collecting and disseminating this information, the subcommittee hopes to break down some of the barriers that prevent the widespread, consistent use of ADR in Wisconsin courts. ❖

# Starting a Pro Se Center, a Court Improvement Project



Judge Kathryn W. Foster

No one can dispute that *pro se* litigation numbers are on the rise, and that *pro se* litigants present unique problems to the system, court staff and particularly the judges," said acting Chief Judge Kathryn W. Foster, Judicial Administrative District III. To deal with those problems, Foster is trying to establish a *Pro Se* Litigation Center in Waukesha County. By bringing together lawyers, court clerks and staff, county board supervisors and executives, court commissioners and judges, and mediation services,

she hopes the Center will meet many needs of *pro se* litigants and improve the administration of justice.

To date, work on this project has included meeting with court staff, visiting a *pro se* center in Phoenix, taking a survey, establishing a working committee, and identifying funding sources. If all goes as

planned, the Center will open in January 2000, and possibly sooner if a grant application to the Milwaukee Foundation is successful.

Foster developed this idea while attending the 1998 Institute for Faculty Excellence in Judicial Education. The Institute's goal is to help participants identify their role in, and personal passion for, improving the administration of justice. The program provides judges with the knowledge, skills and support necessary to complete an independent project to improve the courts. Participating judges are then called upon to share what they have learned with other judges and court staff throughout the country. The Institute is sponsored by the National Council of Juvenile & Family Court Judges (NCJFCJ) and funded by a grant from the State Justice Institute. ❖

For an update on the Waukesha County center contact Foster at (414) 548-7562. To learn more about the Institute, contact Krista R. Johns of the NCJFCJ at (775) 327-5300 or by e-mail at [johns@pppncjfcj.org](mailto:johns@pppncjfcj.org).

# New Rock County Courthouse Opens



Judge James P. Daley

Eight years after Rock County judges first began discussions with the Rock County Board on the need for a new courthouse, a 94,000 square foot building, an addition to the Rock County Courthouse in Janesville, is open for business. The addition contains five jury courtrooms, offices for the judges, judicial assistants, court reporters, and bailiffs; a jury assembly room, offices of the clerk of circuit court, and holding cells for 72 prisoners.

The building has a central security screening system, a parking ramp, and more space, but the biggest improvement is the Clerk of Circuit Court Office.

"I cannot emphasize enough how important it has been to consolidate the clerk's office," said Rock County Circuit Court Presiding Judge James P. Daley. In the past, the office and its files were scattered among a number of rooms in the Rock County courthouses in Janesville and Beloit.

Now that the new courthouse is complete, remodeling of the old courthouse is underway, with a projected completion date of April 2000. There will be three jury courtrooms retained in the old building. When it is finished, the three judges who currently have

courtrooms in Beloit—Edwin C. Dahlberg, John W. Roethe and James E. Welker—will move to Janesville. The courthouse in Beloit will be retained and used for hearings involving litigants from the southern part of the county.

The Rock County Board approved the project in 1993. The total tab for the project—including the new building, the remodel of the old building and two parking ramps—will be an estimated \$18 million.

The first Rock County Courthouse was occupied in 1842. It burned in 1859 and was replaced a decade later by a stone building. According to the Rock County Historical Society, the dedication ceremony for the second courthouse was held in February 1871 and came with a 50 cent charge for admission, causing a stir in the community which left its mark in the editorial pages of the *Janesville Gazette*. By the mid-1900s, the second courthouse was deemed inadequate and a new facility was constructed in Courthouse Park. That building, with its 84,000 square feet of space, is now connected to the new courthouse. ❖

*The new general number to reach Judges Daley, John H. Lussow, Michael J. Byron, and Richard T. Werner, is (608) 743-2225, fax (608) 743-2226. Clerk of Court Eldred Mielke is at (608) 743-2350, fax (608) 743-2223.*

## Revising Security Reporting Procedures

In 1998, security screening stations in family and children's courts in Milwaukee County caught and confiscated a veritable arsenal of weapons traveling into court in pockets, backpacks, purses and waistbands. The take, according to Chief Judge Michael J. Skwierawski, included: 2,196 knives, 427 scissors, 338 razor blades, 236 box cutters, 239 chemical irritants, 77 bullets, 2 brass knuckles, and 1 gun.

The bright spot: no hand grenades (there was one confiscated in 1997).

The Milwaukee County Courthouse does not have perimeter security screening; rather, there are four "satellite" security stations screening people who use family court and related offices. People using the courthouse's two felony and 11 misdemeanor courts are not screened for weapons.

Courthouse security incidents are an issue throughout the state. In 1997, in Racine County, a 24-year-old reputed gang member along with his friends and family shouted insults and threats as the judge sentenced him to 89 years in prison for homicide. When

the man stood up, deputies surrounded him and removed him from the courtroom.

In 1996, it took four sheriff's deputies to subdue a 30-year-old man who became enraged when La Crosse County Judge Dennis G. Montabon set his bond at \$1,000 cash. "But for the quick reaction of these officers, I and Intake Court Clerk Pam Radtke would have likely been physically assaulted and injured," Montabon wrote the next day in a letter to then-Chief Justice Roland B. Day.

Reports of verbal confrontations and telephone and mail threats (some letters have even included ads for cemetery plots) are being monitored closely by the Supreme Court's Planning and Policy Advisory Committee (PPAC). PPAC is now looking at how these data are gathered in hopes of improving the reporting of these incidents.

Supreme Court Rule 70.39 requires each county's courthouse security committee to compile and submit semi-annual reports detailing security improvements, construction or remodeling plans, and

the prevalence of security incidents. While these reports are being submitted to PPAC, the committee believes that at least some court security incidents are going unreported.

This has prompted a review of the existing report forms. To improve security incident reporting, PPAC is considering:

- creating a partnership with local law enforcement to gather information,
- establishing a contact person to gather incident reports in small counties, and
- improving reporting methods in compliance with Supreme Court guidelines.

PPAC hopes to design a form that will be easy for counties to complete and will provide the necessary information so that progress on courthouse security can be adequately gauged. ❖

*Judges and court staff are encouraged to contact District Court Administrator Steven R. Steadman, District VII, at (608) 785-9546, with ideas for improving security incident reporting.*



# Ride-Along Program Wins Praise



Rep. Mark Pocan

The Judicial Ride-Along Program, begun in 1993 as a way to improve relations between the judicial and legislative branches, is winning praise from recent participants.

Judge Gerald C. Nichol, Dane County Circuit Court, recently spent a morning hosting Rep. Mark Pocan, D-Madison. Pocan joined Nichol on the bench for duty court, a full morning of domestic abuse and harassment petitions. During the course of the morning, Pocan also had an opportunity to watch the judge's clerk research several criminal and family law cases using Circuit Court Automation Program (CCAP) technology in the courtroom.

In a follow-up questionnaire, Nichol wrote: "At the end of the morning Rep. Pocan and I spent about 45 minutes discussing many justice system issues, e.g. Truth in Sentencing, prison overcrowding, juvenile court, courtroom security and domestic violence. This was wonderful give and take. He is a bright, well informed and engaging legislator, whom I believe found the experience very helpful."

When Dane County Judge Mark A. Frankel hosted Rep. Mark Miller, D-Monona, he not only demonstrated CCAP but also showed Miller how to use the Internet for legislative research. Miller called CCAP "a powerful tool that improves the efficiency of the judicial system."

Like Pocan, Miller sat on the bench with Frankel for several hours of duty court. He watched Frankel grant a restraining order and observed arguments about a change in parole. Miller wrote that he was troubled by the cramped workspace available for

Frankel's staff and impressed with a "dramatic example of the respect accorded judges" when he watched Frankel locate an out-of-state party to a dispute who had been unresponsive to messages from the attorneys.

Dane County Judge Patrick J. Fiedler hosted Sen. Jon Erpenbach, D-Madison, for two hours of pleas and sentencings. After the visit, Fiedler wrote: "He had questions about my views on Truth in Sentencing and criminal law. Before he left, he encouraged me to call him at any time with any questions, concerns and comments re: current or proposed law. I said that he should feel free to do the same."

After a half-day on the bench in Outagamie County with Judge Dennis C. Luebke, Rep. Lee Meyerhofer told *The Kaukauna Times* that the program was "...eye-opening. You don't realize what they do in a day." Meyerhofer experienced firsthand the importance of good interpreters when an interpreter needed for back-to-back cases failed to show. After being sworn to keep the proceedings confidential, Meyerhofer also witnessed the granting of two search warrants. He said he appreciated the professionalism he saw in the process and now has a better understanding of the work police must do to secure a search warrant.

At the end of the day, Meyerhofer made a statement that captured much of the purpose of the Ride-Along Program. "It [the program] gives you a more full concept of what a law change really entails when it comes to a criminal activity because it's not just 'we'll make the law and now everything's OK,'" he said. "That isn't reality." ❖



Judge Gerald C. Nichol

## Clerks Learn 'Verbal Judo'

It's a lesson worth remembering: Listening and "projecting a listening face" are key to calming angry customers and maintaining one's authority in a tense situation. The most powerful tool for effective listening is paraphrasing, which enables one to take control of a tense situation, to make sure that the customer is understood and to help him believe that there is a sincere interest in understanding the situation from his viewpoint.

The lesson came courtesy of Lieutenant Jay Maritz, Walworth County Sheriff's Department. His pupils were clerks of circuit court from around the state who had gathered in Madison for the 1999 Clerks of Circuit Court Institute held March 16-18.

Maritz, an expert on managing angry people—or, as he calls it, verbal judo—gave the clerks solid tips on dealing with potentially explosive situations. He noted that good listeners are rare, and that many people, when they are not talking, are simply waiting to interrupt rather than listening.

He also told the clerks to develop a sense of "otherness;" that is, imagine what it might be like to see through the eyes of the angry customer and then construct a means for communicating with that person. Maritz also encouraged the clerks to consider it part of the service they provide to "think for others as they might think for themselves 48-72 hours (after the incident)."



Lieutenant Jay Maritz speaking to clerks of circuit court.

Maritz's presentation came during a two-and-a-half-day session which included, among other topics, a section on ethics with Judicial Commission Director James C. Alexander and a primer on open records from Assistant Attorney General Alan Lee. ❖



Judge  
Harold V. Froehlich

In February, Outagamie County Circuit Court Judge **Harold V. Froehlich** attended the American Bar Association (ABA) National Conference of State Trial Court Judges in Los Angeles. At the conference, the Committee on Retired and Senior Judges discussed proposed ABA standards for judicial retirement. As a member of that committee, Froehlich reported that the most important proposed standards include abolishing the mandatory retirement age for judges

(already done in Wisconsin) and setting a per diem for a reserve judge prorated to the salary of the judge he or she is replacing.

The *Adoption 2002 Symposium: Permanency for Children* took **Michelle Jensen**, court improvement program coordinator, to Washington, D.C., in January. The purpose of the symposium was to discuss current issues in child welfare legislation and to comment on a draft of the *Guidelines for State Legislation Governing Permanence for Children*. The guidelines, developed by child

welfare professionals convened by the U.S. Department of Health and Human Services, are designed to help states implement the Adoption and Safe Families Act. Jensen recommends that after the guidelines are finalized, Wisconsin courts review them and work to distribute the publication to state legislators serving on child and family committees.

Court Information Officer **Amanda K. Todd** and state law librarian **Marcia J. Koslov** represented Wisconsin at the *Public Understanding and Perceptions of the American Justice System* symposium in February. The symposium, held in Washington, D.C., featured the best public outreach programs from a number of states. One program that might be considered for replication in Wisconsin is the Clergy Outreach Project begun in Los Angeles. The Project periodically arranges meetings among judges and a multi-faith/cultural/racial/ethnic group of religious leaders to educate the clergy about different areas of the justice system. This has been helpful to the clergy, who are often called upon to counsel parishioners involved with the justice system, and to judges, who gain insight on community concerns from these leaders. ❖

## Court Reporters Announce Retirement

**D**uane A. Peterson, a court reporter in Waushara County since John F. Kennedy was president, will retire this summer after 37 years on the job. Thomas G. Howard, court reporter for Judge Thomas J. Sazama in Chippewa County, and Vernon J. Langhorst, court reporter for Judge Dane F. Morey in Buffalo/Pepin counties, both also announced they will retire, but were not reached for interviews.

During his tenure in Waupaca, Peterson worked for Judges Boyd Clark, James Poole, Jon P. Wilcox (now a justice on the Wisconsin Supreme Court), and Lewis R. Murach.

Peterson took the job straight out of business school in Minnesota. A native of North Dakota, he was so delighted to meet a fellow North Dakotan in Wautoma that he married her. Peterson and his wife, Mary, have two adult children, Lisa and David, and a grandchild on the way.

Asked about his plans for retirement, Peterson said he would likely continue to spend time in court, as a *per diem* reporter. "It's a rewarding job and I like it a lot or I wouldn't have stayed here so long," he said. "Judge Murach is one of the nicer judges I've worked with, and Justice Wilcox was just a great guy to work for. Everybody liked him around here and we really hated to see him go."

Peterson also plans to play more golf and to continue with a childhood hobby he recently rediscovered, building model airplanes. "The difference is, now I can afford to put motors in them," he said. ❖

## Gempeler Sidelined by Virus

**C**hief Judge Mark S. Gempeler, Waukesha County Circuit Court, hopes he will be permitted to return to the bench by June 1 following a lengthy illness.

Gempeler, 50, has been out since November 1998 with a heart virus. He told the *The Freeman* in Waukesha that he does not know the source of the rare virus but suspects it might have been stagnant lake water he swam in last spring.

During his recuperation, a blood clot formed in his leg and he ruptured a disc in his back, both of which further complicated the recovery.

In his absence, Judge Kathryn W. Foster has been filling in as chief judge of the Third Judicial Administrative District. ❖

## Muni Judges Meet with Legislators

**T**he Wisconsin Municipal Judges Association hosted a reception/business meeting at the Concourse Hotel in Madison on February 9 that brought together 30 judges, more than 20 legislators, and five Supreme Court justices (Chief Justice Shirley S. Abrahamson and Justices Jon P. Wilcox, Ann Walsh Bradley, N. Patrick Crooks and David Prosser, Jr.). Madison Mayor Susan J.M. Bauman also attended.

At the meeting, the judges presented municipal judge legislative proposals to all the legislators in attendance. Milwaukee Municipal Judge Louis B. Butler, Jr., called the reception a "huge success." ❖

# VOLUNTEERS IN THE COURTS: \_\_\_\_\_

## A Partnership for Justice

by: Karen Leone de Nie  
Program Assistant to the Supreme Court

### Milwaukee Bench Bar Committee Serves Needs of Pro Se Litigants



Milwaukee Attorney Ernesto Romero assists a pro se litigant with family law forms.

Stop by the seventh floor of the Milwaukee County Courthouse any week day between 1 and 2 p.m. and you will find Ernesto Romero, Mary Triggiano-Hunt, Craig E. Miller, Andrew J. Chevrez or another Milwaukee attorney helping people file for divorce, seek custody rights, or apply for restraining orders.

They are volunteers at the Pro Se Forms Assistance Center. For one hour a day, five days a week, a family law attorney is available to help *pro se* litigants fill out legal forms at no charge. The Center provides legal services to all county residents, while it also helps

decrease delays in Milwaukee's court calendar by helping *pro se* litigants find the right forms and fill them out correctly.

Founded by Romero, the Center opened in January 1997 with the support of Milwaukee County Circuit Court Judge Michael P. Sullivan and Family Court Commissioner Michael Bruch. In the first month Romero helped 40 people. Now, a team of volunteers helps more than 150 people each month, with clients arriving as early as 8:30 a.m. to wait in line for assistance. The Center moved to the seventh floor location this year, after outgrowing the space available at its original home, the Milwaukee Legal Resource Center.

The Center receives no funds, just Chief Judge Michael J. Skwierawski's contribution of space in the Milwaukee Courthouse and the volunteer hours of members of the Wisconsin Hispanic Lawyers Association and the Association of Women Lawyers. The 1999 goal is to have two attorneys available each day, with at least one who speaks Spanish.

Romero, a Milwaukee family law attorney for nine years, is the Center coordinator. He recruits attorneys, schedules assignments, and provides information and support for the other attorneys in addition to giving free legal assistance. For his efforts, Romero is being honored with the State Bar of Wisconsin Pro Bono Award for an individual attorney at the 1999 Volunteer Lawyers Recognition Celebration in April. ♦

For more information about the Center, contact Ernesto Romero at (414) 403-5000.

### Vernon County Recruits Mentors

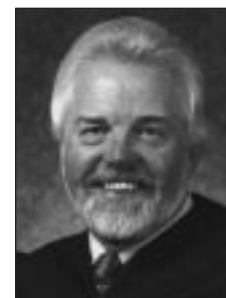
When a juvenile gets in trouble in Vernon County, numerous agencies and organizations stand at the ready. Law enforcement, the court, the District Attorney's Office, the Department of Human Services, the Office of Families and Children, the Community Action Program, schools, parents, and others all play a part in helping youth get back on the right track. It's not rare—many counties have inter-agency cooperation for juveniles at risk—but it is giving Vernon County the support it needs to get new programs started.

A fall forum, titled *Juveniles At Risk: Get the Facts*, brought together professionals and the community to talk about juvenile crime and how to help teens. More than 100 community members attended the event coordinated by Dionne Cary, juvenile delinquency specialist at the Wisconsin Coulee Region Community Action Program, Inc. (CAP). Vernon County contracted with CAP in 1997 to provide special services for juveniles.

"The forum gave people a chance to talk one-on-one with individuals that they don't usually have a chance to talk to, people like Judge Rosborough," said Cary.

Vernon County Circuit Court Judge Michael J. Rosborough, along with school and law enforcement personnel and county officials, comprised the panel for the forum. Discussion focused on what the professionals were facing and how to help kids. What better time to announce a new juvenile mentor program and start recruiting volunteers.

The new program, called Connections, started in April and is coordinated by Cary. Connections matches adult volunteers with



Judge  
Michael J. Rosborough

*continued on page 12*

## Vernon County Recruits Mentors

*continued from page 11*

first-time juvenile offenders or youth at risk. Referrals are made by the Vernon County Department of Human Services, the Families and Children Center, and parents. As volunteer numbers grow, schools may also be asked to make referrals. As early as March, Cary was receiving referrals from parents who heard about Connections at the forum.

Mentors spend two hours a week with the juvenile, going fishing, playing basketball, or just being together. The activity is not important; the goal is youth spending time with supportive role models.

According to Cary, many of the kids referred to the program come from single-parent households, so a boy living with his mother may be lacking a positive male role model. Connections will try to match that boy with a male volunteer.

Volunteer mentors attend an orientation training session and will receive continuing support from Cary. Volunteers will be asked to make a six-month commitment. Cary hopes to recruit 20 volunteers by the time the program is fully operational.

Connections is just one element of Vernon County's efforts to help juveniles. CAP also monitors court-ordered community service for youth, hosts activities for at-risk juveniles, and encourages teens to learn about and get involved in the community.

In some cases, court-ordered community service has turned into a rewarding volunteer opportunity. Juvenile offenders have continued volunteering at the hospital, the YMCA and the schools

even after they have completed the community service hours ordered by the court. Last year 80 juvenile offenders successfully completed the program, including community service, restitution and other activities. "Having someone monitor compliance with community service, especially for juveniles, has made the difference between night and day," said Rosborough.

The special activities planned for juveniles, from roller skating to whitewater canoeing, "expose them to things that they seem to be lacking," said Cary. Last year, Cary took juveniles to a Ropes Course where as a group they climbed ropes and navigated obstacles. The goal was to build confidence and group cooperation. At the end of the course, according to Cary, a boy she saw as "defiant" and difficult to reach told her that the course was the "coolest" thing he had ever done without taking alcohol or drugs.

Juveniles are also gaining a voice in the community. For the past year high school students have served on the local Prevention Policy Board, which makes recommendations regarding use of the grant Vernon County received from the Office of Justice Assistance in 1996. These students help keep board recommendations realistic by telling the adult board members what is really happening in the schools and in kids' lives.

As a result of the forum, Connections has attracted the interest of the local Lions Club and school board, with each group promising volunteers. More than 10 people attended a training session in March. ❖

*For more information about Connections, contact Dionne Cary at (608) 637-7450.*

## Organizations Harness Power of Internet to Recruit Volunteers

VolunteerMatch, a free online database, has matched people interested in volunteering with more than 23,000 opportunities in less than two years.

VolunteerMatch is powered by volunteer organizations. The organizations post volunteer opportunities on an easy-to-use form on the VolunteerMatch Web site. Volunteers can then search the online database for local opportunities that fit their interests. The database can be searched by ZIP code, category or date. After finding a good match, the volunteer contacts the organization (or a member of the organization) by e-mail. This service allows organizations to reach the volunteers who use the Internet as a primary source of information.

VolunteerMatch is a service of ImpactOnline, a non-profit organization investing in the development of public interest Internet applications. It has been promoted by Netscape, America Online, Microsoft Network and *USA Today*.

To learn more about VolunteerMatch visit the Web site at [www.volunteermatch.org](http://www.volunteermatch.org). ❖

## La Crosse Guardianship Monitors on the Lookout

A volunteer monitoring guardianships for the La Crosse County Circuit Court recently found a \$400,000 discrepancy in a ward's 1998 account. In response to this "red flag," the court directed the guardian ad litem to investigate and report back to the court and the monitor on the apparent discrepancy.

Fortunately, the investigation turned up answers that alleviated the court's concerns, but the incident demonstrates how volunteers can help the court system monitor guardianships. The volunteers in La Crosse, who have been on the job since spring 1998, have audited every guardianship case pending in the county.

In addition to performing audits and conducting research, the 17 trained volunteers offer help and support to the guardians and wards of the court. The program started with support from the American Association of Retired Persons, but now operates independently. ❖

# Instead of Jail, Scofflaws get John Denver Song

Reprinted with permission from the Associated Press

Fort Lupton, Colo.—They don't take requests at this after-hours club and there's definitely no karaoke. The DJ is a police officer, and he's ready to bounce anyone who dances or talks.

Employing something like the aversion therapy in the movie "A Clockwork Orange," Municipal Judge Paul Sacco requires people convicted of violating the city's noise ordinance to listen to music they don't like.

The noise scofflaws—most of whom got in trouble for playing their stereos too loudly—gather once a month, on a weekend night, to listen to court-selected songs. The offenders are mostly young, so there is a heavy dose of lounge music, including Wayne Newton and Dean Martin, plus some Navajo flute music, bagpipes and John Denver songs.

During the most recent session, the group of seven heard one of the judge's own jazz compositions, "I'm Sleeping in My Car."

Seventeen-year-old David Mascarenas was apparently scared straight.

"I'm not going to jam no more," he said. "I took my stereo out already. I don't want to be hassled no more."

Court Coordinator Patrice Redearth, who suggested the one-hour music treatment, said she got her first playlist by asking her 17-year-old "what the kids would hate."

The worst selection was the "Barney" theme song, said Ryan Bowles, 21, adding, "If you laugh, they cite you for contempt."

The DJ police officer, Joe Morales, said there's something annoying for everyone, and it works. He recalled having problems "with one kid three or four times. He came here once and he hasn't been back."

A requiem might have been the most appropriate choice for the most recent session, Feb. 26. It certainly looked like a funeral. One teen wore a shirt that read, "I hate this town."

Sacco's program debuted Dec. 5 in this agricultural and industrial town of 5,200 people 30 miles north of Denver. The sessions are held in City Hall. Most of the offenders are rap-loving teens. But not all.

"There was a guy who was 45 who got a ticket for listening to Bob Seger," the judge said.

Sacco, who is 45 himself and has been playing the blues guitar since he was 10, said the point he is trying to make is that "it's wrong to impose your music or style on someone else."

"You've got guys going around now with 15-inch speakers in a small car with

a 1,000-watt amplifier," the judge said. "Maybe the ordinance will help them save their ears." ❖

## A Little 'Volare' Should Teach Them

Here's the playlist for the most recent music punishment session:

- Beethoven's Fifth Symphony, Moonlight Sonata and Fuer Elise
- Wayne Newton, "Danke Schoen"
- Wayne Newton, "Bill Bailey Won't You Please Come Home"
- Disney's "This Old Man"
- Judge Paul Sacco, "Sleeping in My Car"
- Trevor Jones, "Theme from 'The Last of the Mohicans'"
- Dean Martin, "One Cup of Happiness"
- Dean Martin, "It's Cryin' Time"
- Tony Orlando and Dawn, "Tie a Yellow Ribbon 'Round the Ole Oak Tree"
- Hugo Montenegro, "Theme from 'The Good, the Bad and the Ugly'"
- Jerry Vail, "Volare"
- Henry Mancini, "Love Theme From Romeo and Juliet"
- John Denver, "Sunshine on my Shoulders"
- Indian flute instrumental
- Roy Rogers and Dale Evans, "Happy Trails to You"
- Roger Whitaker, "I'm Going to Leave Old Durham Town" ❖

—Associated Press

## DOT Announces Policy Change

Starting immediately, the Revocation and Suspension Section of the Bureau of Driver Services will no longer return court orders for failure to pay forfeitures which have been ordered against a company or corporation.

The Bureau is unable to suspend or revoke the operating privileges of such businesses or organizations. Their practice has been

to return the orders to the courts acknowledging the fact that they could not process them. The demands of an increasing workload no longer afford the opportunity to mail such orders back. ❖

Questions and comments on the new policy may be directed to: Jeff Knupp, Revocation and Suspension Section, Room 301, 4802 Sheboygan Ave., Madison, WI 53702. Phone: (608) 267-5242.

# 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*

## LEXIS Web Lecture Series

<http://lawschool.lexis.com/weblec/>

The Web Lecture Series, created by Professor Michael A. Geist of the University of Ottawa Law School, provides commentary and supporting resource links in 17 law-related areas. Examples include: business law, civil procedure, constitutional law, contracts, criminal law, Cyberspace law, environmental law, family law, human rights law, intellectual property, labor and employment law, legal research and writing, property, public international law, taxation law, and torts. Web Lectures use "frames" to simultaneously discuss the issues raised on a Web site and browse the site. The corresponding sites link to primary sources such as case law and statutes, secondary sources such as articles and analysis, multimedia presentations, tutorials, and more.

A recent addition to Web Lecture is Web Buzz. This lecture, updated twice a month, will feature current issues in technology or the law.

## New Directions from the Field: Victims' Rights and Services for the 21st Century

<http://www.ojp.usdoj.gov/ovc/new/directions/>

Now available online, *New Directions from the Field* is a comprehensive report and set of recommendations on victims' rights and services. Funded by the U.S. Department of Justice, this publication is a compilation of three years of information from crime victims, victim advocates, criminal justice practitioners, members of the judiciary and law enforcement, prosecutors, corrections officials, religious leaders, and others. By presenting differing views, this report aims to help communities develop a strategy for providing services for all crime victims.

## Circuit Court Records

*continued from page 1*

satisfaction date and docketed date, in addition to case number, case type, class code, and judgment party name.

WCCA also offers the ability to generate reports. These reports include calendars for court officials, attorneys, and issuing agencies; civil judgment reports and a criminal summary report. The attorney and the court official calendars can be generated statewide, so those with activities in multiple counties can view all activities for a given time period.

To facilitate access to circuit court records, CCAP first created Windows Court Access for use in counties where an integrated computer system involving multiple county agencies would be replaced by CCAP's case management system. Windows Court Access was an interim solution that proved inadequate. It was labor

The following law-related Meta sites are good starting points for legal research on the Internet:

### Findlaw & LawCrawler

<http://www.findlaw.com> and

<http://www.lawcrawler.com/index.html>

Findlaw has been nominated for a 1999 Webby (the "Oscar of the Internet") in the Best Politics and Law Site category. Special features include Consumer Law and Small Business Centers for non-lawyers, a legal subject index, links to federal and state resources, legal news, and a custom search engine for finding legal information called LawCrawler.

### Legal Information Institute

<http://www.law.cornell.edu/>

The Legal Information Institute site, maintained by Cornell Law School, was voted "Best Law School Web Site" by LegalOnline.com in 1998. This easy to navigate site features access to U.S. Supreme Court decisions within moments of release as well as links to federal circuit court and state courts opinions, U.S. Code, Congressional Record, federal and state legislation, and more.

### Heiros Gamos, the comprehensive legal and government portal

<http://www.hg.org>

Heiros Games is operated by Lex Mundi, a group of over 140 law firms spanning the globe. It posts a directory of law-related organizations, associations and institutions, and features links to discussions groups, online seminars, organizations, law firms, legal journals/newspapers, and employment resources. ❖

intensive for both CCAP staff and users, required custom installation on each workstation, and needed an individual licensing agreement for each workstation using the software.

CCAP chose an Internet solution because it eliminates the problems of the previous program, can be easily upgraded from CCAP's Madison office, and is free for anyone with a browser and an Internet connection.

Due to statutory requirements, WCCA users will not be able to view restricted cases and cases with certain Wisconsin Court Information System (WCIS) Class Codes. The calendars will display restricted case types, but not restricted information. For example, juvenile case numbers will appear on the court official calendar without captions. In addition, no data will be available for Outagamie, Portage and Walworth counties which have elected not to use CCAP, or for Ozaukee, Waukesha (criminal court), and Wood counties, which are not yet using complete CCAP programs. ❖

# People in the News

In February, Fox Valley high school students talked about the “reasons and reality” behind teen drug and alcohol use on Court TV’s “Your Turn,” a town hall-style talk show where teens and community leaders discuss legal and social issues. Also appearing on the show were Outagamie County Circuit Court Judge **Joseph M. Troy** and Wisconsin Attorney General **James E. Doyle**, reported *The Oshkosh Northwestern*.

Wisconsin Supreme Court Justice **N. Patrick Crooks** was shown swearing in U.S. Representative **Mark Green** in the *Green Bay Press-Gazette*. Justice **David Prosser, Jr.**, gave the opening remarks at the celebration.

Milwaukee County Circuit Court Judge **Richard J. Sankovitz** used the story of a couple who solicited help in finding their white minivan in a large, crowded parking lot to encourage lawyers to prepare persuasive sentencing recommendations at an Association of Women Lawyers program. When the vehicle was found by security staff, they said it would have been “helpful if you had told us about the lime-green canoe on top of your minivan.” The point was that too often lawyers give generic statements about their clients at sentencing. Sankovitz encouraged lawyers to give details that differentiate their case from many other cases a judge hears in one day, reported *The Daily Reporter* (Milwaukee).

In January, a renovated jail annex and new pretrial facility opened in Kenosha, reported the *Kenosha News*. Attending the dedication ceremony were Second District Chief Judge **Barbara A. Kluka**, Racine County Circuit Court; County Executive **Allan Kehl**, District Attorney **Robert Jambois**, and County Board Chair **Ronald Johnson**.

Judge **Louis B. Butler, Jr.**, Milwaukee Municipal Court, taught criminal procedure to both legally trained and non-legally trained judges at the National Judicial Conference in March.

The Vilas County Board approved a \$300,000 juvenile detention center, according to the *Vilas County News-Review*. Arguing for the center, Ninth District Chief Judge **James B. Mohr**, Vilas County Circuit Court, said: “What consequences are there for the children that don’t follow a judge’s order? Right now we take them out of this community and you all know how much that costs.”

Visiting with District I Court of Appeals Judge **Charles J. Schudson** in his home, a *Shorewood Herald* reporter described him as a bike rider and human rights advocate who shares his other talent, acting, in the annual production of “Judge’s Night.” Also noted was Schudson’s 1998 Human Rights Leadership Award from *Freedom* magazine.

**Rhineland High School** and **Sheboygan South High School** faced off before Wisconsin Supreme Court justices at the State Mock Trial Tournament in March. The winner, Sheboygan South, will compete in the national tournament in St. Louis in May.

Effective January 1, 1999, an individual guilty of multiple drunken driving offenses will be charged with a felony, which means judges can order probation or counseling for offenders. Winnebago Circuit Court Judge **Robert A. Hawley** told a reporter at *The Post-Crescent* (Appleton), “We can now mandate counseling with the threat of prison over a defendant’s head.”

In 1992, Judge **Charles F. Kahn, Jr.**, Milwaukee County Circuit Court, spent two days in jail so he could experience “incarcerated

life”; last year he gained a new perspective, that of a police officer. After being rear-ended by a speeding car, Kahn and his wife, Patricia Keating-Kahn, pursued the speeding car for approximately three miles. The driver, who eventually got away, turned himself in several days later, according to the *Milwaukee Journal Sentinel*.

Wisconsin Supreme Court Justice **Donald W. Steinmetz** was pictured sitting before Swallow Elementary School’s eighth-grade class in *The Freeman* (Waukesha). The visit was part of a social studies project that had students developing presentations on the freedoms provided by the Constitution. The teacher said she invited Steinmetz to speak to the class because the students’ impressions of the courts tend to come from television. Of Judge Judy, Justice Steinmetz said: “She’s an entertainer, not a judge.”

First-time juvenile offenders now have an alternative to Vilas County Juvenile Court, reported the *Three Lakes News*. Juvenile intake workers can refer these youths to Teen Court coordinator **Nancy Anne Livingston**, UW Extension youth development agent. “The reason for having a teen court is to offer eligible youth an opportunity to take responsibility for their actions,” said Livingston. “And it provides positive peer pressure with community-based consequences.” The program will allow offenders between the ages of 10 and 16 to be sentenced by a jury of their peers.

In January, colleagues, friends and family gathered at the home of former Chippewa County Clerk of Circuit Court **Janet Rubenzer-Pike** to wish her the best in retirement. Among the guests were Wisconsin Supreme Court Chief Justice **Shirley S. Abrahamson** and Justice **Jon P. Wilcox**, reported the *Chippewa Herald Telegram*. Rubenzer-Pike has been credited with revolutionizing the clerks office and insisting on the best customer service from her staff. She served as clerk for 16 years.

District III Court Administrator **Michael G. Neimon** and his wife, Kerry, are the proud parents of their first child, a baby boy born February 23. Joseph Michael weighed seven pounds, 14 ounces at birth and is doing well.

Outside District I Chief Judge **Michael J. Skwierawski’s** office, a list of reserve judges available for duty that day is posted. Most days the list contains between four to six names. One day in February there was just one name, noted the *Milwaukee Journal Sentinel*. Reserve judges are often retired judges who provide an indispensable safety net for the circuit courts. Winter homes in warmer climates, heavy caseloads, and better pay for mediation work are among the reasons former judges have decided not to work as reserves. According to the article, reserve judges earn \$250 day compared to the \$250 an hour they could receive for mediation services. This fact was noted during a recent legislative hearing at which Chief Justice **Shirley S. Abrahamson** requested a statutory change to guarantee that reserve judges be compensated at the same rate as the judges they replace. They currently make 70 percent of what a sitting circuit judge earns per day.

Rep. **John Townsend**, R-Fond du Lac, spent a half day on the bench with Fond du Lac County Circuit Court Judge **Henry B. Buslee** as part of the Judicial Ride-Along Program. Townsend observed while the judge worked as intake court judge for the day, reported *The Reporter* (Fond du Lac). The program’s goal is to improve communication between the judicial and legislative branches of government. ❖

# Retirements

## Judge Vivi Dilweg Retires



Judge Vivi Dilweg

Circuit Court Judge Vivi Dilweg, who is battling multiple sclerosis (MS), officially retired effective March 13 on the advice of her doctors. Dilweg, who took the bench in Brown County in 1982, had been on medical leave since August 1998.

Dilweg was very active in court administration in her 16 years as a judge and is credited by her colleagues for leading the effort to restore the Brown County Courthouse, now considered one of the state's architectural jewels. She worked closely with the Director of State Courts

Office on the installation of court automation and securing assistants for judges.

Dilweg, 55, also was very involved with national justice groups, serving in leadership positions on a number of American Bar Association committees.

MS is thought to be an autoimmune illness where the body mistakenly identifies healthy nerve tissue in the brain and spinal cord as foreign material and attacks it. The resulting scar tissue distorts messages from the brain, which may affect movement, speech and sight. MS usually strikes people between the ages of 20 and 40 and is not contagious or fatal. While the disease disproportionately affects Caucasian women, it is not thought to be hereditary. Research has indicated there may be an environmental factor that triggers the development of the disease.

*MS information credit: Peter Riskind, M.D., Ph.D., Harvard Mahoney Neuroscience Letter, fall 1996.*

## Murphy Stepping Down After 19 Years



Judge Roger P. Murphy

Judge Roger P. Murphy, whose career in public service started in World War II, where he flew 29 missions as an Air Force navigator, will retire July 31 after 19 years on the bench.

After returning home from the war and graduating from the University of Wisconsin Law School, Murphy served 10 years as Waukesha County district attorney and another 10 as a state senator before he became a Waukesha County judge.

"I have enjoyed it very much," he said. "I like to work. I spend every night preparing for the next day's cases." Currently a criminal court judge, Murphy has also been assigned to family and civil

in the past. He found civil court to be the toughest assignment because of the preparation time necessary. Criminal court, he said, is also tough because of the volume of cases. Family court he found to be very frustrating. In retirement, Murphy plans to do some reserve work and, since he loves to drive, take some long car trips with his wife.

He will be replaced by Ralph Ramirez, currently an assistant district attorney (see election coverage).

## Judge Becker to Step Down in June



Judge Richard T. Becker

Judge Richard T. Becker, Washington County Circuit Court, will step down June 30. His present term was to have run through 2002. The governor will appoint a replacement who will have to run for the office in the next spring election.

Becker, 64, has been on the bench in Washington County since 1977. Prior to that, he was the county's district attorney.

Married with seven children, Becker enjoys golf, reading, and music. Details on his retirement plans were not available at press time.

## Judge Barron Announces Retirement



Judge Michael J. Barron

Judge Michael J. Barron, Milwaukee County Circuit Court, will step down August 31. His present term was to have run through 2004. The governor will appoint a replacement who will have to seek election next spring.

Barron, 66, has been on the bench in Milwaukee County since 1973. Prior to that, he worked in private practice and was a member of the state Assembly. He also served as a Milwaukee County Board supervisor for nine years.

Consistently ranked by attorneys as one of Milwaukee's top ten judges, Barron served two terms as chief judge of Judicial District I and was president of the National Conference of Metropolitan Courts.

Barron is married with two daughters. In retirement, he plans to serve as a reserve judge and civil mediator and to travel. ❖

## Supreme Court Moves

Planning is underway to move Wisconsin Supreme Court justices, their staff, and the Director of State Courts Office to temporary space at 119 Martin Luther King, Jr., Blvd., the same building that houses the District IV Court of Appeals.

The move, set for July, will accommodate the restoration/renovation of the state Capitol's East Wing. Beginning in September, oral argument will be held in the hearing room on the first floor of 119 Martin Luther King, Jr. Blvd., which was formerly used by the state Senate and Assembly while their Capitol space was under construction.

The mailing address for the Court and the Director of State Courts Office will remain the same (P.O. Box 1688, Madison, WI 53701-1688), as will telephone and fax numbers.

The Supreme Court and Director of State Courts Office are expected to return to the Capitol in 2001. ❖



## Victim Notification Law

*continued from page 1*

### Judge Edward R. Brunner, Barron County Circuit Court:

Overall I think it's working pretty well. The district attorney has developed a notice system that works 90 percent of the time. People send in their victim impact statements and we do take them into consideration.

We did run into a few problems that slowed down the process of taking ordinarily simple pleas. For example, we had a shoplifting case involving a local merchant who lost an item valued at \$25. We were ready to take a plea agreement which specified that the defendant would pay restitution and a fine. Then the victim impact statement arrived, listing \$1,000 worth of restitution. They had added on all the costs they attributed to shoplifting enforcement. I was ready to rule on that but we had to re-set the sentencing because the merchant wanted to be present. It does at times slow things down, but overall giving victims a voice in the system is a very positive thing.

### Judge Gary L. Carlson, Taylor County Circuit Court:

In general there has been virtually no impact on our court. The former district attorney, the victim-witness coordinator, the public defender and myself adopted procedures more than a year before the legislation took effect that for the most part matched the statutory criteria. The only real problem for me is the requirement to ask at the beginning of the hearing if the victim has been given notice of the court hearing. Because these are new "magic words,"

## Obituaries

### Judge Bruce Dalrymple Rice Lake Municipal Court

Retired Judge Bruce Dalrymple, who served as Rice Lake Municipal judge from 1962 to 1994, died at a Marshfield hospital on Dec. 31, 1998. He was 81.

Dalrymple began practicing law in Rice Lake in 1948, the same year he graduated from the University of Wisconsin Law School. Prior to attending law school, Dalrymple served as a weather forecaster for the U.S. Army in World War II.

He is survived by two sons and three daughters. ❖

## Forum Brings Courts Together

*continued from page 2*

process. One of those will likely be opened to community members who may have concerns to share with the group.

"From my perspective, in the trenches up here in northern Wisconsin, it is vitally important that we attempt to resolve jurisdictional disputes outside of the litigation process," Chief Judge Mohr said. "I think we can learn from our past. In the mid 1980s, when our Supreme Court gave tribal courts exclusive jurisdiction

I sometimes forget to ask that question and have to be reminded. We also interpret the law as requiring notice to police officer victims in obstruction cases.

### Judge Patrick J. Fiedler, Dane County Circuit Court:

Initially, the most noticeable change was an increase in the number of cases that had to be set over because the victims had not been notified. This was true particularly in old cases such as resentencings following probation revocation.

However, the district attorney's office has done a great job of setting up a system for sending all victims an informational packet early in the process which advises them of their rights, and the number of setovers now is minimal.

As to the number of victims who choose to exercise their rights, most do not, but when they do, it definitely gives a greater impression of what they have experienced.

### Judge Robert A. Haase, Winnebago County Circuit Court:

As predicted it has added delay. For example, when a plea agreement is reached without prior indication that a case might settle, another hearing must be scheduled so that the victim can appear. Each action of rescheduling bears a cost not provided for by the Legislature.

Hearings also require new procedural determinations, the balancing of rights in determining a speedy trial. For example, where the defendant asks for additional time to prepare a case and the victim wants to get it over with and get on with his or her life. ❖

### Judge Donald C. Presentin Monona Municipal Court

Judge Donald C. "Duck" Presentin died at home just before Christmas after a long battle with cancer. He was 75.

Presentin was known as a no-nonsense judge who was especially concerned about working with juvenile offenders. He often used community service as part of his sentences to remind the juveniles of their responsibilities to society.

Presentin is survived by his wife, Mary Anne Dowdle Presentin, seven adult children and numerous grandchildren.

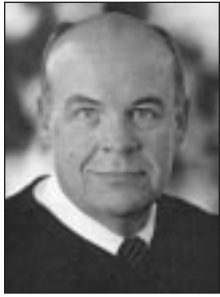
Monona Mayor Tom Metcalfe appointed Attorney Randy Paul to serve as Monona's municipal judge until the 2000 election. ❖

over traffic regulations committed by tribal members on the reservations, we didn't communicate very well over what we needed to do to implement this new jurisdiction. We were very surprised when the Department of Transportation advised us that they could not assess demerit points for tribal court convictions. Then the Court of Appeals held that state courts could not count tribal court convictions for Driving While Intoxicated (DWI) in charging second or subsequent criminal DWI offenses. The forum process will give us a better procedure for dealing with necessary changes as tribal courts continue to exert greater jurisdiction." ❖

## Election 1999

continued from page 4

### Judge-Elect Patrick M. Brady Marathon County Circuit Court, New Branch 5



Judge-Elect  
Patrick M. Brady

Judge Patrick M. Brady, Wausau Municipal Court, ran unopposed for the newly created circuit court judgeship in Marathon County. Brady has been Wausau's municipal judge for 10 years and previously served as Village of Rothschild municipal judge and as a Marathon County court commissioner.

Brady has worked in private practice and has served as an arbitrator. He is a former member of the Wausau School Board.

He is a 1974 graduate of the University of Wisconsin Law School and a veteran of the U.S. Air Force.

### Judge Patricia D. McMahon Milwaukee County Circuit Court, Branch 18



Judge  
Patricia D. McMahon

Judge Patricia D. McMahon, on the bench in Milwaukee County since 1985 and presiding judge in the Civil Division, easily won a race against Andrew J. Shaw. McMahon won a practically unheard of 74 percent of the vote.

Prior to joining the bench, McMahon, 55, worked her way up from staff attorney to executive director of Legal Action of Wisconsin, Inc., where she was employed from 1970 to 1985. Before that, she worked for a couple of years in private practice.

McMahon received her bachelor's degree from the College of William and Mary and her law degree in 1968 from Emory University School of Law.

She has been active in judicial administration, serving on the Judicial Conference Executive Committee and as chairwoman of the Long-Range Planning Committee. She is also co-chair of the Milwaukee Bar Association's Bench/Bar Committee.

Shaw, 34, announced his candidacy in court after McMahon ruled against him on a motion and ordered him to pay attorney fees. He received national attention for his involvement in a 1994 case involving a Chicago man who sued a Lake Geneva restaurant, its owner, the town, town board members, the police department, and the police chief for serving him a well-done steak when he had ordered it medium-well. The man asked for \$55,000 in damages. After a federal judge in Milwaukee dismissed the case, Shaw became involved and filed it in the U.S. Court of Appeals in Chicago. In his 1996 decision that ended the case, Judge Frank Easterbrook called the lawsuit "goofy" and wrote that it had been "frivolous at the outset (and) deteriorated on appeal."

### Judge John E. McCormick Milwaukee County Circuit Court, Branch 19

Judge John E. McCormick, 74, the longest serving judge in Milwaukee County (on the bench since 1972), successfully fought



Judge  
John E. McCormick

back a challenge by former Wisconsin Lieutenant Governor James T. Flynn.

A 1951 graduate of Marquette University Law School, McCormick was elected to the Wisconsin Assembly where he served as a Democrat for five and a half terms from 1960 to 1972, when Governor Patrick Lucey appointed him judge.

In the Legislature, McCormick served alongside future-Governor Anthony S. Earl and Attorney Lloyd A. Barbee and across the aisle from several more familiar faces: Jon P. Wilcox (now a justice), Harold V. Froehlich (now an Outagamie County Circuit Court judge) and John C. Shabaz (now a Federal District Court judge).

McCormick, Milwaukee's most senior judge, reminisced with *Milwaukee Journal Sentinel* Columnist Bill Janz last year about the day the judge's wife, Mary Jo, called his court in a panic, looking for the keys to an old pair of handcuffs.

To show their four-year-old grandson that the cuffs did not work, she had snapped them on—only to discover that they worked very well.

McCormick, who was in the middle of a criminal trial, knew the keys had been lost so he asked his bailiff, a longtime deputy sheriff who had served with him in the state Legislature, to go to his wife's aid. The bailiff, Richard J. Lynch, tried everything but the cuffs would not budge.

Still on the bench, the judge proposed another solution when Lynch returned. He whispered, "Dick, tell her to cut off her arm." But Mary Jo was wasting no more time; she called her daughter to drive her to a locksmith who promptly drilled the cuffs open.

McCormick is widowed with nine children.

### Judge William J. Haese Milwaukee County Circuit Court, Branch 22



Judge William J. Haese

Judge William J. Haese, on the bench in Milwaukee County since 1980, beat back a challenge from Peter Guyon Earle, an attorney in private practice, by a margin of 50.8 percent to 49.2 percent.

Haese is currently assigned to the Family Court Division; he is former presiding judge of the Criminal Misdemeanor/Traffic Division.

A graduate of Marquette University Law School (1952), Haese spent 25 years in private practice before taking the bench. He was also an assistant U.S. attorney for the Eastern District of Wisconsin for three years and served in the U.S. Army from 1943 to 1946.

Haese is very active with the American Legion, serving as state commander, and serves on the board of directors of Badger Boys State.

He is married to Julie B. Haese, a retired psychologist who holds a Ph.D. in rehabilitation counseling. The couple has four children, three of whom graduated from the U.S. Military Academy at West Point. The fourth runs a pig farm in Minnesota.

## Judge-Elect Carl Ashley Milwaukee County Circuit Court, Branch 33



Judge-Elect Carl Ashley

Milwaukee Attorney Carl Ashley made history this spring as the first African-American judge elected in Milwaukee County without first being appointed to fill a vacancy. Ashley's election to the seat has been virtually assured since February, when the filing deadline passed and no opponent surfaced.

Ashley will replace Judge Laurence C. Gram, Jr., on the bench in Milwaukee County since 1974, who is retiring July 31 (see *The Third Branch, summer 1998*).

Ashley, 42, is a lifelong resident of Milwaukee who earned his bachelor's and law degrees at Marquette University. After spending seven years as an assistant state public defender, Ashley set up a solo practice in 1990. Since then, he has been handling CHIPS (children in need of protection and/or services), criminal, family, and personal injury cases. Since 1997, he also has been an administrative law judge.

Ashley sits on boards of directors for the Milwaukee Bar Association, Legal Action of Wisconsin, Marquette University Law School, the Catholic Archdiocese, and Wild Space. He was a member of the Supreme Court's Commission on Judicial Elections and Ethics and served as a governor's appointee to the special legislative committee on CHIPS.

Ashley and his wife, Felita Daniels Ashley, an administrator at NOVA school, have one daughter and live in the Sherman Park neighborhood of Milwaukee.

## Judge-Elect John Siefert Milwaukee County Circuit Court, New Branch 47



Judge-Elect John Siefert

Municipal Judge John Siefert is currently serving his third, four-year term in Milwaukee Municipal Court, but on July 31 he will move up to the circuit court bench after winning 57 percent of the vote against his opponent, Attorney Anne Bowe.

Bowe, 45, outpolled Siefert, 49, in the primary election by about 3,500 votes. Siefert had hoped to win in the general election by picking up the votes that had gone to the third-place finisher, an assistant district attorney, on the strength of his

background in law enforcement and that strategy worked. Siefert ran advertisements quoting a 1986 magazine article in which Bowe said it made her "feel good" to defend criminal defendants.

After receiving his bachelor's degree from the University of Chicago and his law degree, in 1974, from the University of Wisconsin Law School, Siefert worked for a brief time as an assistant district attorney before deciding that police work would be more interesting. He joined the Milwaukee Police Department in 1976 and stayed almost a decade, working patrols in the inner city.

Upon leaving police work, Siefert became an assistant vice president for government relations for a large health insurance company. He later was elected to two terms as Milwaukee County treasurer.

Siefert and his wife, Linda, live with their three daughters on Milwaukee's East Side.

## Judge-Elect Ralph M. Ramirez Waukesha County Circuit Court, Branch 3



Judge-Elect  
Ralph M. Ramirez

Judge Roger P. Murphy, who is retiring July 31 after a lifetime in public service, will be replaced by Waukesha County Assistant District Attorney Ralph M. Ramirez, a 1984 graduate of the University of Wisconsin Law School.

Ramirez came out on top in the primary election, with 43 percent of the vote, and went on to beat Waukesha County Senior Assistant Corporation Counsel William Domina in the general election with 59 percent of the vote.

Ramirez, 39, has been a prosecutor in Waukesha for 14 years and currently is lead prosecutor in cases involving sexual predators. He has also served as legal director for the Waukesha County Metro Drug Enforcement Group. Prior to this, he spent two years as an assistant district attorney in Eau Claire County.

He won the 1998 Volunteer of the Year award from the Waukesha County Volunteer Center. He also teaches karate and has worked in construction, at a foundry and as a cook.

Ramirez is the son of Mexican immigrants. He and his wife, Renee, have three children. ❖

## 27 Incumbent Judges Not Opposed

The following judges were elected or re-elected in April without opposition: William F. Eich, Court of Appeals, District IV; circuit court judges: Peter J. Naze, Brown County; Robert A. DeChambeau and Maryann Sumi, Dane County; Eric J. Wahl, Eau Claire County; Robert P. VanDeHey, Grant County; William M. McMonigal, Green Lake County; Patrick J. Madden, Iron County; Michael S. Fisher, Kenosha County; James P. Jansen, Langlade County; Fred H. Hazlewood, Manitowoc County; Thomas P. Doherty, Timothy G. Dugan, John A. Franke, Jeffrey A. Kremers, Stanley A. Miller, Jacqueline D. Schellinger and Maxine A. White, Milwaukee County; Larry L. Jeske, Oconto County; Joseph M. Troy, Outagamie County; Frederic W. Fleishauer, Portage County; Dennis J. Barry and Emily S. Mueller, Racine County; Gary J. Langhoff, Sheboygan County; Michael J. Rosborough, Vernon County; Philip M. Kirk, Waupaca County; and Lewis R. Murach, Waushara County. ❖

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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.

## A Bus Trip through Foster Care, Adoption

In January, more than 30 community leaders boarded a bus in Racine. They were given a garbage bag and an envelope. It was the beginning of "A Journey Home," a project aimed at giving county officials, business leaders, media and clergy an up-close look at foster care and adoption in Racine County. Chief Justice Shirley S. Abrahamson also participated.

Participants were told that children being removed from a home because of abuse or neglect are handed a garbage bag and given only 30 minutes to pack their things. That's where the journey begins. From there, children go to the hospital for an examination, may visit a courtroom for hearings, could stay with up to seven foster families, and may wait 22 months before they are adopted or returned home.

The bus trip took the community leaders on a similar, but condensed, journey with stops at the former home of an abused girl, the hospital, a Racine County courtroom, and the Human Services Building. At the sites and on the bus, those working with abused and neglected children told true stories about the kids who face this challenge. A detective, a doctor, foster parents, judges, a case manager, and an adoptive parent explained different parts of the process, a process where the only consistent participant is the child.

The envelopes given to the participants each contained a child's picture, a true scenario of abuse or neglect, and a colored dot. Participants were asked to imagine being that child during the journey.

At the end of the bus trip everyone was instructed to stand. Those with a blue dot were told to sit; they were returned to their

families. Those with a green dot were adopted, so they could take a seat. Those still standing, almost half of the group, had a brown dot. They were waiting to be adopted.

Racine County Circuit Court Judge Gerald P. Ptacek and Michelle Goggins of the Racine County Human Services Department agreed that the bus trip started a dialogue among federal, state and local agencies and private organizations that could encourage a coordinated effort to improve the foster care/adoption system. As a participant, Ptacek said he gained a new perspective: "I had never sat and talked with adoptive parents or foster parents before."

"A Journey Home" was organized by the county's Human Services Department, the Special Needs Adoption Network and a local committee with members from public and private agencies. The committee's goals are to create a fast track to adoption by improving multi-agency coordination and to develop foster and adoptive resources by promoting community awareness.

As a follow-up to the bus trip, Ptacek and a representative of the Human Services Department were interviewed on a local radio call-in show where they answered questions about Racine County's foster care and adoption system.

"A Journey Home" participants were asked to go back to their neighborhoods, workplaces and churches to tell others about their experience and encourage more people to consider becoming foster or adoptive parents. More than 100 kids in Racine County are waiting to be adopted. ❖

*For information about planning "A Journey Home" contact Michelle Goggins at (414) 638-6494.*

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