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WISCONSIN MUNICIPAL COURT STUDY:

Executive Summary,

March, 1982

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1981

WISCONSIN MUNICIPAL COURT

SURVEY

NATIONAL CENTER FOR STATE COURTS

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St. Paul, Minnesota 55101

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Attachment

1981 Wisconsin Municipal Court Survey Instrument

MUNICIPAL COURT STUDY ADVISORY COMMITTEE

- Hon. Gerald Ames
Municipal Judge
Village of Fontana-on-Geneva Lake
- Hon. Jerome Boyer
Municipal Judge
City of Delafield
- Hon. James Carlson
Circuit Judge
Branch 2, Walworth County
- Hon. Ronald Wambach
Municipal Judge
City of Franklin
- Kenneth Port
Executive Secretary
Municipal Judges Assn.
- Senator James Flynn
Wisconsin State Senate
Eighth District
- Rep. James A. Rutkowski
Wisconsin Assembly
Eighty-second District
- James Fullin
Judicial Council
- Natalie Smith
Judicial Commission
- Rose C. Nugent
Court Administrator
Milwaukee Municipal
Court
- Nina Weir
Administrative Committee of Courts
- James Donovan
Department of Justice
- Betty Rayburn
Department of Transportation
- Don Schultz
City of Wausau
- Steven Steadman
District Court Administrator
Seventh District
- Corinne Hollar
Office of Judicial Education

The Municipal Court Study Advisory Committee met with National Center staff at various stages of this study. The Committee provided assistance in selecting pilot site courts, developing the survey questionnaire and reviewing drafts of the final report. The findings and recommendations contained in this report are those of the National Center and do not necessarily reflect the opinion of the Committee or any member of the Committee.

SUMMARY OF STUDY RECOMMENDATIONS

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JUDICIAL QUALIFICATIONS, CODE OF ETHICS, AND CONFLICTS OF INTERESTS

1. A municipal judge should not be required to be an attorney by state statute.
2. The Supreme Court should review the judicial code of ethics to determine if all or portions of SCR 60.08 (Investments) or SCR 60.11 (Influence) should be applicable to part-time municipal judges.
3. The Financial Report Form that must be submitted annually to the Wisconsin Ethics Board pursuant to SCR 60.18 should specifically require the listing of any "Office of Public Trust."

JUDICIAL TRAINING AND LEGAL RESOURCES

4. New municipal judges should be required to attend a judicial orientation training program.
5. The municipal judge's training program being presented by the judicial education office in the areas of non-traffic juvenile cases, sentencing, rules of evidence, OWI cases, defendant's rights, office management, and conducting a trial should be given priority in future training sessions.
6. New training materials and programs should be developed and presented by the judicial education office in the areas of the judge's role when there is no prosecutor or defense attorney; how to prepare, present, and monitor a court budget; and, how municipal judges also practicing law can avoid conflicts of interest.
7. Legal dictionary, Wisconsin Motor Vehicle Laws, and the Instruction Manual for completing the State of Wisconsin Uniform Traffic Citation & Complaint, and Wisconsin Court Rules and Procedures should be added to the Municipal Judges Manual's list of legal sources that every judge should have access to.
8. The Judicial Education Office should review the statutes, court rules, and caselaw referenced or identified in this report to determine if there should be any changes or additions to the Municipal Judges Manual.

JUDICIAL ACTIVITY STATISTICS

9. The present annual municipal court judicial statistics form should be revised to include juvenile (non-traffic) cases, types of disposition, and instructions for completing the form.
10. Municipal courts should submit judicial activity reports at least quarterly or semi-annually with smaller courts collecting statistics daily on a standard worksheet.
11. Municipal courts should be required to submit a one-time list of all cases pending over a year old.

JUDICIAL FUNCTIONS AND SENTENCING ALTERNATIVES

12. Defendants in municipal courts should be informed that they may not be incarcerated for non-payment of a sentence if they are indigent, and that they have a right to a hearing to determine their ability to pay.
13. The Judicial Council should study the advisability of municipal judges being given the authority to order restitution or participation in work programs for juvenile and adult defendants.
14. Municipal court judges assigned to hear cases in another municipal court should at least be reimbursed for expenses.
15. An advisory opinion should be requested from the State Attorney General's Office regarding the legality of a municipal judge entering a default judgment when a defendant has not appeared before the court or filed a deposit.
16. Deposits or penalties should not be collected in the courtroom by a judge, clerk, or police officer.

FACILITIES, RECORDS, AND EQUIPMENT

17. Minimum municipal courtroom standards should be developed and distributed to municipal court judges.
18. Municipal courts should monitor and review closely all financial records created by a police department when monies are collected by the police.
19. Municipal courts with a caseload between 100 and 5,000 cases (not counting cases processed by police departments) should use a "one-write" peg board accounting system for all monies collected by the court.
20. Guidelines, standards and procedures should be developed for the purchase and use of electronic equipment for the recording of testimony taken under oath in municipal courts.

21. Municipal courts should be provided with an expanded list of municipal court forms (with statutory or court rule citations) and copies of sample forms used in other courts.
22. The Director of State Courts Office should design model forms for municipal courts and/or provide guidelines and training to municipal courts in forms design.
23. Municipal courts with a large caseload or storage problem should use a fixed open shelf filing system for storage of case files.
24. The Director of State Courts Office should review the records retention schedules developed in the Wisconsin Circuit Court Records Project to determine which schedules could be made applicable to municipal courts.

MUNICIPAL ORDINANCE CASES IN CIRCUIT COURT

25. The Director of State Courts Office should format WCIS output reports to reflect existing data regarding municipal ordinance violation caseloads and activity in circuit courts.

I. INTRODUCTION

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A. MUNICIPAL COURTS

The governing bodies of cities, villages, and towns are by statute authorized to establish municipal courts. The municipal judge is elected for a two to four-year term, as determined by the municipality, beginning May 1. There is no requirement that the office be filled by a lawyer, and the salary and qualifications are fixed by the individual local governing body.

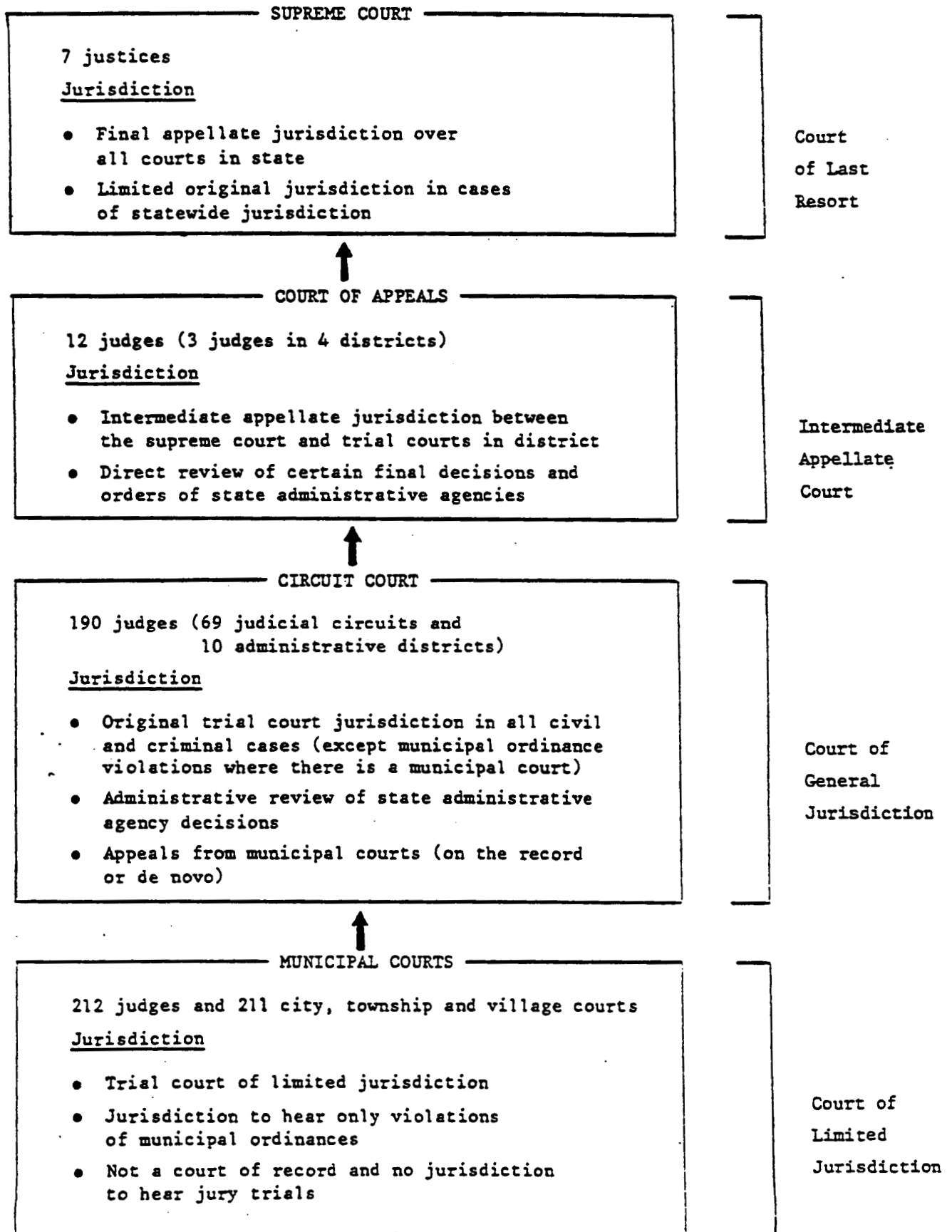
The municipal court is not a court of record. These courts have exclusive jurisdiction over offenses against ordinances of the town, village or city (including some juvenile matters) where legal relief only is sought. If equitable relief or a jury trial is demanded, the action must be brought in a court of record (circuit court). A municipal judge may render judgment by ordering payment of a forfeiture plus any costs of prosecution or by imprisonment in default of such payment. All revenues from municipal courts go to the local governmental unit except a 12% penalty assessment (on all violations forfeitures except non-moving traffic violations) which is forwarded to the state.* Judges may set or waive bail, issue arrest warrants to enforce matters under their jurisdiction, issue inspection warrants, and issue subpoenas throughout the state. Appeals from municipal courts are to the circuit court for the county where the offense occurred.

* Recent legislation now also requires municipal courts to collect \$150.00 in DWI cases for the state.

Circuit court judges or court commissioners hear ordinance violation cases where there is no municipal court and forward to the municipality all forfeitures collected in such cases. There is an appeal of right from a municipal court to the circuit court "on the record" or de novo (at the option of the prosecutor or defendant).

If a municipal judge is substituted or disqualified, the case is transferred to another municipal judge or, if none is available, to the circuit court where it is assigned by the chief judge of the judicial administrative district in which the municipality lies.

Chart 1 below illustrates the organizational structure of the Wisconsin court system.



B. STUDY BACKGROUND AND METHODOLOGY

The Wisconsin Supreme Court has final administrative authority over all trial courts including municipal courts. The authority is delegated and exercised on an operational level by the chief judge and district court administrator in each of the ten judicial administrative districts in the state. However, there presently is relatively little contact or working relationship between municipal courts and the state court administrative system, except for some training of municipal judges and the tabulation of annual case disposition data submitted voluntarily by some courts. This minimum administrative relationship does not provide adequate information to assess the current functions, problems, needs or relationship to the circuit court system. Without such information, the Supreme Court cannot carry out its administrative responsibility to develop and maintain an effective and efficient trial court system.

The Wisconsin Municipal Court Study Project was proposed by the Director of State Courts Office on behalf of the Wisconsin Supreme Court, to compile this needed data and information regarding municipal court operations. The study was conducted by the National Center for State Courts. The basic goals of the project were to:

- inventory and describe the municipal court system and caseload;
- compile and investigate existing statutes, rules, and procedures affecting jurisdiction and court operations;

- identify and analyze specific needs and problems in municipal courts; and
- recommend statutory and administrative changes necessary to the improvement of the municipal court system, including the identification of resources which must be made available to these local courts.

To accomplish these goals the National Center conducted a statewide in-depth analysis of municipal court operations.

Site Visits

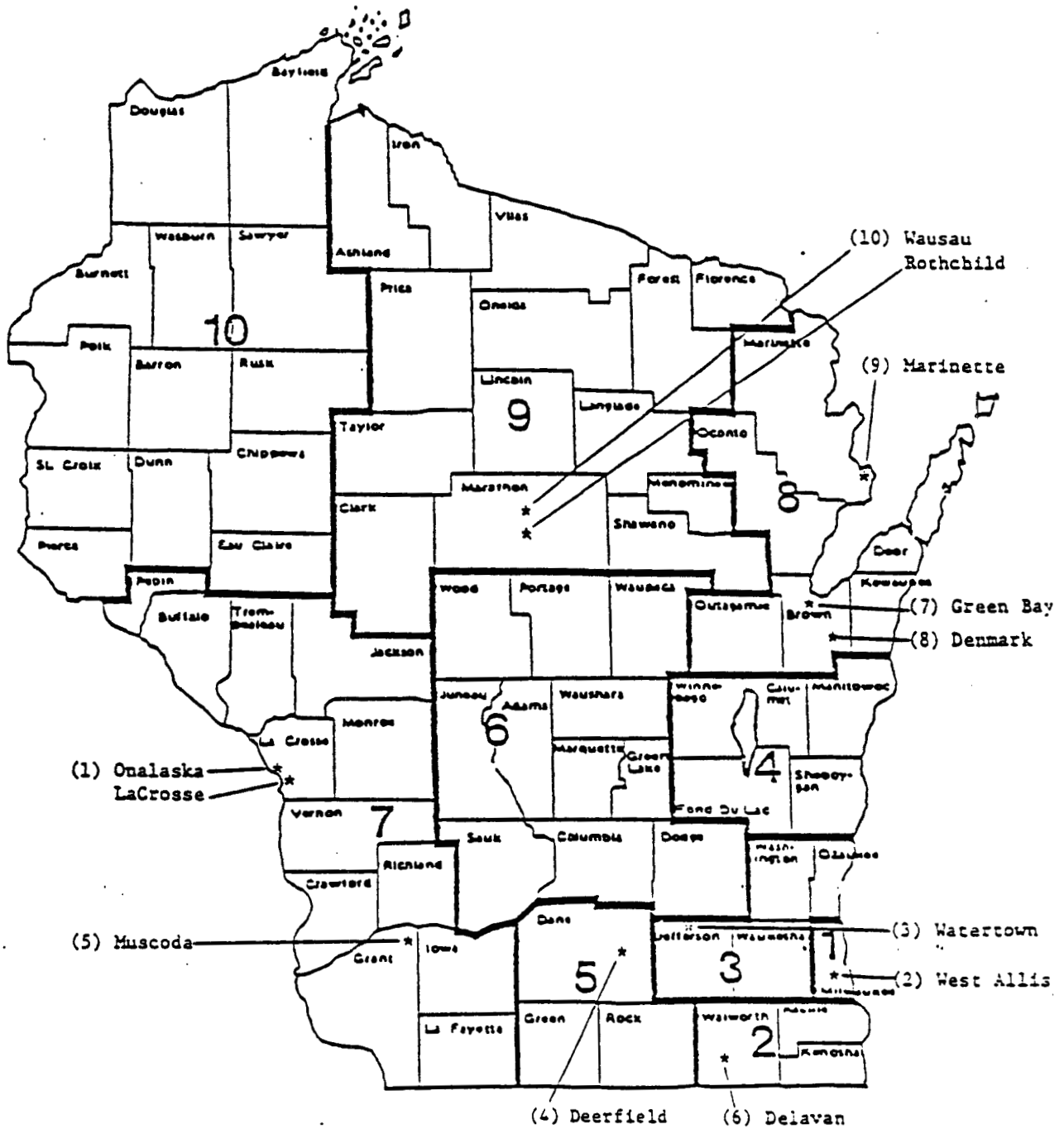
The National Center conducted site visits in ten (10) municipal courts to: observe court operations; interview judges, court personnel, and other individuals familiar with the court; and, field test a proposed survey instrument. The site courts include:

- | | | |
|-------------|-------------|--------------|
| • Deerfield | • Green Bay | • Muscoda |
| • Delavan | • LaCrosse | • Rothschild |
| • Denmark | • Marinette | • Watertown |
| | | • West Allis |

Project staff also interviewed the municipal judges in Onalaska and Wausau. The following map (Chart 2) identifies the location of the visited courts. Chart 3 below provides a profile of the site courts and lists the persons interviewed.

Chart 2

WISCONSIN MUNICIPAL COURT STUDY
SITE VISITS



WISCONSIN MUNICIPAL COURT STUDY

Site Visits

<u>Municipality</u>	<u>1980 Population</u>	<u>1979 Caseload</u>	<u>Judge</u>		<u>Persons Interviewed</u>	
			<u>Attorney</u>	<u>On Bench</u>	<u>Name</u>	<u>Title</u>
• LaCrosse	48,347	9,846	yes	21 years	Leonard R. Chojnacki David Lang Ron Quillin Patrick Zielke Ray Lichty Shirley Wrobel Connie Doerre	Judge Ass't. City Attn'y. Defense Attn'y. Mayor Chief of Police Clerk Clerk
• Onalaska	9,249	734	yes	2 years	Thomas M. Olson	Judge
• West Allis	63,982	48,919	yes	14 years	Nicholas F. Lucas Curt Meitz Bradley Luchini Floyd C. Andrich Ralph J. Machowski Jo Malone	Judge Ass't City Attn'y. Defense Attn'y. Chief of Police Inspector of Police Clerk/Sec'ty.
• Watertown	18,113	2,310	yes	2 years	Ronald W. Zlowsky Tom Levi Patricia M. Barry	Judge Ass't City Attn'y. Clerk
• Deerfield	1,466	204			Vince Cordano	Judge
• Muscoda	1,331	339		28 years	Howard E. Jones	Judge
• Delavan (T)	4,182	811		17 years	James H. O'Connor	Judge
• Green Bay (C)	87,899	9,309	yes	13 years	Frank Van Laanen Orbie J. Bodart Alexander Grant Sue Pavlik	Judge Police Lt./Bailliff Special Prosecutor Clerk
• Denmark (V)	1,475	236		2 years	Robert Sandberg	Judge
• Marinette	11,965	1,340		2 years	John B. Kerski Thomas P. Schwaba James E. Murphy Don Schuchart Judy Bailey	Judge City Attn'y. Def. Attn'y. Police Captain Clerk
• Rothschild	3,338	600	yes	2 years	Patrick M. Brady	Judge
• Wausau	35,800		yes		Arthur Ebelain Perry Mattes	Judge Financial Officer

Survey Questionnaire

The basic data to be collected from the survey questionnaire included the following:

- recordkeeping methods
- the availability of legal and procedural assistance on a statewide level
- judicial compensation
- educational qualifications of municipal judges
- judicial substitutions
- caseload measurements
- problems surrounding municipal court handling of juvenile matters
- the fiscal and judicial impact of municipal courts on circuit courts
- "such other issues as are of identifiable concern to municipal court judges themselves."

A preliminary draft of a questionnaire to collect this information was presented to the Advisory Committee for review and approval prior to the National Center's site visits.

After the 10 site visits were completed additional revisions were made to the questionnaire. Before the final questionnaire was mailed out the Municipal Judges Association sent a letter to every municipal judge describing the project and encouraging their support and cooperation in completing the questionnaire. The final questionnaire (see, Appendix A to this report) was mailed to all municipal judges with a cover letter from the Director of State Courts.

The completed questionnaires were mailed to each municipal court's respective district court administrator in a provided self-addressed stamped envelope. The district court administrator assisted municipal judges complete the survey and reviewed the completed questionnaire before forwarding them to the National Center.

II. SURVEY QUESTIONNAIRE AND RESULTS

II. SURVEY QUESTIONNAIRE AND RESULTS

One of the major objectives of the Wisconsin Municipal Court Study was the development of a comprehensive profile and inventory of municipal judges and court operations. The data from the statewide survey revealed information not previously available and provided information that could be compared to previous survey results. Detail tabulations for each survey question is present later in this report along with summary charts comparing previous survey results (Chart 4) and new information (Chart 5).

The most significant new information identified in this study (based upon 155 returned questionnaires) revealed the following:

- the approximately 434,449 cases disposed of by 155 municipal courts in 1980 were handled by 22 full-time equivalent (FTE) judges and 68 FTE court employees.
- Municipal judges spend a monthly average of 12 hours on the bench and 13 hours off the bench on court activities.
- Municipal courts collected approximately \$11 million dollars in revenue in 1980.
- The municipal court system will cost local governments approximately \$2 million dollars for 1981.

Municipal courts provide a cost effective judicial system to municipalities and defendants.

The majority of the information received from the Judicial Education Office's survey of 1980 continues to be the same for 1981. Most judges are male (92%), 1/3 are attorneys, most

judges are likely to receive a salary under \$3,000, most judges hold court 2-4 times a month, and 62% of trials prosecuted are handled by municipal attorneys. However, the 1981 survey data reveal the following trends or changes.

- Municipal judges are getting younger (the average age in 1980 was 55 versus 51.6 in 1981).
- Fewer municipal judges have prior police backgrounds (in 1980 27% had police backgrounds versus 12% in 1981)

The most immediately useful information from this study and survey was an updated roster of municipal judges. See Chart 6.

Copies of all completed surveys are available from the Director of State Courts Office.

MUNICIPAL JUDGES QUESTIONNAIRE

Conducted by the Director of State Courts Judicial Education Office in 1980
Compared to 1981 Survey Results

	Responses	
	1980	1981
<u>Personal Profile</u>		
4. Age	55	51.6
5. Sex	93% (male)	92% (male)
8. Occupation	36% attorney	34% attorney (including retired attorneys)
9. Educational background	36% law degree 8% other post-graduate education 20% some college degree; school 33% high school 2% elementary	34% law degree 10% other post-graduate education 22% some college or college degree 29% high school 1% elementary
11. Have you held any other elective offices?	26% (village/town trustee; city council or village board alderman, school board.	10% (village/town trustee, city council or village board alderman, school board).
12. Have you held any non-elective governmental positions?	23% usually various municipal comm. or boards	(same as 1980)
13. Have you had any previous law enforcement experience, such as police or prosecutorial work?	27% (usually legal positions (like district attorney or police positions (regular, auxiliary, military)	12% usually legal positions (like district attorney or police positions --regular, auxiliary, military)
<u>Court Administration</u>		
1. How long is your term of office?	Two years--89% (range: 1-4 years)	Two years--79% (range: 1-4 years)
4. How often do you hold court?	43% once/week or more 37% 2-3/ month	42% once/week or more 41% 2-3/ month
5. During what hours and on which days of the week do you hold court?	Hours--usually evenings Days--Wednesday & Monday most common	Hours--usually mornings Days--Wednesday & Monday most common
9. During calendar year 1979, approximately how many cases were disposed of by your court?	Traffic - 78% Other - 12%	Traffic - 81% Other - 11%
NOTE: This question did not make clear whether non-appearances were included.		
10. Please estimate the percentages of all your 1979 traffic cases which were in the following areas:	Parking - 19%	Parking - 55%

Responses

1980

1981

12. During 1979, approximately how many juvenile cases did your court handle?

Non-traffic (small number of responses to this question); results not interpretable).

What types of sentencing alternatives have you employed in dealing with juveniles?

Besides the \$25 forfeiture and suspension of driver's license for failure to pay, respondents mentioned suspension of other Wisconsin licenses, hold open for review, Traffic Safety School, work programs and restitution.

15. Do you distribute an instructional handout to defendants at the time of arraignment?

29%

16. Is the uniform deposit schedule used in your jurisdiction for traffic cases?

83% (7% not state)

Do you use a similar uniform deposit schedule for non-traffic cases?

82%

Has your municipality adopted a uniform deposit schedule for non-traffic cases?

74%

21. If no additional personnel are employed, who does the Municipal Court's clerical work?

Municipal judges without clerical help indicated that they did all the clerical work themselves or made use of their wives, personal secretaries or employees from related services (such as police).

22. How are your proceedings recorded?

78% tape record at least trials

23. In what type of facility is the Municipal Court located?

92% indicated some kind of municipal building. Other responses: public library, fire house, police department

24. Do you wear a robe?

19% yes (same as 1980)

Educational and Informational Needs

1. If you encounter problems or questions regarding your work as a Municipal Judge, where do you go for the needed information and/or solution? Please be as specific as possible, listing individuals, books, manuals or other resources you have found to be useful sources of information.

State statutes, municipal ordinances, manuals from conferences. (materials) Circuit court judges, district or municipal attorney, municipal judges. (people) Municipal Judges Association, Motor Vehicle Department. (organizations)

2. Do you have access to a current copy of the Wisconsin Statutes?

93% current copy
3% outdated copy
92% (Access to)

1 Based upon 155 questionnaires.

SUMMARY OF NEW DATA COLLECTED IN THE 1981 SURVEY OF WISCONSIN MUNICIPAL COURTS

INFORMATION	SOURCE QUESTION	FINDING
• Local Jurisdiction Limitations	32b	very few limitations
• Appeals	25	62% tried over and 26% reviewed on the record
• Additional Employment	51, 54	17 judges presently hold offices of public trust or jobs with possibly conflicts of interest
• Source of Legal Materials	43	usually in court or municipal attorney libraries
• Condition of Court Facilities	8, 9	37% need improvement
• Needed Improvements to Court Facilities	9b	generally need separate facilities or a "bench"
• Number and Type of Staff	16	most employees are clerks in the courts' budget (total statewide FTE employees=68)
• Juvenile Non-Traffic Cases	22	5,179 cases in 1980
• Cases over one (1) year old	24	most cases over a year old are because of an inability to locate the defendant
• Actual judges' hours spent on and off the bench	10	average monthly hours on the bench (12 hours) and off the bench (13 hours)
• How do practicing attorney judges avoid conflicts of interest?	52c	Do not take cases involving police personnel or clients with pending cases before the court
• Should judge substitutes be eliminated?	31c	yes (10) no (124)
• Does the presence of defense attorneys affect court operations?	21	87% (favorably or no effect)
• Are default judgments entered when there is no deposit?	23	yes (72)
• Is credit given for time in jail?	27, 28, 29	usually
• How is revenue collected?	30	deposits and forfeitures are usually collected by the police - money is collected in the courtroom by 115 courts
• How much revenue was collected in 1980?	19	\$11 million
• What is the court's involvement in the budget process?	18	approximately 50% present budget, fewer prepare budget and only about 1/3 of the courts approve expenditures
• Are courts audited?	14	yes(86) no (64)
• How much does it cost to run the municipal courts?	15	\$1.8 million (1980) and \$2 million (est. for 1981)
• Who provides forms to the court?	42	usually local printers
• How are records managed?	39	51 courts store records outside the court, few have a storage problem, almost none microfilm records

District County	City Village Township	Judge	Address	Court	Telephone	
					Home	Office
DISTRICT 1	Milwaukee	(V)	William E. Shaw	(414) 352-9000	352-9092	271-5795
		(V)	Frank W. Foster	(414) 354-4121	354-4196	355-3600
		(C)	Gregory P. Gregory	(414) 744-8220	483-6556	744-4545
		(V)	Carl W. Backus	(414) 352-8111	352-6915	541-6800
		(C)	Ronald Wambach	(414) 425-7500	425-8744	354-4140
		(C)	Robert H. Suran	(414) 228-1100	352-6393	421-3596
		(V)	John J. Spindler	(414) 421-2400	421-3596	282-4980
		(C)	John Foulks	(414) 281-9480	282-4980	282-1450
		(V)	Ervin P. Topczewski	(414) 425-5432	425-6856	463-2800
		(C)	John Siefert	(414) 278-3809	545-7867	
	Oak Creek River Hills St. Francis Shorwood South Milwaukee Wauwatosa West Allis West Milwaukee Whitefish Bay	(C)	William Panagis	(414) 278-3800	762-9596	762-6612
		(V)	Kenneth McCool	(414) 762-8200	354-8486	
		(C)	George R. Redmond	(414) 352-8213	483-2821	761-1001
		(C)	George S. Berzowski	(414) 481-2300	332-8117	273-3939
		(V)	Robert E. Mackett, Jr.	(414) 332-4200	762-1731	291-1168
		(C)	Tom Bitters	(414) 762-1967	258-3409	771-1220
		(C)	John A. Pfannerstall	(414) 258-1340	545-4238	476-6158
		(C)	Nicholas P. Lucas, Jr.	(414) 476-0777	645-5883	
		(V)	James Benudry	(414) 645-2151	964-5361	271-5900
		(V)	Robert L. Elliott	(414) 962-6690		
DISTRICT 2	Kenosha	(T)	Floyd Timmons, Jr.	(414) 857-2721	857-7566	857-7566
		(C)	David H. Bastian	(414) 656-6050	656-6050	658-3777
		(V)	Eithel A. Smith	(414) 843-2400	843-2779	
		(T)	Ronald L. Anderson	(414) 694-1400		
		(T)	Thomas Johnson	(414) 843-2313	(414) 877-2701	886-0700
		(T)	Eugene W. Briggs	(414) 859-2825	551-8156	551-9021
		(V)	Martin G. Bilecki	(414) 877-2191	877-2645	537-4357
		(T)	Richard Lenko	(414) 597-4340		
		(V)	Arthur V. Lentz			
		(T)	Gerald Lake			
	Racine	(T)	David Paulson	6900 Nicholson Road, Caledonia 53406	(414) 878-3547	(414) 634-3366
		(T)	Gordon Todd	2225 Lakenhorn Drive, Kewauville 53139		
		(T)	Raymond Burezyk	6126 Durand Ave., Racine 53406	554-8338	633-8257
		(C)	Jerry Steuermann	6419 Reg. Park Road, Wind Lake 53185	895-6213	637-7488
		(T)	Robert Michelson	800 Center Street, Racine 53403	(414) 636-9263	281-2920
		(T)	Stanley Albinak	2255 76th Street, Caledonia 53108	(414) 835-4426	
		(V)	Mary J. Johnson	2555 Wiaconsin Street, Sturtevant 53177	(414) 886-2203	886-3168
		(V)	Leonard K. Kerachitz	1015 State Street, Union Grove 53182	(414) 878-2404	878-1388
		(V)	Gregory Miller	122 N. 2nd Street, Watertown 53185	534-2251	878-2434
		(T)	Ronald Coats	7326 N. Tichigan Rd., Watertown 53185	662-5324	
Walworth	Bloomfield Delavan Delavan	(T)	Richard M. Weber	Municipal Court, Pell Lake 53128	279-3725	653-2411
		(C)	John N. O'Brien	123 South 2nd Street, Delavan 53115	(414) 728-5759	728-8800
		(T)	James H. O'Connor	P.O. Box 547, Delavan 53115	(414) 728-5300	728-2161

District County	City Village Township	Judge	Address	Court	Home	Office
DISTRICT 2						
Walworth	East Troy	(V) Daniel O. Ryan	2104 Church Street, East Troy 53120	(414) 642-5050		642-7301
	East Troy	(T) Sandra McCracken	2673 Main Street, East Troy 53120	(414) 642-5863		248-9163
	Fontana	(V) Gerald E. Ames	Route 3, Box 73, Fontana		(414) 275-3995	279-3117
	Genoa City	(V) Fredrick Gale	715 Walworth Street, Genoa City 53128	(414) 279-6472		248-3333
	Lake Geneva	(C) Emil Johnjack	626 Geneva Street, Lake Geneva	(414) 248-4654		728-5591
	Williams Bay	(V) David B. Williams	Williams Bay, 53191	(414) 245-5455		475-5105
Whitewater	(C) Sam Soffa	146 W.N. Street, Whitewater	(414) 473-6510		473-3887	
DISTRICT 3						
Jefferson	Fort Atkinson	(C) John F. Lampert	111 W. Sherman Ave., Fort Atkinson 53538	(414) 563-5511	563-5800	(414) 563-5800
	Jefferson	(C) Deane C. D'Aoust	317 S. Main Street, Jefferson	(414) 674-3441	674-2537	674-5414
	Lake Mills	(C) W.E. Kieselring, Jr.	140 E. Lake Street, Lake Mills 53551	(414) 648-8385	648-5648	
	Oakland	(T) David Hagberg	P.O. Box 130, Cambridge 53523	-NONE-	(608) 423-3512	423-3512
	Palmyra	(V) Donald Preusse	P.O. Box 200, Palmyra 53156	(414) 495-2114	495-2603	495-2603
	Brookfield	(C) Richard J. Steinberg	2000 N. Calhoun, Brookfield 53005	(414) 782-6200	783-4447	257-3322
Waukesha	Butler	(V) Robert F. Schneider	Village Hall, 12902 W. Lancaster, Butler 53007	(414) 781-9696	781-0122	781-7991
	Delafield	(C) Jerome Boyer	500 Genesee Street, Delafield 53018	(414) 646-3395	367-7374	
	Eagle	(T) Lyman E. Wheeler	Route 2, Box 172, Eagle 53119	(414) 594-2458	594-2458	
	Elm Grove	(V) Gerard J. Flood	13600 Juneau Blvd., Elm Grove 53122	(414) 782-6700	786-7062	784-6900
	Lac LaBelle	(V) Dee Ann Litscher	340 Lac LaBelle Drive, Oconomowoc 53955	(414) 567-8593		567-6524
	Lannon	(V) George D. Wysock	10399 Main Street, Lannon 53046	(414) 255-4891		
	Monomonee Falls	(V) Joseph J. Esser	N. 79 W. 14833 Appleton Ave., Monomonee Falls			
	Mukwonago	(V) Charles E. Dewey	625 N. Rochester Street, Mukwonago 53149	(414) 363-4900	363-3933	363-7711
	Muskego	(C) Richard Wittbrodt	W182 S. 8200 Racine Ave, Muskego 53150	(414) 679-2660	679-0337	384-1610
	New Berlin	(C) Frank A. Murn	16300 W. National Ave., New Berlin 53151	(414) 782-6640	425-4654	774-0133
	North Prairie	(V) Kenneth Robert	215 E. State Road, North Prairie 53153	(414) 392-2700	392-2227	547-1701
DISTRICT 4						
Calumet	New Holstein	(C) David Ditter	2110 Washington Street, New Holstein 53061	(414) 898-4681		898-4255
	Kiel	(C) Dean M. Dietrich	621 6th Street, Kiel 53042	(414) 894-2909	894-2566	458-8363
	Manitowoc	(C) Steven R. Alpert	817 Jay Street, Manitowoc 54220	(414) 684-3331	682-2737	682-6361
	Reedsville	(V) Robert Rutherford	533 Manitowoc Street, Reedsville 54230	(414) 754-4249	754-4249	
Winnebago	Two Rivers	(C) Steve Winter	East Park, Two Rivers 54241	(414) 793-1191	793-1364	793-1364
	Menasha	(T) Leroy H. Schaefer	1000 Valley Road, Menasha 54952	(414) 731-9146	722-8569	346-7388
	Omro	(C) Richard Crane	205 S. Webster, Omro 54963	(414) 685-5534	685-2237	
	Winneconne	(V) Donald Sleik	224 W. Main Street, Winneconne 54986	(414) 582-4381	582-4235	424-0015
DISTRICT 5						
Dane	Albion	(T) Ronald W. Dya	88 Beave Ave., Route 3, Edgerton 53534			
	Belleville	(V) Sharon Rauschenberger	20 W. Pearl, Belleville 53508			
	Black Earth	(V) Clayton Garfoot	818 Center Street, Box 28, Black Earth 53531	(608) 767-3949	767-2241	262-3188
	Blue Mounds	(V) Harold Swenson	Blue Mound 53517		437-8223	437-5197
	Cambridge	(V) Mary S. Raymond	P.O. Box 89, Cambridge 53523			
	Cross Plains	(V) Ralph W. Fenske	2107 Julius Street, Cross Plains 53528	(608) 798-3241	798-2448	266-3657

District County	City Village Township	Judge	Address	Court	Telephone Home	Office
DISTRICT 5 (cont.)						
Dane (cont.)	Dane	(V)	Barry Clapper	P.O. Box 23, Dane 53529	(608) 849-4923	221-8459
	Deerfield	(V)	Vince Cordano	P.O. Box 21, Deerfield 53531	(608) 846-5255	257-1431
	De Forest	(V)	Dale Van Buren	205 Cora Street, De Forest 53532	(608) 835-3638	226-1249
	Dunn	(T)	James Scherneck	W. B. McFarland 53575	273-4871	226-8913
	Fitchburg	(T)	Andrew L. Somers	5791 Lacy Road, Madison 53711	(608) 835-5611	256-9046
	Madison	(T)	Gerald Nichol	2120 Fish Hatchery Road, Madison 53713	(608) 274-3622	
	Marshall	(V)	Daniel G. James	126 S. Pardee Street, Marshall 53559	(608) 257-4558	
	Mazomanie	(V)	Phil H. Endres	133 Creant Street, Mazomanie 53560	(608) 655-3617	
	McFarland	(V)	James J. McCann	5915 Milwaukee Street, McFarland 53558	(608) 838-3151	
	Middleton	(C)	Harold Meyer	7426 Hubbard Ave, Middleton 53564	(608) 836-4609	
	Monona	(C)	Donald Pressentin	5011 Monona Drive, Monona 53716		
	Mt. Horeb	(V)	Albert R. Graham	501 Parkview Drive, Mt. Horeb 53572		
	Oregon	(V)	James J. Maylor	127 Park Street, Oregon 53575	(608) 835-3909	836-7291
	Oregon	(T)	Laverne Warner	Union Road, Oregon 53575	(608) 835-3200	835-3032
	Shorewood Hills	(V)	Kenneth M. Orchard	1008 Shorewood Boulevard, Madison 53705	(608) 233-9724	255-7919
	Stoughton	(C)	Carl G. Pieper	176 W. Main Street, Stoughton 53589	(608) 873-3373	873-3732
	Sun Prairie	(C)	Frank Willkom	124 Columbus Street, Sun Prairie 53590	(608) 837-8338	837-7435
	Verona	(V)	James F. Donovan	111 Lincoln Street, Verona 53593	(608) 845-7623	865-9377
	Waunakee	(V)	John Radermacher	802 S. Division Street, Waunakee 53597	(608) 849-4523	849-5626
Green	Albany	(V)	Elmer Runna	205 N. Water, Albany 53502	(608) 862-3248	862-3734
	Broadhead	(C)	Dunne Youngblond	1103 W. 2nd Ave., Broadhead 53520	(608) 897-4018	897-4186
	Brooklyn	(V)	Wayne A. Gilmour	102 N. Rutland Ave., Brooklyn 53521	(608) 455-2131	455-7276
	Jordan	(T)	William J. Figt	R.R. 1, Argyle 53504		
	Monticello	(V)	Gabrielle Glover	537 Lincoln, Monticello 53570		
	New Glarus	(V)	John D. Christoffel	P.O. Box 548, New Glarus 53574		
	Beloit	(T)	Gerald J. Berres	Beloit Town Hall, 2871 Afton Road, Beloit 53511	(608) 362-2543	(815)389-1920
	Clinton	(V)	O. Allan Nims	427 Church St., Box 318, Clinton 53525		
	Edgerton	(C)	David D. Love	164 Burdick St., Edgerton 53534	(608) 884-6425	755-2130
	Evansville	(C)	Robert G. Raymond	424 Grove Street, Evansville 53536		
Rock	Footville	(V)	Roger Butts	P.O. Box 184, Footville 53537	(608) 876-6116	876-6878
	Hilton	(C)	Robert A. Armatrong	116 Parkview Drive, Milton 53563	(608) 868-7679	754-5566
	Newark	(T)	Dirk Veneman	Rt. 2, Hwy 81, Box 93, Beloit 53511		868-3700
	Oxfordville	(V)	David Roman	407 N. Main Street, Oxfordville 53576	(608) 879-4919	
	Turtle	(T)	Charles E. Reynolds	Rte. 1, Box 195, Creek Road, Beloit 53511		
	Fox Lake	(C)	Dwaine Forsyth	103 We Go Trail, Fox Lake 53933	(414) 928-2280	928-3669
	Fox Lake	(T)	Helen M. Hartman	R.R. 1, Fox Lake 53933	(414) 928-2548	928-2425
	Watertown	(C)	Ronald W. Ziwiaky	106 Jones Street, Watertown 53094	(414) 261-4411	261-1626
	Waupaca	(C)	Harland Dietz	402 W. Main Street, Marlon 54950		
	Wood	(V)	Donald Carl	1531 4th Street, Port Edwards	(715) 887-3511	887-5344
DISTRICT 6						
Dodge	Fox Lake	(C)	Dwaine Forsyth	103 We Go Trail, Fox Lake 53933	(414) 928-2280	928-3669
	Fox Lake	(T)	Helen M. Hartman	R.R. 1, Fox Lake 53933	(414) 928-2548	928-2425
	Watertown	(C)	Ronald W. Ziwiaky	106 Jones Street, Watertown 53094	(414) 261-4411	261-1626
Waupaca	Marlon	(C)	Harland Dietz	402 W. Main Street, Marlon 54950		
	Port Edwards	(V)	Donald Carl	1531 4th Street, Port Edwards	(715) 887-3511	887-5344

District County	City Village Township	Judge	Address	Telephone		
				Court	Home	Office
DISTRICT 7						
Grant	Muscoda	(V)	Howard E. Jones	206 North Wisconsin Ave., Muscoda 53573	(608) 739-3270	739-3255
Iowa	Arena	(V)	Emma White	P.O. Box 35, Arena 53505		
	Barneveld	(V)	Jack Parman	P.O. Box 94, Barneveld 53507	(608) 924-5691	
	Highland	(V)	Thomas A. Benish	Municipal Building, Highland 53543	(608) 929-4848	(608) 929-4816
	Ridgeway	(V)	Otto Tesch	310 W. Farewell Street, Ridgeway 53582	924-2241	924-3652
La Crosse	La Crosse	(C)	Leonard R. Chojnacki	505 N. 6th Street, La Crosse 54601	(608) 785-2130	784-1387
	Onalaska	(C)	Thomas M. Olson	415 Main Street, Box 339, Onalaska	(608) 783-5666	783-5992 784-7299
La Fayette	Belmont	(V)	Roger Adler	105 Mount Ave., Belmont 53510	(608) 762-5670	762-5475
	Benton	(V)	Eidon Kruser	P.O. Box 441, Benton, 53803		
	Blanchardville	(V)	Martha Chandler	208 Mason Street, Blanchardville 53516	(608) 523-4250	523-4225
	South Wayne	(V)	Dwight L. Allmon	P.O. Box 171, South Wayne 53587	(608) 439-5395	966-3208
Monroe	Cashton	(V)	Rita Byers	Municipal Court, Cashton 54619	(608) 386-7828	386-5470
	Kendall	(V)	Ernest Huschka	Rte. 1, Box 164, Kendall 54638	463-7422	388-2218
	Sparta	(C)	Donald L. Goodman	P.O. Box 216, Sparta 54656	(608) 269-2117	269-4113
	Tomah	(C)	Lawrence S. Clark	819 Superior Ave., Tomah 54660	(608) 372-5948	372-7574
	Warrens	(V)	John A. Waters	R.R. 1, Box 85, Warrens 54666		
	Wilton	(V)	Corwin Denter	P.O. Box 206, Wilton 54670	385-6666	385-6658
Richland	Lone Rock	(V)	Clarence O. Moeller	P.O. Box 163, Lone Rock 53556	(608) 583-5824	
	Viola	(V)	William L. Brown	Municipal Building, Viola 54664		
Trempealeau	Arcadia	(C)	Ernest T. Reck	854 E. Jefferson Street, Arcadia 54612	(608) 323-3359	323-3322
Vernon	Coon Valley	(V)	Dale Nelson	P.O. Box 141, Coon Valley 54623		
	De Soto	(V)	Ralph Glynn	P.O. Box 75, De Soto 54624	(608) 648-3355	
	Hillsboro	(C)	836 Prairie Avenue, Hillsboro			
	La Farge	(V)	P.O. Box 924, La Farge 54639	(608) 489-2521		
	Ontario	(V)	Nathan I. Woods	420 Monroe Street, Ontario 54651	(608) 625-2326	625-2326
	Stoddard	(V)	Ronald Peterson	180 N. Main Street, Stoddard 54658	(608) 387-4754	475-2357
	Wenthy	(C)	Randy Dahlen	104 1st Street, Wenthy 54667	(608) 634-3214	634-4258
						634-3167
DISTRICT 8						
Brown	Allouez	(T)	James Pressentin	1649 S. Webster, Green Bay 54301	(414) 432-5291	432-1468
	Ashwaubenon	(V)	James Basten	580 Cormier Road, Green Bay 54304	(414) 435-3751	336-8986
	Denmark	(V)	Robert W. Sandberg	118 E. Main Street, Denmark 54208		494-5774
	De Pere	(C)	Raymond Staszak	335 S. Broadway, De Pere 54115	(414) 336-5761	(414) 863-2248
	Green Bay	(C)	Frank Van Laanen	301 S. Adams, Green Bay 54301	(414) 497-3744	336-6737
	Howard	(V)	Thomas Farr	2456 Glendale, Green Bay 54303	(414) 497-4478	499-5995
	Pulaski	(V)	Robert Betley	421 S. St. Augustine St., Pulaski 54162	(414) 822-5182	434-1078
						822-3328
Marinette	Coleman	(V)	Ronald L. Brigham	107 E. Main, Coleman 54112	(414) 897-4400	897-4229
	Crivitz	(V)	Ed A. Erickstead	P.O. Box 86, Crivitz 54114	(715) 654-2056	854-2056
	Goodman	(T)	Lenard E. Laabs	Goodman 54125		336-2440
	Marinette	(C)	John B. Kerski	1905 Hall Ave., Marinette 54143	(715) 735-7427	735-6584

District County	City Village Township	Judge	Address	Telephone		
				Court	Home	Office
DISTRICT 8(cont)						
Marquette(cont)	Niagara	(V) Terrill Thibert	Municipal Court, Niagara	54151		
	Peshtigo	(C) Terry Guay	528 French Street, Peshtigo	54157		
	Silver Cliff	(T) Robert D. Berken	Star Route, Box 121, Athelstane	54104		
	Stephenson	(T) Robert A. Konopka	Route 3, Crivitz	54114		
Oconto	Gillett	(C) Leon E. Riemer	P.O. Box 206, Gillett			
	Lena	(V) Robert McMullen	117 E. Main Street, Lena	54139		
	Oconto	(C) Eugene H. Belongia	1210 Main Street, Oconto	54153		
	Oconto Falls	(C) R.M. Trudel	P.O. Box 70, Oconto Falls	54154		
	Riverview & Doty	(T) Richard T. Bentz	Rt. 1, Mountain	54149		
	Suring	(V) Alice M. Barber	827 Main Street, Suring			
	Townsend	(T) Daniel Tucker	P.O. Box 24, Townsend			
Outagamie	Bear Creek	(V) Donald M. Pfalz	105 Prospect Street, Bear Creek	54922		
	Black Creek	(V) Vernon Zuleger	P.O. Box 52, Black Creek	54106		
	Combined Locks	(V) James Welhouse	Wallace Street, Combined Locks	54113		
	Ellington	(T) William Utke	Route 1, Hortonville	54944		
	Grand Chute	(T) James R. Larson	2920 W. Highway, Appleton	54911		
	Hortonville	(V) Richard J. Schwan	P.O. Box 69, Hortonville	54944		
	Kaukauna	(C) Clarence P. O'Connor	2nd Street, Kaukauna	54130		
	Kimberly	(V) Harry Valentyne	515 W. Kimberly Ave., Kimberly	54136		
	Little Chute	(V) Raymond J. Sanders	Grand & Main, Little Chute	54140		
	Nichols	(V) Ed Lorenz				
	Seymour	(C) Donald O. Hoff	421 N. Main Street, Seymour	54165		
	Shiocton	(V) Wallace Schoepke	P.O. Box 224, Shiocton	54170		
DISTRICT 9						
Ashland	Mellen	(C) Thomas E. McCarthy	P.O. Box 363, Mellen	54546		
Clark	Abbotsford	(C) Bernard Klinkhammer	Rte. 1, Abbotsford	54405		
Florence	Florence	(T) W. Sherman Kuehn	P.O. Box 38, Florence	54121		
Forest	Laona	(T) Alex Carter	P.O. Box 174, Laona	54541		
	Waheno	(T) Willard Ehlinger	P.O. Box 126, Waheno	54566		
Huron	Frauen	(T) Victoria Omernick	Rt. 1, Box 143, Wittenburg	54499		
	Rothchild	(V) Patrick H. Brady	507 Clark Ave., Rothchild	54474		
	Schofield	(C) Harold Kamke	200 Park Street, Schofield	54476		
	Wausau	(C) Arthur Eberlein	407 Grant Street, Wausau	54401		
Vilas	Boulder Junction	(T) Richard Wolcott	P.O. Box 21, Boulder Junction	54512		
	Manitowish Waters	(T)	P.O. Box 1, Manitowish Waters	54545		

District County	City Village Township	Judge	Address	Court	Home	Telephone Office
DISTRICT 10						
Barron	Barron	(C) Elizabeth Christianson	Barron City Hall, Barron	(715) 537-5631	537-3085	537-5633
	Chetek	(C) Kenneth G. Sannes	806 3rd Street, Chetek	(715) 924-3686	924-4425	
	Cumberland	(C) John H. Haley	1356 2nd Ave., Cumberland	(715) 822-2754	822-4727	822-8852
	Rice Lake	(C) Bruce H. Dalrymple	P.O. Box 192, Rice Lake	(715) 224-9074	234-7714	234-9074
	Turtle Lake	(V) Jack Bartels	P.O. Box 11, Turtle Lake	(715) 986-2241	986-2427	986-2216
Chippewa	Cornell	(C) Jack R. Dickinson	Municipal Court Building, Cornell	(715) 239-6522	239-6548	
	New Auburn	(V) Lowell D. Trowbridge	Municipal Court Building, New Auburn	54757		
	Stanley	(C) Russell Judnic	116 3rd Avenue, Stanley	54768	(715) 644-5578	644-5261
Douglas	Solon Springs	(V) Clyde Nelson	P.O. Box 327, Solon Springs	(715) 378-2235	374-2162	374-2162
	Colfax	(V) Eugene Dunnagan	Municipal Court Building, Colfax	54730		
Hann	Sand Creek	(T) Glenn Anderson	Route 2, New Auburn	54757		
	Augusta	(C) Harry Daniels	106 E. Lincoln Street, Augusta	54722	286-2505	
Sau Claire	Prescott	(C) Bernard M. Hovel	233 Broad Street, Prescott	54021	262-5665	425-2405
	River Falls	(C) George C. Banta	City Hall, River Falls	54022	(715) 425-5733	
olk	Frederic	(V) Charles W. Anderson	P.O. Box 216, Frederic	54837		
t. Croix	Glenwood	(V) Walter Waters, Sr.	City Hall, Glenwood City	54013	265-4393	
	Hudson	(C) Douglas Zillz	619 2nd Street, Hudson	54016		
	North Hudson	(V) Herbert Barker	400 7th Street W., Hudson	54016	(715) 386-5141	386-5430
	New Richmond	(C) James F. Urecht	P.O. Box 262, New Richmond	54017	(715) 246-6472	
	Somerset	(V) Bernard T. Peterson	P.O. Box 166, Somerset	54025	(715) 247-3395	247-5257

III. FINDINGS AND RECOMMENDATIONS

III. FINDINGS AND RECOMMENDATIONS

The Wisconsin municipal court system plays an important role in the state judicial system. The public's impression of courts is most likely to occur from an appearance in a municipal court. Project staff's impressions are that municipal judges are sensitive to and concerned about local problems. In addition, municipal courts work closely with the local police department (but are not perceived as a "police" court) and have very little court delay. It is equally apparent that the municipal court system is the least understood in the state and deserves additional attention and assistance.

The following 25 recommendations and observations are based upon project staff's site visit interviews, survey results, input from the Advisory Committee, and review of existing studies, statutes, and court rules. The recommendations do not address all the problems affecting municipal court operations. Some of the recommendations will require further review and analysis.

A. Judicial Qualifications, Code of Ethics, and Conflicts of Interest

The National Center's project staff made three (3) recommendations in these areas.

- A municipal judge should not be required to be an attorney by state statute.
- Some provisions of the Supreme Court Judicial Code of Ethics should be reviewed to determine if they should be made applicable to part-time municipal judges.

- The annual financial report form should be revised to require a specific listing of any "office of public trust".

Twenty-nine (29) states including Wisconsin, authorize the use of lay judges in local courts. Nevertheless, in Wisconsin there are at least 51 municipal judges that are attorneys. Sixteen (16) of these municipalities have local ordinances requiring the judge to be attorney. Notwithstanding, the American Bar Association's belief that all judges should be admitted to the bar, project staff does not believe this should be mandated by the state in Wisconsin. As long as municipal courts have their present limited jurisdiction, there are no complicated legal issues a judge must decide that cannot be learned from proper judicial training. Municipal judges need not be licensed attorneys. Municipalities have authority to impose this qualification if they deem it appropriate.

Supreme Court Rules 60.08 (Investments) and 60.11 (Influence) are presently not applicable to part-time municipal judges. SCR 60.08 prohibits a judge from making or retaining "any personal investments in enterprises which are likely to be involved in litigation or proceedings in the court." SCR 60.11 provides in part "a judge shall not personally solicit funds for any purpose, charitable or otherwise." Similiar ABA Judicial Canon provisions prohibit such investments or conduct by part-time judges. Therefore, it is recommended that the Supreme Court determine if SCR 60.08 and 60.11 should be made applicable to part-time municipal judges.

SCR 60.03 provides that a "judge (including part-time) shall not participate in any matter in which he or she has a significant financial interest . . . " SCR 60.04 specifically prohibits any municipal judge from holding ". . . any (other) office of public trust . . . " Some judges responding to the survey listed other part-time positions that might be offices of public trust. These possible conflicts are not always identified from a review of a municipal judge's annual financial report. The report requires only a listing of the "source" of other income (over \$100). This income could be from a spouse's employment. Judges also frequently do not list specifically the title of other positions or sources of income. Therefore, possible conflicts may go undetected even with a review of these financial reports. Revisions to the report form would facilitate the identification of possible conflicts.

- The Judicial Education Office should review the statutes, court rules, and case law referenced or identified in this report to determine if there should be any changes or additions to the Municipal Judges Manual.

At least 31 municipal judges elected within the last five (5) years have had no judicial training. Even licensed attorneys need some minimum judicial training when they become a judge. For this reason, 20 of the 28 states that have lay judges require mandatory attendance at a judicial orientation training program. Wisconsin should also have this requirement for new municipal judges.

Even with the extensive training programs developed in the last two (2) years by the Judicial Education Office, many judges continue to have problems in areas covered by these programs. The areas listed in the second recommendation above were rated as high priority problem areas (even though covered in previous training programs) and should be covered in future state training programs. The third recommendation above covers new areas identified by municipal judges in the survey as high priority problem areas for which state training programs have not been presented in the past.

The Judicial Education Office recently prepared and distributed to all municipal judges a Municipal Judges Manual as a guide to the law and listed a number of legal resource materials that every municipal judge should have access to in addition to state statutes. Project staff's research resulted in the identification of additional important legal resource materials and requirements or procedures for municipal courts not outlined or listed in the manual. These additions should be made to the manual.

B. Judicial Training and Legal Resources

Project staff generally found that the Judicial Education Office is presenting a wide range of training to many municipal judges. However, this study revealed that many new judges have never had any judicial training, certain areas of existing training continue to be a problem for municipal judges, state training programs in certain problem areas are not available, municipal judges should have access to additional legal resource materials, and municipal judges need an extensive outline of all statutes, court rules, regulations, and case law relating to municipal courts. Consequently, the National Center believes the following five (5) recommendations should be implemented.

- New municipal court judges should be required to attend a judicial orientation training program.
- The municipal judge's training programs being presented by the judicial education office in the areas of non-traffic juvenile cases, sentencing, rules of evidence, OWI cases, defendant's rights, office management, and conducting a trial should be given priority in future training sessions.
- New training materials and programs should be developed and presented by the Judicial Education Office in the areas of the judge's role when there is no prosecutor or defense attorney, how to prepare, present and monitor a court budget, and, how municipal judges also practicing law can avoid conflicts of interest.
- Legal dictionary, Wisconsin Motor Vehicle Laws, the Instruction Manual for completing the State of Wisconsin Uniform Traffic Citation & Complaint, and Wisconsin Court Rules and Procedures should be added to the Municipal Judges Manual's list of legal sources that every judge should have access to.

Mandatory Judicial Education
for Lay Judges (1981)*

<u>State (28)</u>	<u>Number of Lay Judges</u>	<u>Orientation</u>	<u>Annual Judicial Conference</u>	<u>Continuing Education</u>
Alaska	48	X	X	X
Arizona	116		X	
Colorado	73			X
Delaware	74			X
Georgia	602	X		X
Idaho	22	X		
Iowa	83			X
Kansas	373	X	X	
Michigan	130	X		
Mississippi	644	X		X
Missouri	219	X		
Montana	141	X		X
Nebraska	43			X
Nevada	73	X		
New Hampshire	12			X
New Mexico	186	X	X	X
New York	2,250	X		X
North Carolina	600	X		
North Dakota	145	X		X
Oregon	230	X		X
Pennsylvania	565	X		X
South Carolina	605	X		X
South Dakota	150			X
Texas	1,678	X		X
Utah	160			X
Virginia	400	X		X
Washington	70	X		
West Virginia	150	X		X
(TOTAL)	9,842	20	4	20

*Taken from Survey of State Mandatory Judicial Education Requirements
(March 1981), prepared by the American University Law Institute. See Appendix D.

C. Judicial Activity Statistics

The State of Wisconsin presently requests judicial statistics for municipal courts on an annual voluntary basis. The survey for 1980 resulted in responses from 178 of the 209 municipal judges statewide. A comparison of 1974 - 1980 annual surveys indicate an ever increasing caseload for municipal courts. See, the chart below for comparison of municipal court activity for 1974 - 80.

Year	Number of Judges	DISPOSITIONS					TOTAL
		Parking	Other Traffic	Ordinances Other Than Traffic	Warrants Issued	Any Other Cases	
1974	150	46,576	51,736	13,121	2,992	584	115,009
1975	154	57,785	82,274	20,801	10,268	645	171,773
1976	136	69,676	79,694	25,044	15,249	1,579	191,238
1977	190	108,488	129,812	29,464	25,629	4,340	297,733
1978	163	116,711	79,373	19,615	14,750	2,318	232,767
1979	163	136,123	107,777	53,376	34,180	6,718	338,174
1980	178	164,456	131,859	50,832	34,005	2,105	383,257

However, these statistics do not contain data regarding juvenile (non-traffic cases) or information about types of dispositions. The data is collected only at the end of the year without adequate instructions and for these reasons may be inaccurate. Finally, no information is presently collected regarding case delay.

For these reasons, project staff recommend the following changes and additions regarding the collection of court activity statistics by WCIS.

- The present annual municipal court judicial statistics form should be revised to include juvenile (non-traffic) cases, types of dispositions, and instructions for completing the forms.
- Municipal courts should submit judicial activity reports at least quarterly or semi-annually with smaller courts collecting statistics daily on a standard worksheet.
- Municipal courts should be required to submit a one-time list of all pending cases over a year old.

The proposed revisions and additions to the present annual municipal court activity report will collect data for all of the major types of cases and provide data regarding how cases are disposed. Only with this type of information can municipal courts and the Supreme Court accurately understand municipal court workloads. The proposed reporting form can also be used on an ongoing basis to collect statistics as they are occurring instead of waiting till the end of the year to reconstruct data from court records. With these procedures statistics could be submitted to the Supreme Court on a quarterly or semi-annual basis with no extra work for most municipal courts.

If instructions for completing the proposed forms are developed by WCIS and provided to all municipal courts it is likely the submitted statistics will be more accurate.

Although survey responses do not indicate that municipal courts have a case delay problem, the Supreme Court should at least once require municipal courts to submit a list of pending cases over a year old and the reason for the delay in disposition of the case.

Chart 8

Type of Case	MUNICIPAL COURT DISPOSITION						Jury Trial Request	Pending Warrants for Non-Appearence	Total Cases Filed
	Forfeiture of Deposit by Non-Appearence	Plea of Guilty or No Contest Before A Judge	Dismissal	Guilty Verdict	Not Guilty Verdict	TOTAL			
PARKING									
TRAFFIC									
NON-TRAFFIC									
JUVENILE (Non-Traffic)									
TOTAL									

D. Judicial Functions and Sentencing Alternatives

A municipal judge's sentencing authority is limited to ordering payment of a forfeiture plus any costs of prosecution or in default of such payment, suspension of driving privileges for up to six (6) months (if 16 or older) or incarceration (unless a hearing determines that a defendant is indigent). The judge may also enter a default judgment if a defendant has made a deposit and does not appear in court as ordered or instructed. If equitable relief is demanded, the municipal court does not have jurisdiction and the action must be brought in the circuit court.

Even with these well defined sentencing powers, municipal judges are imposing sentences not clearly within their authorization. Interviews and survey responses indicate that municipal judges are ordering restitution and assigning defendants to work programs. Judges are also entering default judgments when a defendant has not made a deposit with the court or even appeared before the court. Some indigent defendants are being incarcerated for non-payment of penalty because they are not provided a hearing. See, Chart 9 for sample notice. In response to these situations, the National Center submits the following recommendations:

- Defendants in municipal court should be informed that they may not be incarcerated for non-payment of a forfeiture if they are indigent, and they have a right to a hearing to determine their ability to pay.
- The Judicial Council should study the advisability of municipal judges being given the authority to order restitution or participation in work programs for juvenile and adult defendants.
- An advisory opinion should be requested from the state attorney general's office regarding the legality of a municipal judge entering a default judgment when a defendant has not appeared before the court or filed a deposit.

PAYMENT NOTICE AND NOTICE OF RIGHT TO JUDICIAL HEARING

CITY OF MILWAUKEE VS.

DEBENDANT(S) - NAME AND ADDRESS - (LAST NAME FIRST)

CASE NO

M

NOTICE OF DEFAULT JUDGMENT AND POSSIBLE JAIL SENTENCE

ON _____ YOU WERE SCHEDULED TO APPEAR BEFORE THE HONORABLE
PURSUANT TO AN ALLEGED VIOLATION OF THE MILWAUKEE CODE OF
DINANCES, TO-WIT:
U DID NOT APPEAR IN COURT ON THE DATE. THEREFORE, A DEFAULT JUDGMENT WAS TAKEN AGAINST YOU
YOUR ABSENCE. YOU WERE FOUND GUILTY AND ASSESSED A FINE OF \$ _____ INCLUDING COURT
STS. THIS AMOUNT MUST BE PAID BY _____ IF THE FINE IS NOT PAID BY THAT
TE YOU ARE SENTENCED TO _____ DAYS IN THE

IF YOU CANNOT PAY THE FINE WITHIN THE TIME PERIOD ALLOWED INFORM THE COURT
IMMEDIATELY.

IF YOU DO NOT PAY THIS FINE BY THE ABOVE DATE YOU CAN BE ARRESTED AND
SENT TO JAIL. IF YOU ARE UNABLE TO PAY THE FINE BY THE ABOVE DATE YOU MAY REQUEST
AN EXTENSION OF THAT TIME. YOU ALSO HAVE THE RIGHT TO A JUDICIAL HEARING TO DETERMINE
WHETHER OR NOT YOU ARE ABLE TO PAY THE FINE. A JUDICIAL HEARING WILL BE HELD AT YOUR
REQUEST AND:

1. You will have the opportunity to present evidence on your own behalf concerning your ability to pay the fine within the time imposed;
2. You will have the opportunity to confront and cross-examine any adverse witnesses;
3. You will have the right to be represented by counsel;

If you wish to request an extension of time or a judicial hearing, please notify the court immediately by:

- a. Informing the Judge at the time of your court appearance that you do not have enough money to pay the fine; or
- b. By coming in person, Monday through Friday, 8:30 - 11:00 A.M. and 1:30 - 4:00 P.M. to the Office of the Clerk of Municipal Court at

MUNICIPAL COURT OF MILWAUKEE
818 WEST WISCONSIN AVENUE (1st Floor)
MILWAUKEE, WISCONSIN 53233

You should keep this notice and bring it with you for identification purposes. All payments are to be made by mail or in person at the Municipal Court. Please send check or money order only; do not send cash. Put the above case number on any check or money order. Part payments accepted.

IF YOU HAVE ANY OTHER QUESTIONS CONCERNING YOUR CASE YOU SHOULD GO TO THE OFFICE OF THE CLERK OF MUNICIPAL COURT.

Because of a lack of resources and training, some municipal court judges are utilizing courtroom practices that may affect the public's impression of their impartiality or neutrality. In at least 116 municipal courts penalties are collected in the courtroom by clerks (60), police officers (37), and even judges (18). In most cases, this practice is for the convenience of the defendant or because the court has limited facilities or staff. In either case, the public may get the impression that the judge is only interested in collecting a penalty. For this reason, deposits or penalties should not be collected in a courtroom. Other acceptable alternatives are available.

The final problem identified by project staff in this area involves the expenses municipal judges are personally incurring when they are assigned to hear a case for another municipal judge. All expenses resulting from such an assignment should be reimbursed to the judge.

E. Facilities, Records and Equipment

Municipalities must provide a judge with a courtroom.

However, many existing courtrooms do not "promote the proper atmosphere of dignity and decorum for the operation of the court." One way to improve the quality of municipal courtroom is to educate judges and municipalities as to the minimum requirements of a courtroom. Chart 13 lists 10 minimum courtroom standards that should be found in all municipal courts.

In the area of forms and records practices, project staff has identified a number of areas the Director of State Courts Office could be of assistance to municipal courts. The Municipal Judges Manual does not provide samples or citations to all forms required or used in municipal courts. Judges attempting to design their own form need forms design guidelines. Existing financial recordkeeping practices in many small courts is unnecessarily time consuming. Many municipal judges have minimal control over court revenues collected by police agencies or municipal offices. Municipal courts do not know what records can be destroyed or when they can be destroyed. The following Center recommendations address these problems.

- Municipal courts should be provided with an expanded list of municipal court forms (with statutory or court rule citations) and copies of sample forms used in other courts.
- The Director of State Courts should design model forms for municipal courts and/or provide guidelines and training to municipal courts in forms design.

- Municipal courts with a caseload between 100 and 5,000 cases (not counting cases processed by police departments) should use a "one-write" peg board accounting system for all monies collected by the court.
- Municipal courts should monitor and review closely all financial records created by a police department when monies are collected by the police.
- The Director of State Courts Office should review the records retention schedule developed in the Wisconsin Circuit Court Records Project to determine which schedules could be made applicable to municipal courts.

Municipal courts have generally purchased required audio recording equipment to record sworn courtroom testimony. However, these courts have not been provided any guidelines to determine what equipment will best meet the needs of the court. Some courts have purchased equipment that does not monitor whether the proceedings have actually been recorded on the tape. A number of judges interviewed admitted that they knew the tape was inaudible. Finally, project staff found a number of courts storing court records in police garages, at home, or in stacked boxes. Both of these problems can be resolved if the following recommendations are implemented.

- Guidelines, standards and procedures should be developed for the purchase and use of electronic equipment for the recording of testimony taken under oath in municipal courts.
- Municipal courts with a large caseload or storage problem should use a fixed open-shelf filing system for storage of case files.

CHART 10

MINIMUM
MUNICIPAL COURTROOM STANDARDS

- There should be a separate table, desk, or bench for the judge (preferably raised).
- There should be separate entrances to the courtroom for the judge and the public.
- There should be a table and chairs for the prosecutor and defendant.
- There should be separate seating areas and chairs for the public.
- There should be a tape recorder microphone for the judge, and preferably a separate microphone for the prosecutor, defendant and witness.
- The courtroom should not be shared with other activities during court sessions.
- When court is in session, there should be a sign at the public entrance to the courtroom identifying the name of the court and judge.
- The tape recorder should be within reach of the judge if not being operated by a clerk or reporter.
- There should be a chair and microphone near the judge for any person giving sworn testimony.
- The courtrooms should be capable of being closed so the public cannot see or hear non-traffic juvenile court proceedings or hearings.

F. Municipal Ordinance Cases in Circuit Court

One of the major objectives of this study was the determination of the judicial and financial impact on circuit courts having to hear municipal ordinance violations cases where the municipality has not created a municipal court. The data necessary to make a workload analysis is collected by or available to WCIS. However, this statistical information is not reported in any output reports prepared by WCIS. This information also could not be collected by a study or survey of municipal courts.

Project staff's research did reveal a number of other ways that a circuit court may hear a municipal ordinance case. These situations result from request for jury trials, demands for equitable relief, request for judge substitutions (when no municipal judge is available), when there is an appeal from a municipal court, and when a local police agency or municipal attorney persuades a county prosecutor to file the case under state law in the circuit court. All of these situations do have a judicial and financial impact on circuit court. However, there is no data available to access the extent of this impact.

To accurately assess this impact (including situations where there is no local municipal court), the National Center recommends that the Director of State Courts Office should format WCIS output reports to reflect existing data regarding municipal ordinance violation caseloads and activity in circuit courts.

With additional circuit court interviews by district court administrators, data could also be collected regarding the financial impact and practices being used in each court to handle municipal cases.

If this information reveals a significant impact on circuit courts then there are a number of alternative approaches to reducing this impact including the following:

- Authorizing municipal courts equity jurisdiction
- Eliminating the right to jury trials in municipal courts
- Allowing municipal judges to hear jury trials
- Encouraging circuit courts to give scheduling priority to serious ordinance violation cases
- Eliminating de novo appeals
- Increasing the utilization of circuit court commissioners in the area of municipal ordinance violations

Each of these alternatives will require further analysis to determine the appropriateness of these approaches.

ATTACHMENT

1981 WISCONSIN MUNICIPAL COURT SURVEY INSTRUMENT



Supreme Court of Wisconsin

Director of State Courts

213 N.E. State Capitol

Madison, Wisconsin 53702

Bruce F. Beilfuss
Chief Justice

Telephone (608) 266-6828

J. Denis Moran
Director of State Courts

Dear Judge:

You may already be aware of the Municipal Courts Study Project being conducted by this office and the National Center for State Courts. As part of this study, we would like you to complete and return the enclosed questionnaire.

To carry out our functions -- judicial education, courts planning and research, information and advice for the courts and for the legislature -- we need reliable information about the Municipal Courts of Wisconsin. This study is the most comprehensive ever done on our municipal courts. It will not be repeated in the foreseeable future. Your cooperation now will provide information that will help to shape sound state policy for years to come.

Results from the study will be available to municipal judges and to all who are interested in municipal courts by early next year. We hope that you will be able to take the time to complete the enclosed questionnaire; complete and accurate results will ultimately benefit all the courts of Wisconsin.

Thanking you in advance for your cooperation, I am

Sincerely yours,

A handwritten signature in dark ink, appearing to read "J. Moran", with a long horizontal flourish extending to the right.

J. DENIS MORAN
Director of State Courts

JDM:nc

enc.

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GENERAL INSTRUCTIONS

- If you have any questions regarding this questionnaire, please call your District Court Administrator (see, attached list of Administrators), or Karen McKim, Court Operations Analyst at (608) 267-7336.
- Please answer all questions accurately. Your individual responses will not be included in the final report. No reference will be made to individual courts or judges.
- Some questions may require assistance from the police department or other municipal offices. Nevertheless, you are responsible for reviewing the completed questionnaire for accuracy before returning the survey.
- Responses to questions may be handwritten (if legible) or typed.
- If actual data or information is not known, provide best estimate.
- If a particular question does not fit your situation, record your best answer and explain in the margin. (An example might be the question regarding how often your court holds sessions each month. If you hold court on the average only every two or three months, record that answer in the margin.)
- Some questions will not apply to you (e.g., questions for judges who are attorneys). For these questions, write "N/A" (not applicable) next to the question number. This way we will know that you did not just miss answering the question.
- After you have completed the questionnaire, you may want to make a copy for yourself.
- Mail the completed questionnaire to your District Court Administrator in the enclosed self-addressed stamped envelope by Friday, September 25, 1981.
- Return only the questionnaire. Keep all cover materials and instructions.

DISTRICT COURT ADMINISTRATORS

DISTRICT I

Ronald Witkowiak
District Court Administrator
Room 500-A
Milwaukee County Courthouse
Milwaukee, Wi 53233
(414) 278-5113

DISTRICT II

Kathleen Murphy
District Court Administrator
Racine County Courthouse
Racine, Wi 53403
(414) 636-3133

DISTRICT III

Leone Isermann
District Court Administrator
Waukesha County Courthouse
Waukesha, Wi 53186
(414) 544-8235

DISTRICT IV

John Ferry
District Court Administrator
Manitowoc County Courthouse
Manitowoc, Wi 54220
(414) 682-8811 Ext. 10

DISTRICT V

Mary Kay Baum
District Court Administrator
Room 228D, City-County Bldg.
Madison, Wi 53709
(608) 267-8820

DISTRICT VI

Samuel Shelton
District Court Administrator
Dodge County Courthouse
Juneau, Wi 53039
(414) 386-4411 Ext. 246

DISTRICT VII

Steven Steadman
District Court Administrator
LaCrosse County Courthouse, Rm.1
LaCrosse, Wi 54601
(608) 785-9546

DISTRICT VIII

William Sucha
District Court Administrator
Brown County Courthouse
Green Bay, Wi, 54301
(414) 497-3915

DISTRICT IX

Norman Meyer
District Court Administrator
Marathon County Courthouse
Wausau, Wi 54401
(715) 842-0471 Ext. 280

DISTRICT X

Robert Frye
District Court Administrator
Suite 3
1102 Regis Court
Eau Claire, Wi, 54701
(715) 839-4826

WISCONSIN MUNICIPAL COURT STUDY

1. Name _____
First Initial Last

2. Court Address _____

(Zip)

3. City / Village / Township _____
(Circle)

4. County _____

5. Phone _____
Court () -
Home () -
Business () -

6. Sex F M 7. Age _____
(Circle)

8. In what type of facility are court sessions held?

9. What is your assessment of the court facility? (Check One)

10. How many hours do you spend (in an average month) on the following municipal court activities? "Other" would include such things as working at home, attending training programs and performing administrative tasks.

- TOTAL

11. When do you hold court and for how many hours?

When?

Hours?

•	_____	_____
•	_____	_____
•	_____	_____

12. If you have regular hours each week, list below when the court opens and closes for each day.

		DAY OF WEEK							
		S	M	T	W	TH	F	S	
(a)	Opens								TOTAL HOURS PER WEEK
(b)	Closes								

13. Do you provide defendants with information regarding the following items? (Check ☒ appropriate boxes)

	Not Provided	If yes, Check			
		All that Apply		All that Apply	
		Written	Orally	Each Def.	As a Group
(a) Legal rights?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Court procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Wisconsin Point System?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Other? _____		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Have your financial records ever been audited? YES ☐ NO ☐ If yes, by whom? _____ When? _____

15. Please indicate the total 1980 (actual) and 1981 (estimated) cost to operate the court. Include all expenses even if not in court budget. If amounts are not available for a type of expenditures, record best estimate.

TYPE OF EXPENSES	1980 ACTUAL		1981 ESTIMATE	
	COURT BUDGET	OTHER BUDGETS	COURT BUDGET	OTHER BUDGETS
(a) <u>All</u> salaries	\$	\$	\$	\$
(b) Operating Costs				
(c) Facilities				
(TOTAL)	\$	\$	\$	\$

16. List below the actual job title of each person doing court work under the appropriate general job title. In addition, list the average number of hours each person works for the court in a month. Then check how each person is funded. If the person is not paid, check "not paid". Finally, check the box at far right if that person is a relative or staff that also work for you privately.

JOB TITLES	Average Hours Per Month	CHECK ALL THAT APPLY				Check if Relative or Private Staff
		Court's Budget (Salary)	Police Budget (Salary)	Privately Funded	Not Paid	
(a) Clerk(s)						
(b) Bailiff(s)						
(c) Secretary						
TOTAL: Hours and checks ✓						

17. Do you wear judicial robes while on the bench? YES ☐ NO ☐

18. Check (below) all the items that describe the court's or your involvement in the budget process.

- (a) ☐ Prepare the court's budget request
- (b) ☐ Discuss request with municipal staff
- (c) ☐ Present request to municipal governing body
- (d) ☐ Approve expenditures from budget
- (e) ☐ Maintain record of court expenditures

19. Please indicate below the amount of money collected in 1980 by the police department and/or the Court for each of the noted types of ordinance violations. After you have completed the first two columns, record in the last three columns how the monies were divided between penalty, assessment (12%) and cost. If the amount for each type of violation is not available, record only the total amount at the bottom of each column.

ORDINANCE VIOLATIONS	1980		TOTAL		
	COLLECTED BY POLICE DEPT	COLLECTED BY COURT	PENALTY	12%	COST
Traffic	\$	\$	\$	\$	\$
Non-Traffic					
Parking					
Juvenile (Non-Traf.)					
(Total)	\$	\$	\$	\$	\$

20. How often do the person(s) listed below handle arraignments and trial proceedings in your court?

	INITIAL APPEARANCE			TRIAL		
	Never	Sometimes	Always	Never	Sometimes	Always
MUNICIPAL ATTORNEY						
ASS'T MUNI. ATTORNEY						
OTHER ATTORNEY SPECIALLY EMPLOYED						
OTHER PERSON(S) SPECIFY TITLE, (below)						

21. What effect (if any) does the presence of defense counsel at court proceedings have on the operation of municipal court?

Explain: _____

CASELOAD

22. Record below the total number of cases disposed of during 1980 for each of the noted major types of cases. If actual figures are not available, provide best estimate.

TYPE OF CASES	1980 DISPOSITIONS						TOTAL
	FORFEITURE OF DEPOSIT	PLEA OF GUILTY OR NO CONTEST	DISMISSALS	TRIALS	JURY TRIAL REQUESTS (Cir. Ct.)	WARRANTS FOR NON-APPEARANCE	
TRAFFIC							
PARKING							
NON-TRAFFIC							
JUVENILE (Non-Traf)							
(TOTAL)							

23. Do you enter a default judgment when a defendant fails to appear if no deposit has been made with the court? YES ☐ NO ☐
24. Do you have any active cases over one (1) year old? YES ☐ NO ☐
If yes, why? _____

25. How many cases were appealed in 1980 to the circuit court? List below the number that were tried over (de novo) or reviewed on the record without a new trial.

<u>Appeals</u>	<u>Number</u>
(a) Tried over	
(b) Reviewed on record	
(TOTAL)	

26. Does your court use a uniform deposit schedule for:

Traffic cases	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If yes, State schedule? YES <input type="checkbox"/>	NO <input type="checkbox"/>
Non-traffic cases	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Approved by governing body? YES <input type="checkbox"/>	NO <input type="checkbox"/>

27. If a person is unable to pay a penalty, do you determine if the party is indigent?

YES ☐ NO ☐ If yes, automatically? ☐, or
Only when the party says they are unable to pay? ☐

28. Do you give credit for time spent in jail toward payment of a penalty?

YES ☐ NO ☐

29. Do you give credit for time spent in jail before a conviction toward jail time if a person cannot pay a penalty?

YES ☐ NO ☐

30. List below how court funds are collected and processed.

Who Collects...

Police

Court

Both

Other

- o Deposits when citations issued? ☐ ☐ ☐ ☐ _____
- o Stipulations? ☐ ☐ ☐ ☐ _____
- o Penalties at court appearance? ☐ ☐ ☐ ☐ _____

Who Deposits...

- o Deposits? ☐ ☐ ☐ ☐ _____
- o Stipulations? ☐ ☐ ☐ ☐ _____
- o Penalties? ☐ ☐ ☐ ☐ _____

In Whose Account Is
Cash Deposited?

☐ ☐ ☐ ☐ _____

Who Maintains
Bookkeeping Records?

☐ ☐ ☐ ☐ _____

Are Monies Collected
In the Courtroom?

YES ☐ NO ☐

- o If yes, by whom? Clerk ☐ Judge ☐ Police Officer ☐

31. The following three (3) questions pertain to judge substitutions requested by a party (not because of a vacation, illness, or absence of a judge).

(a) How many times in 1980 did you substitute for another municipal judge? _____

(b) Have these assignments created a problem for your court or

municipality? YES ☐ NO ☐ Explain: _____

(c) Should judge substitutions be eliminated? YES ☐ NO ☐
Why? _____

22. Are there any recently imposed limitations on the municipal courts jurisdiction:

(a) YES ☐ NO ☐

(b) If yes, what are the limitations? _____

(c) If there are limitations, should they be eliminated?

YES ☐ NO ☐ Why? _____

33. What type of sentencing alternatives have you employed in dealing with juveniles? Check each alternative that you have used and to the right record the percent of times you have used each alternative.

TYPE OF DISPOSITIONS

PERCENT OF TIME

☐ Counsel child, parent or guardian

☐ Impose (up to) \$25 forfeiture

☐ Restitution ordered

☐ Assign to work program

☐ Other _____

	%
	%
	%
	%
	%

IF JUVENILE FAILS TO PAY:

☐ Finding of ability to pay

☐ Adjourn payment up to 12 months

☐ Suspend driver's license

☐ Suspend hunting license

☐ Suspend fishing license

☐ Other _____

	%
	%
	%
	%
	%
	%

34. What statutory changes (if any) would you recommend in the juvenile law as it relates to municipal courts? _____

35. What other aids (if any), educational or otherwise, would you recommend be made available to municipal judges to help in handling juvenile cases? _____

RECORDS MANAGEMENT

36. Are arraignments and trials tape recorded? (check ☒ appropriate boxes)

(a) Initial appearance YES ☐ NO ☐

(b) Trials YES ☐ NO ☐

37. Does your court regularly record all required information specified in state statute 800.11 (see attached copy of statute) relating to:

(a) Dockets YES ☐ NO ☐

(b) Judgments YES ☐ NO ☐

(c) Are they combined YES ☐ NO ☐
into one form?

38. Should there be statewide uniform standards and procedures for keeping municipal court records? YES ☐ NO ☐

39. Are your court records/files...

(a) A storage problem? YES ☐ NO ☐

(b) Stored in court facilities? YES ☐ NO ☐

(c) Destroyed per a schedule? YES ☐ NO ☐

(d) Microfilmed? YES ☐ NO ☐

(e) Destroyed after microfilming? YES ☐ NO ☐

40. Does your court use any forms that you believe would be a good model for other municipal courts? YES ☐ NO ☐ (If yes, attach copy.)

41. Please describe any major improvements you would like to see in municipal court recordkeeping procedures or practices.
Describe: _____

42. List below the name and address of persons or companies from whom you purchase forms for the court.

Name

Address

• _____	_____
• _____	_____
• _____	_____
• _____	_____

LEGAL RESOURCES AND TRAINING

43. Check or list below which legal materials are available to you and where they are located.

LEGAL MATERIALS:

- ☐ Wisconsin Statutes
- ☐ Municipal Ordinances
- ☐ State Digests
- ☐ Legal Dictionary
- ☐ Wisconsin Law Review
- ☐ Wisconsin Case Reporters
- ☐ Attorney General Opinions
- ☐ State Motor Vehicle Code
- ☐ State Bar Journal
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

[illegible]

44. List any legal materials or resources you do not presently have access to and believe are important to the operation of the municipal court, if any.

-
-
-
-
-
-

45. List below any training programs you have attended in the last five (5) years that relate to your duties as a municipal judge.

TRAINING PROGRAM	YEAR	PRESENTED BY				
		STATE BAR	SUPREME COURT	MUNI. JUDGES ASSN.	COLLEGE OR UNIV.	OTHER

46. If you have become a judge within the last five (5) years, how soon after you became a judge did you attend your first judge training program? _____

47. List any manuals you find useful to you as a municipal judge.

DESCRIPTION OF MATERIAL/MANUAL	PREPARED BY

48. Check or list below the individuals or groups from whom you have requested advice
or assistance, and the amount of help you received.

REQUESTED LEGAL
ASSISTANCE FROM:

 District Attorney

/ / Municipal Attorney

Other Municipal Judges

 Municipal Judge's Assn.

 Motor Vehicle Department

 State Bar

Local Bar

 District Chief Judge

/ / District Court Administrator

 Circuit Judge

Police

 County Health Department

State Attorney General

 Director of State Courts



7

□

17.

NO
ASSISTANCE
PROVIDED

ASSISTANCE PROVIDED

VERY HELPFUL

SLIGHTLY HELPFUL

BACKGROUND INFORMATION

49. Check below the highest level of education completed.

GRADUATED FROM: (check one)

- ☐ Grade School
- ☐ High School
- ☐ College/Trade School
- ☐ Graduate School
- ☐ Law School

CIRCLE YEARS COMPLETED IF DID NOT GRADUATE		
1	2	3
1	2	3
1	2	3
1	2	3

50. List specialized degrees or training.

- o _____
- o _____
- o _____

51. IF YOU ARE A PART-TIME MUNICIPAL JUDGE, list other occupations/employment.

- (a) Occupation: _____
- (b) Employed with: _____

52. IF YOU ARE LICENSED TO PRACTICE LAW IN WISCONSIN, answer the following questions.

- (a) Does your municipality require a judge to be an attorney? YES ☐ NO ☐
- (b) Do you practice law? YES ☐ NO ☐
- (c) In what ways do you limit your practice to avoid potential conflicts of interest? Explain: _____
- _____
- _____

53. Please check the appropriate answers to the following questions regarding your position as a municipal judge.

- (a) How did you first become a judge? _____ Appointed _____ Elected
- (b) How long have you been a judge? _____ Years
- (c) How many times have you been elected? _____
- (d) How long is your current term? _____ Years
- (e) When does your current term expire? _____, 19 _____

54. List any other elective or appointed public office you have held or presently hold and when.

		Dates
•	_____	_____, 19____ to _____, 19____
•	_____	_____, 19____ to _____, 19____
•	_____	_____, 19____ to _____, 19____

55. List the last three (3) jobs (not present occupation or positions listed in question 51).

		Dates
•	_____	_____, 19____ to _____, 19____
•	_____	_____, 19____ to _____, 19____
•	_____	_____, 19____ to _____, 19____

56. What is your current annual judicial salary? \$ _____

PROBLEM AREAS

57. Rank below the five (5) most serious problem areas (in your opinion). List any additional areas not listed that would be among the five (5) most serious areas. Rank the five (5) areas from 1 - 5 with one (1) the most serious.

<u>Rank:</u>		<u>Rank:</u>	
<input type="checkbox"/>	Office Management	<input type="checkbox"/>	Rules of Evidence
<input type="checkbox"/>	Conducting a trial	<input type="checkbox"/>	Sentencing
<input type="checkbox"/>	Relationships with police	<input type="checkbox"/>	Juvenile (non-traffic) cases
<input type="checkbox"/>	OWI cases	<input type="checkbox"/>	Traffic cases
<input type="checkbox"/>	Defendant's rights	<input type="checkbox"/>	_____
<input type="checkbox"/>	Court Decorum	<input type="checkbox"/>	_____
<input type="checkbox"/>	Judicial Ethics	<input type="checkbox"/>	_____

58. From the above ranked problem areas, identify the top three areas of your concerns, (ranked 1, 2 and 3) and then discuss below the precise problem, potential remedies, and other insights regarding the problem.

Ranked	Problem and Proposed Solution
1	
2	
3	

59. Given your knowledge of municipal court and municipal judges, what personal characteristics or qualities do you feel judges need to improve on most? _____

60. List below any statutes or court rule requirements which could be changed to improve the operation of the municipal courts.

	Citation	Problem and Proposed Change
STATUTES		
COURT RULES		

(THANK YOU FOR COMPLETING THIS QUESTIONNAIRE)