

CR. sent
1-12-83

**STATE OF WISCONSIN
MUNICIPAL COURT STUDY**

90145

**U.S. Department of Justice
National Institute of Justice**

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material in microfilm only has been granted by
National Center for State Courts

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

**Executive Summary, Final Report
from
National Center for State Courts**

MAY, 1982

DIRECTOR OF STATE COURTS

OFFICE OF COURT OPERATIONS

90145
5
4
106



Supreme Court of Wisconsin

Director of State Courts

110 E. Main Street, Room 503

Madison, Wisconsin 53703

J. Denis Moran
Director of State Courts

Bruce F. Belfuss
Chief Justice

Edward F. McClain
Deputy Director for Court Operations
Telephone 608-266-3121

July, 1982

The only exposure to the courts most Wisconsin residents will ever have is in municipal courts. Although they decide only cases involving municipal ordinance violations, the volume of those cases is so great that municipal courts handle more cases each year than all our circuit courts. The judges who run these courts have a heavy responsibility and a great opportunity for public service.

In 1981, the Office of the Director of State Courts and the Administrative Committee on Courts, under a grant from the Wisconsin Council on Criminal Justice, commissioned a study of municipal courts in Wisconsin. This report from the National Center for State Courts is a result of that study.

To gather information for the study, National Center staff interviewed and observed in twelve municipal courts. A mail survey collected information from 155 municipal judges. The results present the most detailed statistical snapshot ever taken of municipal courts in Wisconsin.

Using their findings, the National Center staff made recommendations which are included in this executive summary. The recommendations are aimed at improving the ability of municipal courts to handle their case-loads in a manner that is--and is seen to be--just, timely, and efficient. Recommendations are addressed to nearly every organization with an interest in municipal courts--this office, the Municipal Judges Association, the Judicial Council, municipalities, and others.

Many people, whose names are listed on the next page, gave generously of their time and expertise during the course of this study. We extend to them our sincere appreciation for their help.

Sincerely,

ED MC CLAIN
Deputy Director for Court Operations

Acknowledgments

The 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, Walworth County

James Donovan
Wisconsin Department of Justice

Senator James Flynn
Eighth District, Wisconsin State Senate

James Fullin
Judicial Council

Corinne Hollar
Office of Judicial Education

Rose C. Nugent
Court Administrator, Milwaukee Municipi-
pal Court

Kenneth Port
Executive Secretary, Municipal Judges
Association

Betty Rayburn
Wisconsin Department of Transportation

Representative James A. Rutkowski
Eighty-second District, Wisconsin State
Assembly

Don Schultz
City of Wausau

Natalie Smith**
Executive Director, Judicial Commission

Steven Steadman
Seventh District Court Administrator

Hon. Ronald Wambach
Municipal Judge, City of Franklin

Nina Weir
Administrative Committee of Courts

Other people who provided information and assistance were:

Barbara Gottschalk
Vernon Hunt
Wisconsin Court information System

Marilyn Sapienza
Office of Management Services

| | |
|-------------------------------|-----------------|
| Mary Kay Baum | Kathleen Murphy |
| John Ferry | Sam Shelton |
| Bob Frye | Bill Sucha |
| Leone Isermann | Ron Witkowiak |
| Norman Meyer | |
| District Court Administrators | |

The Wisconsin Municipal Judges Association

All the municipal judges who answered the
questionnaire

The Municipal Court Study project was managed
by Karen McKim in the Office of Court Opera-
tions, under the direction of Ed McClain, Dep-
uty Director for State Courts.

* The Municipal Court Study Advisory Committee provided assistance in selecting the 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 that committee.

** resigned effective May 17.

of
North Central Regional Office

WISCONSIN
MUNICIPAL COURT STUDY

Executive Summary

March, 1982

Project Staff

Project Manager..... James G. Farrar
Records Analyst..... Thomas G. Dibble
Research Assistant..... Tom Zins
Research Assistant..... Priscilla Wilfahrt



National Center for State Courts
Suite 2601
American National Bank Building
5th & Minnesota Streets
St. Paul, Minnesota 55101

TABLE OF CONTENTS

| | Page |
|---|------|
| SUMMARY OF RECOMMENDATIONS | 1 |
| I. INTRODUCTION | 3 |
| A. Municipal Courts | |
| B. Study Background and Methodology | |
| II. SURVEY QUESTIONNAIRE AND RESULTS | 8 |
| III. FINDINGS AND RECOMMENDATIONS | 16 |
| A. Judicial Qualifications, Code of Ethics, and Conflicts of Interest | 16 |
| B. Judicial Training and Legal Resources | 17 |
| C. Judicial Activity Statistics | 19 |
| D. Judicial Functions and Sentencing Alternatives | 21 |
| E. Facilities, Records and Equipment | 23 |
| F. Municipal Ordinance Cases in Circuit Cour | 24 |
| Charts: | |
| Chart 1 Wisconsin Court System | 4 |
| Chart 2 Profile of Site Courts and Persons Interviewed | 6 |
| Chart 3 Comparison of 1980 and 1981 Survey Results | 9 |
| Chart 4 Summary of New Information from 1981 Survey | 11 |
| Chart 5 Municipal Judges Roster | 12 |
| Chart 6 States with Mandatory Judicial Education for Lay Judges | 18 |
| Chart 7 Municipal Court Dispositions, 1974-1980 | 19 |
| Chart 8 Proposed Municipal Court Activity Report Form | 20 |
| Chart 9 Notice of Right to Indigency Hearings | 22 |
| Chart 10 Minimum Municipal Courtroom Standards | 25 |
| Attachment: | |
| 1981 Wisconsin Municipal Court Survey Instrument | 26 |

INCURS

JUL 1 1983

ACQUISITIONS

SUMMARY OF STUDY RECOMMENDATIONS

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 begin 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

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 nonmoving 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.

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.

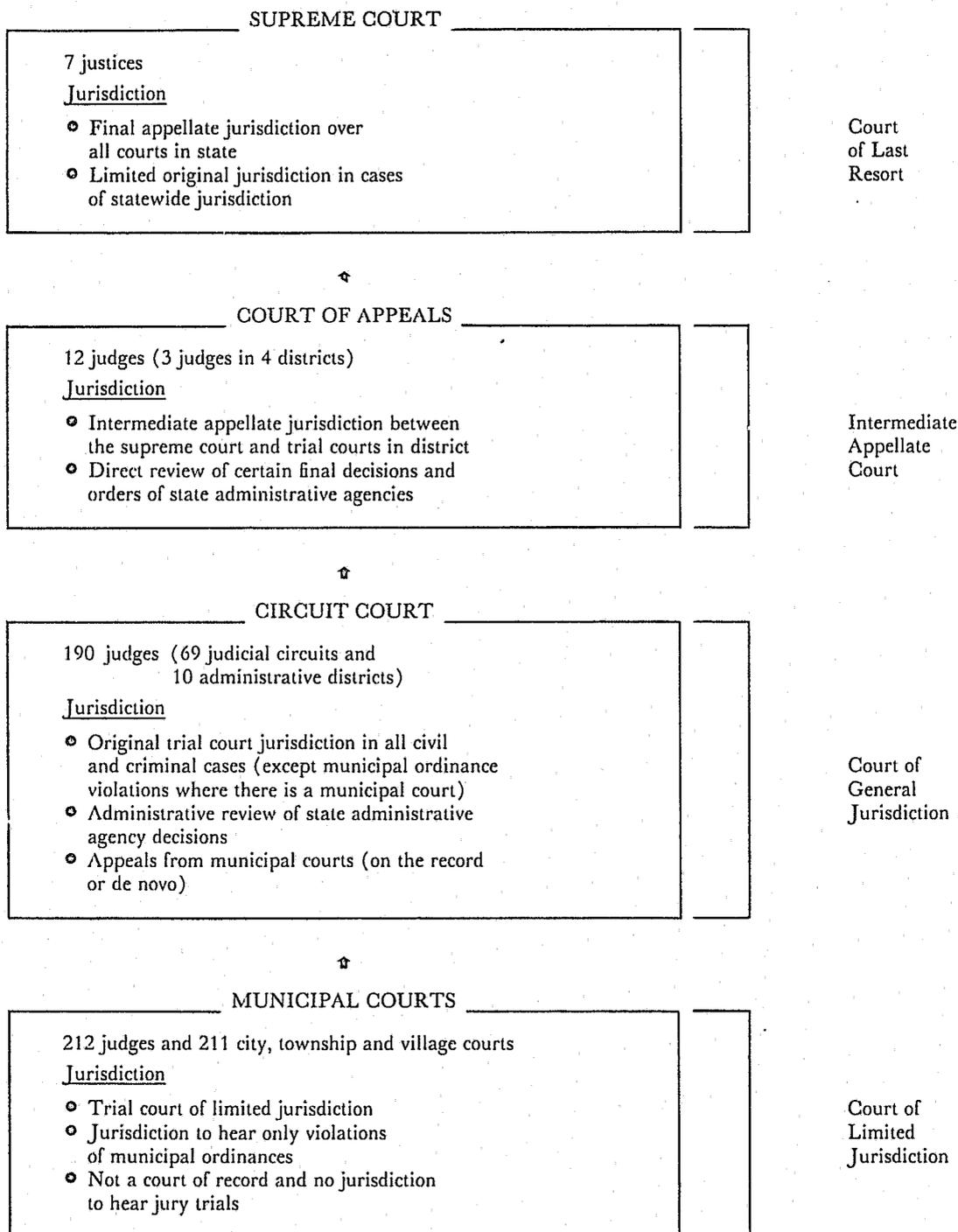
Chart 1 below illustrates the organizational structure of the Wisconsin court system.

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.

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

**Chart 1
WISCONSIN 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 to field-test a proposed survey instrument. The site courts were Deerfield, Delavan, Denmark, Green Bay, LaCrosse, Marinette, Muscoda, Rothschild, Watertown and West Allis. Project staff also interviewed the municipal judges in Onalaska and Wausau. Chart 2 provides a profile of the site courts and lists the persons interviewed.

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.

Chart 2
WISCONSIN MUNICIPAL COURT STUDY

| <u>Municipality</u> | <u>1980 Population</u> | <u>1979 Caseload</u> | <u>Site Visits</u> | | <u>Persons Interviewed</u> | |
|---------------------|----------------------------|--------------------------|--------------------|---------------------------|--|--|
| | | | <u>Attorney</u> | <u>Judge 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 Attny. Defense Attny. 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. Andrlich Ralph J. Machowski Jo Malone | Judge Ass't City Attn'y. Defense Attn'y. Chief of Police Inspector of Police Clerk/Sec'y. |
| • Watertown | 18,113 | 2,310 | yes | 2 years | Ronald W. Ziwiscky 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./Bailiff 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 Eberlein Perry Mattes | Judge Financial Officer |

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 the appendix 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 to complete the survey and reviewed the completed questionnaires before forwarding them to the National Center.

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. Detailed tabulations for each survey question are presented later in this report along with summary charts comparing previous survey results (Chart 3) and new information (Chart 4).

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%), one-third 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.

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

Chart 3
MUNICIPAL JUDGES QUESTIONNAIRE

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

| <u>Personal Profile</u> | Responses | |
|---|--|---|
| | 1980 | 1981 ¹ |
| 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 <u>evenings</u> Days-Wednesday & Monday most common | Hours-usually <u>mornings</u> 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% |
| <u>NOTE:</u> 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% |
| 12. During 1979, approximately how many juvenile cases did your court handle? | Small number of responses to this question; results not interpretable. | 5,179 (Non-traffic) |
| 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. | (same as 1980) |
| 15. Do you distribute an instructional handout to defendants at the time of arraignment? | 29% | 15% |

Chart 3 continued

| | Responses | |
|---|---|---|
| | 1980 | 1981 ¹ |
| Court Administration | | |
| 16. Is the uniform deposit schedule used in your jurisdiction for traffic cases? | 98% | 83% (7% not state) |
| Do you use a similar uniform deposit schedule for non-traffic cases? | 82% | 82% |
| Has your municipality adopted a uniform deposit schedule for non-traffic cases? | 74% | 81% |
| 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). (same as 1980) | |
| 22. How are your proceedings recorded? | 78% tape record at least trials | 92% 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 | 82% indicated some kind of municipal building. Other responses: home, 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) (same as 1980) | |
| 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.

Chart 4
SUMMARY OF NEW DATA COLLECTED IN THE
1981 SURVEY OF WISCONSIN MUNICIPAL COURTS

| <u>INFORMATION</u> | <u>SOURCE QUESTION</u> | <u>FINDING</u> |
|---|------------------------|--|
| • 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 |

Chart 5

| District County | City Village Township | Judge | Address | Telephone | | | | |
|--------------------|-----------------------------|-----------------------------|---|---|---|----------------|----------|----------|
| | | | | Court | Home | Office | | |
| DISTRICT 1 | | | | | | | | |
| Milwaukee | Bayside | (V) William E. Shaw | 9075 Regent Rd., Bayside 53217 | (414) 352-9000 | 352-9092 | 271-5795 | | |
| | Brown Deer | (V) Frank W. Doster | 4800 W. Green Brook Dr., Brown Deer 53223 | (414) 354-4121 | 354-4196 | 355-3600 | | |
| | Cudahy | (C) Gregory P. Gregory | 5050 S. Lake Dr., Cudahy 53110 | (414) 744-8220 | 483-6556 | 744-4545 | | |
| | Fox Point | (V) Carl W. Backus | North Lombardy Road, Milwaukee 53217 | (414) 352-8111 | 352-6915 | | | |
| | Franklin | (C) Ronald Wambach | 9229 W. Loomis Rd., Franklin 53132 | (414) 425-7500 | 425-8744 | 541-6800 | | |
| | Glendale | (C) Robert H. Suran | 5909 N. Milwaukee River Pkwy, Glendale 53209 | (414) 228-1100 | 352-6393 | 354-4140 | | |
| | Greendale | (V) John J. Spindler | 6600 Schoolway, Greendale 53129 | (414) 421-2400 | 421-3596 | 421-3596 | | |
| | Greenfield | (C) John Foulks | 5300 W. Layton Ave., Greenfield 53220 | (414) 281-9480 | 282-4980 | 282-1450 | | |
| | Hales Corner | (V) Ervin P. Topczewki | 5635 S. New Berlin Rd., Hales Corners 53130 | (414) 425-5432 | 425-6856 | 463-2800 | | |
| | Milwaukee | (C) John Siefert | 818 W. Wisconsin Ave., Milwaukee 53233 | (414) 278-3809 | 545-7867 | | | |
| | | | William Panagis | 818 W. Wisconsin Ave., Milwaukee 53233 | (414) 278-3800 | | | |
| | Oak Creek | (C) Kenneth McCool | 7625 Howell Ave., Oak Creek 53154 | (414) 762-8200 | 762-9596 | 762-6612 | | |
| | River Hills | (V) George R. Redmond | 757 N. Broadway, Milwaukee 53202 | (414) 352-8213 | 354-8486 | | | |
| | St. Francis | (C) George S. Berzowski | 42355 Nicholson Ave., St. Francis 53207 | (414) 481-2300 | 483-2821 | 761-1001 | | |
| | Shorwood | (V) Robert E. Hackett, Jr. | 3936 N. Murray Ave., Shorwood 53211 | (414) 332-4200 | 332-8117 | 273-3939 | | |
| | South Milwaukee | (C) Tom Bitters | 921 Monroe Ave., S. Milwaukee | (414) 762-1967 | 762-1731 | 291-1168 | | |
| | Wauwatosa | (C) John A. Pfannerstill | 7725 W. N Ave., Wauwatosa 53213 | (414) 258-1340 | 258-3409 | 771-1220 | | |
| | West Allis | (C) Nicholas F. Lucas, Jr. | 7310 W. National Ave, West Allis 53214 | (414) 476-0777 | 545-4238 | 476-6158 | | |
| | West Milwaukee | (V) James Beaudry | 10809 W. Lincoln Ave., West Allis 53227 | (414) 645-2151 | 645-5883 | | | |
| | Whitefish Bay | (V) Robert L. Elliott | 5300 Marlborough Drive, Milwaukee 53127 | (414) 962-6690 | 964-5361 | 271-5900 | | |
| | DISTRICT 2 | | | | | | | |
| | Kenosha | Bristol | (T) Floyd Timmons, Jr. | Bristol Town Hall, Bristol 53104 | (414) 857-2721 | 857-7566 | 857-7566 | |
| | | Kenosha | (C) David M. Bastian | 625 52nd Street, Kenosha 53140 | (414) 656-6050 | 656-6050 | 658-3777 | |
| | | Paddock Lake | (V) Eithel A. Smith | P.O. Box 70, Salem 53168 | (414) 843-2400 | 843-2779 | | |
| | | Pleasant Prairie | (T) Ronald L. Anderson | 9915 39th Ave., Kenosha 53141 | (414) 694-1400 | | | |
| | | Randall | (T) Thomas Johnson | 35805 90th Place, Twin Lakes 53181 | (414) | 877-2701 | | |
| | | Salem | (T) Eugene W. Briggs | Route 3, Box K, Salem 53168 | (414) 843-2313 | 843-2619 | 886-0700 | |
| | | Silver Lake | (V) Martin G. Bilecki | P.O. Box 42, Silver Lake 53170 | | | | |
| | | Somers | (T) Richard Lesko | 7511 12th Street, Somers 53171 | (414) 859-2825 | 551-8156 | 551-9021 | |
| | | Twin Lakes | (V) Arthur V. Lentz | 108 Main Street, Twin Lakes 53181 | (414) 877-2191 | 877-2645 | | |
| | | Wheatland | (T) Gerald Luke | P.O. Box 856, New Munster 55152 | (414) 537-4340 | 537-2380 | 537-4357 | |
| | | Racine | Caledonia | (T) David Paulson | 6900 Nicholson Road, Caledonia 53406 | (414) | 634-3366 | |
| | | | Dover | (T) Gordon Todd | 2225 Lakeshore Drive, Kawansville 53139 | (414) 878-3547 | | |
| | | | Mt. Pleasant | (T) Raymond Burczyk | 6126 Durand Ave., Racine 53406 | (414) 554-8750 | 554-8338 | 633-8257 |
| | | | Norway | (T) Jerry Steuernagel | 6419 Heg Park Road, Wind Lake 53185 | (414) 895-6335 | 895-6213 | |
| | | | Racine | (C) Robert Michelson | 800 Center Street, Racine 53403 | (414) 636-9263 | 637-8142 | 637-7488 |
| Raymond | | | (T) Stanley Albiniak | 2255 76th Street, Caledonia 53108 | (414) 835-4426 | 835-4283 | 281-2920 | |
| Sturtevant | | | (V) Mary J. Johnson | 2555 Wisconsin Street, Sturtevant 53177 | (414) 886-2203 | 886-3168 | | |
| Union Grove | | | (V) Leopold K. Kerschitz | 1015 State Street, Union Grove 53182 | (414) 878-2404 | 878-1388 | 878-2434 | |
| Waterford | | | (V) Gregory Miller | 122 N. 2nd Street, Waterford 53185 | (414) 534-2511 | 534-2251 | | |
| Waterford | | | (T) Ronald Coats | 7326 N. Tichigan Rd., Waterford 53185 | (414) 534-2350 | 662-5324 | | |
| Walworth | Bloomfield | | (T) Richard M. Weber | Municipal Court, Pell Lake 53128 | (414) 279-3454 | 279-3725 | 653-2411 | |
| | Delavan | | (C) John N. O'Brien | 123 South 2nd Street, Delavan 53115 | (414) 728-5759 | 728-2090 | 728-8800 | |
| Walworth | Delavan | (T) James H. O'Connor | P.O. Box 547, Delavan 53115 | (414) 728-5300 | 728-2161 | | | |
| | East Troy | (V) Daniel O. Ryan | 2104 Church Street, East Troy 53120 | (414) 642-5050 | | | | |
| | East Troy | (T) Sandra McCracken | 2673 Main Street, East Troy 53120 | (414) 642-5863 | 642-7909 | 642-7301 | | |
| | Fontana | (V) Gerald E. Ames | Route 3, Box 73, Fontana | (414) | 275-3995 | 248-9163 | | |
| | Genoa City | (V) Fredrick Gale | 715 Walworth Street, Genoa City 53128 | (414) 279-6472 | 279-3010 | 279-3117 | | |
| | Lake Geneva | (C) Emil Johnjack | 626 Geneva Street, Lake Geneva | (414) 248-4654 | 248-4257 | 248-3333 | | |
| | Williams Bay | (V) David B. Williams | Williams Bay, 53191 | (414) 245-5455 | 245-6338 | 728-5591 | | |
| Whitewater | (C) Sam Soffa | 146 W.N. Street, Whitewater | (414) 473-6510 | 473-3887 | 475-5105 | | | |
| DISTRICT 3 | | | | | | | | |
| Jefferson | Fort Atkinson | (C) John F. Lampert | 111 W. Sherman Ave, Fort Atkinson 53538 | (414) 563-5511 | 563-5800 | 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. Kiessling, Jr. | 140 E. Lake Street, Lake Mills 53551 | (414) 648-8385 | 648-5648 | | | |
| | Oakland | (T) David Hagberg | P.O. Box 130, Cambridge 53523 | (608) | 423-3512 | 423-3512 | | |
| | Palmyra | (V) Donald Preusse | P.O. Box 200, Palmyra 53156 | (414) 495-2114 | 495-2603 | 495-2603 | | |
| Waukesha | Brookfield | (C) Richard J. Steinberg | 2000 N. Calhoun, Brookfield 53005 | (414) 782-6200 | 783-4447 | 257-3322 | | |
| | 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 | | | |

WISCONSIN MUNICIPAL COURT JUDGES ROSTER (AS OF 1/82)

Chart 5 continued

| District County | City Village Township | Judge | Address | Telephone | | |
|--------------------|-----------------------------|---------------------------|---|----------------|----------|-------------------|
| | | | | Court | Home | Office |
| DISTRICT 3 | | | | | | |
| | 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 | |
| | Menomonee Falls | (V) Joseph J. Esser | N. 79 W. 14833 Appleton Ave, Menomonee Falls | | | |
| | Mukwonago | (V) Charles E. Dewey | 625 N. Rochester Street, Mukwonago 53149 | (414) 363-4900 | 363-3933 | 363-7711 |
| | Muskego | (C) Richard Wittbrot | 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 | 898-4256 |
| Manitowoc | 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 | |
| | Two Rivers | (C) Steve Winter | East Park, Two Rivers 54241 | (414) 793-1191 | 793-1364 | 793-1364 |
| Winnebago | 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) 685-5554 | 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. Dys | 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) Garold 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 |
| | 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 | | | |
| | De Forest | (V) Dale Van Buren | 205 Cora Street, De Forest 53532 | (608) | 846-5255 | 257-1431 |
| | Dunn | (T) James Scherneck | Hy. B, McFarland 53575 | (608) 835-5611 | 835-3638 | 226-1249 |
| | Fitchburg | (T) Andrew L. Somers | 5791 Lacy Road, Madison 53713 | (608) 274-3622 | 273-4871 | 226-8913 |
| | Madison | (T) Gerald Nichol | 2120 Fish Hatchery Road, Madison 53713 | (608) 257-4558 | 255-9854 | 256-9046 |
| | Marshall | (V) Daniel G. James | 126 S. Pardee Street, Marshall 53559 | (608) 655-3617 | | |
| | Mazomanie | (V) Phil H. Endres | 133 Crescent Street, Mazomanie 53560 | | 595-2678 | 595-2678 |
| | McFarland | (V) James J. McCann | 5915 Milwaukee Street, McFarland 53558 | (608) 838-3151 | 838-9723 | |
| | Middleton | (C) Harold Meyer | 7426 Hubbard Ave, Middleton 53564 | (608) 831-3323 | 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. Meylor | 127 Park Street, Oregon 53575 | (608) 835-3909 | 835-7122 | 836-7291 |
| | Oregon | (T) Luverne Warner | Union Road, Oregon 53575 | (608) 835-3200 | 835-3032 | 835-3032 |
| | Shorewood Hills | (V) Kenneth M. Orchard | 1008 Shorewood Boulevard, Madison 53705 | (608) 233-9724 | 233-6175 | 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 | 837-8338 |
| | Verona | (V) James F. Donovan | 111 Lincoln Street, Verona 53593 | (608) 845-7623 | 845-9377 | 266-7394 |
| | Waunakee | (V) John Radermacher | 802 S. Division Street, Waunakee 53597 | (608) 849-4523 | 849-4061 | 849-5626 |
| Green | Albany | (V) Elmer Runaas | 205 N. Water, Albany 53502 | (608) 862-3248 | 862-3734 | |
| | Brodhead | (C) Duane Youngblood | 1103 W. 2nd Ave, Brodhead 53520 | (608) 897-4018 | 897-4186 | |
| | Brooklyn | (V) Wayne A. Gilmour | 102 N. Ruthland Ave, Brooklyn 53521 | (608) 455-2131 | 455-7276 | 266-6246 |
| | Jordan | (T) William J. Figi | 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 | | | |
| Rock | Beloit | (T) Gerald J. Berres | Beloit Town Hall, 2871 Afton Road, Beloit 53511 | (608) | 362-2543 | (815) 389-1920 |
| | Clinton | (V) O. Allan Nimz | 427 Church St., Box 318, Clinton 53525 | | | |
| | Edgerton | (C) David D. Love | 16 1/2 Burdick St., Edgerton 53534 | (608) 884-3391 | 884-6425 | 755-2130 |
| | Evansville | (C) Robert C. Raymond | 42W Grove Street, Evansville 53536 | | | |
| | Footville | (V) Roger Butts | P.O. Box 184, Footville 53537 | (608) 876-6116 | 876-6878 | 754-5566 |
| | Milton | (C) Robert A. Armstrong | 116 Parkview Drive, Milton 53563 | (608) 868-7679 | 868-2083 | 868-3700 |
| | Newark | (T) Dirk Veneman | Rt. 2, Hwy 81, Box 93, Beloit 53511 | | | |
| | Orfordville | (V) David Runaas | 407 N. Main Street, Orfordville 53576 | (608) | 879-4919 | |
| | Turtle | (T) Charles E. Reynolds | Rte. 1, Box 195, Creek Road, Beloit 53511 | | | |

Chart 5 continued

| District County | City Village Township | Judge | Address | Telephone | | |
|--------------------|-----------------------------|--------------------------|---|----------------|----------|----------|
| | | | | Court | Home | Office |
| DISTRICT 6 | | | | | | |
| Dodge | Fox Lake | (C) Dennis 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 |
| Waupaca | Watertown | (C) Ronald W. Ziwisky | 106 Jones Street, Watertown 53094 | (414) 261-4411 | 261-0375 | 261-1626 |
| | Marion | (C) Harland Dietz | 402 W. Main Street, Marion 54950 | | | |
| | Port Edwards | (V) Donald Carl | 1531 4th Street, Port Edwards | (715) 887-3511 | 887-3879 | 887-5344 |
| DISTRICT 7 | | | | | | |
| Grant | Muscoda | (V) Howard E. Jones | 206 North Wisconsin Ave., Muscoda 53573 | (608) 739-3270 | 739-3255 | |
| | Arena | (V) Emma White | P.O. Box 35, Arena 53505 | | | |
| Iowa | 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 | 929-4589 | 929-4816 |
| | Ridgeway | (V) Otto Tesch | 310 W. Farewell Street, Ridgeway 53582 | | 924-2241 | 924-3652 |
| | La Crosse | (C) Leonard R. Chojnacki | 505 N. 6th Street, La Crosse 54601 | (608) 785-2130 | 784-1387 | 782-2722 |
| La Fayette | Onalaska | (C) Thomas M. Olson | 415 Main Street, Box 339, Onalaska | (608) 783-5666 | 783-5992 | 784-7299 |
| | Belmont | (V) Roger Adler | 105 Mount Ave., Belmont 53510 | (608) | 762-5670 | 762-5475 |
| Monroe | Benton | (V) Eldon Druser | 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 | 439-5234 | 966-3208 |
| | Cashton | (V) Rita Byers | Municipal Court, Cashton 54619 | (608) 386-7828 | 386-5470 | 388-2218 |
| | Kendall | (V) Ernest Huschka | Rte. 1, Box 164, Kendall 54638 | | | 463-7422 |
| | Sparta | (C) Donald L. Goodman | P.O. Box 216, Sparta 54656 | (608) 269-2117 | 269-4113 | 269-2117 |
| Richland | 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 |
| | Lone Rock | (V) Clarence O. Moeller | P.O. Box 163, Lone Rock 53556 | (608) | 583-5824 | |
| Trempealeau | Viola | (V) William L. Brown | Municipal Building, Viola 54664 | | | |
| | Arcadia | (C) Ernest T. Reck | 854 E. Jefferson Street, Arcadia 54612 | (608) 323-3359 | 323-3322 | |
| | 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 | (608) 489-2521 | | |
| | La Farge | (V) Adolph Benish | P.O. Box 924, La Farge 54639 | (608) 625-2326 | 625-2326 | |
| | Ontario | (V) Nathan I. Woods | 420 Monroe Street, Ontario 54651 | (608) | 387-4754 | |
| Vernon | Stoddard | (V) Ronald Peterson | 180 N. Main Street, Stoddard 54658 | | | 475-2357 |
| | Westby | (C) Randy Dahlen | 104 1st Street, Westby 54667 | (608) 634-3214 | 634-4258 | 634-3167 |
| DISTRICT 8 | | | | | | |
| Brown | Allouez | (T) James Pressentin | 1649 S. Webster, Green Bay 54301 | (414) 432-5291 | 336-8986 | 432-1468 |
| | Ashwaubenon | (V) James Basten | 580 Cormier Road, Green Bay 54304 | (414) 435-3751 | 494-5774 | |
| | Denmark | (V) Robert W. Sandberg | 118 E. Main Street, Denmark 54208 | (414) | 863-2248 | 863-2176 |
| | De Pere | (C) Raymond Staszak | 335 S. Broadway, De Pere 54115 | (414) 336-5761 | 336-6737 | 336-1613 |
| | Green Bay | (C) Frank Van Laanen | 301 S. Adams, Green Bay 54301 | (414) 497-3744 | 499-5995 | 432-2295 |
| | Howard | (V) Thomas Farr | 2456 Glendale, Green Bay 54303 | (414) 497-4478 | 434-1078 | 497-1557 |
| | Pulaski | (V) Robert Betley | 421 S. St. Augustine St., Pulaski 54162 | (414) 822-5182 | 822-3328 | 494-4571 |
| 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 | 854-2030 |
| | Goodman | (T) Lenard E. Laabs | Goodman 54125 | | | 336-2440 |
| | Marinette | (C) John B. Kerski | 1905 Hall Ave., Marinette 54143 | (715) 735-7427 | 735-6584 | |
| | Niagara | (V) Terrill Thibert | Municipal Court, Niagara 54151 | (715) 251-3122 | 251-3621 | |
| | Peshtigo | (C) Terry Guay | 528 French Street, Peshtigo 54157 | (715) 582-4137 | 582-4137 | |
| | Silver Cliff | (T) Robert D. Berken | Star Route, Box 121, Athelstane 54104 | (715) | 757-3641 | 757-3641 |
| Oconto | Stephenson | (T) Robert A. Konopka | Route 3, Crivitz 54114 | (715) 854-7172 | 854-7664 | 897-2295 |
| | Gillett | (C) Leon E. Riemer | P.O. Box 206, Gillett | (414) 855-2020 | 855-2665 | 855-2020 |
| | Lena | (V) Robert McNurlen | 117 E. Main Street, Lena 54139 | (414) 829-5226 | 829-5444 | 829-6023 |
| | Oconto | (C) Eugene H. Belongia | 1210 Main Street, Oconto 54153 | (414) 834-2844 | 834-2176 | |
| | Oconto Falls | (C) R.M. Trudel | P.O. Box 70, Oconto Falls 54154 | (414) 846-2822 | 846-3579 | |
| | Riverview & Doty | (T) Richard T. Bentz | Rt. 1, Mountain 54149 | (715) | 276-6959 | 276-6959 |
| | Suring | (V) Alice M. Barber | 827 Main Street, Suring | | 842-2333 | 842-2486 |
| Outagamie | Townsend | (T) Daniel Tucker | P.O. Box 24, Townsend | (715) 276-6856 | 276-7145 | 276-7636 |
| | Bear Creek | (V) Donald M. Pfalz | 105 Prospect Street, Bear Creek 54922 | | | |
| Black Creek | Black Creek | (V) Vernon Zuleger | P.O. Box 52, Black Creek 54106 | | 984-3496 | |
| | Combined Locks | (V) James Welhouse | Wallace Street, Combined Locks 54113 | | 788-3047 | |

Chart 5 continued

| District County | City Village Township | Judge | Address | Telephone | | |
|--------------------|-----------------------------|--------------------------------------|--|----------------|----------|----------|
| | | | | Court | Home | Office |
| DISTRICT 8 | | | | | | |
| | Ellington | (T) William Utke | Route 1, Hortonville 54944 | (414) | 757-6489 | |
| | Grand Chute | (T) James R. Larson | 2920 W. Highview, Appleton 54911 | (414) 734-4996 | 733-3575 | 735-6240 |
| | Hortonville | (V) Richard J. Schwan | P.O. Box 69, Hortonville 54944 | (414) 779-6165 | 779-6111 | 779-6111 |
| | Kaukauna | (C) Clarence P. O'Connor | 2nd Street, Kaukauna 54130 | (414) 766-4682 | 766-3477 | 766-4803 |
| | Kimberly | (V) Harry Valentyne | 515 W. Kimberly Ave., Kimberly 54136 | (414) 788-1164 | 788-1730 | 788-3839 |
| | Little Chute | (V) Raymond J. Sanders | Grand & Main, Little Chute 54140 | (414) 788-1511 | 788-1891 | |
| | Nichols | (V) Ed Lorenz | | | | |
| | Seymour | (C) Donald O. Hoff | 421 N. Main Street, Seymour 54165 | (414) 833-2366 | 833-6095 | 833-2324 |
| | Shiocton | (V) Wallace Schoepke | P.O. Box 224, Shiocton 54170 | | 986-3664 | |
| DISTRICT 9 | | | | | | |
| Ashland | Mellen | (C) Thomas E. McCarthy | P.O. Box 363, Mellen 54546 | (715) 274-2136 | 274-5962 | |
| Clark | Abbotsford | (C) Bernard Klinkhammer | Rte. 1, Abbotsford 54405 | (715) 233-3444 | 233-4241 | |
| Florence | Florence | (T) W. Sherman Kuehn | P.O. Box 38, Florence 54121 | | | |
| Forest | Laona | (T) Alex Carter | P.O. Box 174, Laona 54541 | (715) | 674-3521 | |
| | Wabeno | (T) Willard Ehlinger | P.O. Box 126, Wabeno 54566 | | | |
| Marathon | Franzen | (T) Victoria Omernick | Rt. 1, Box 143, Wittenburg 54499 | | | |
| | Rothschild | (V) Patrick M. Brady | 507 Clark Ave., Rothschild 54474 | (715) | 359-8601 | 359-7272 |
| | Schofield | (C) Harland Kamke | 200 Park Street, Schofield 54476 | | 359-3616 | 359-3616 |
| | Wausau | (C) Arthur Eberlein | 407 Grant Street, Wausau 54401 | (715) 845-5279 | 842-4340 | 842-4340 |
| Vilas | Boulder Junction | (T) Richard Wolcott | P.O. Box 21, Boulder Junction 54512 | 385-2220 | 385-2276 | |
| | Manitowish Waters (T) | P.O. Box 1, Manitowish Waters, 54545 | | | | |
| DISTRICT 10 | | | | | | |
| Barron | Barron | (C) Elizabeth Christianson | Barron City Hall, Barron 54812 | (715) 537-5631 | 537-3085 | 537-5633 |
| | Chetek | (C) Kenneth G. Sannes | 806 3rd Street, Chetek 54728 | (715) 924-3686 | 924-4425 | |
| | Cumberland | (C) John H. Haley | 1356 2nd Ave., Cumberland 54829 | (715) 822-2754 | 822-4727 | 822-8852 |
| | Rice Lake | (C) Bruce H. Dalrymple | P.O. Box 192, Rice Lake 54868 | (715) 224-9074 | 234-7714 | 234-9074 |
| | Turtle Lake | (V) Jack Bartels | P.O. Box 11, Turtle Lake 54889 | (715) 986-2241 | 986-2427 | 986-2216 |
| Chippewa | Cornell | (C) Jack R. Dickinson | Municipal Court Building, Cornell 54732 | (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 | 644-5715 |
| Douglas | Solon Springs | (V) Clyde Nelson | P.O. Box 327, Solon Springs 54873 | (715) 378-2235 | 374-2162 | 374-2162 |
| Dunn | Colfax | (V) Eugene Dunnagan | Municipal Court Building, Colfax 54730 | | | |
| | Sand Creek | (T) Glenn Anderson | Route 2, New Auburn 54757 | | | |
| Eau Claire | Augusta | (C) Harry Daniels | 106 E. Lincoln Street, Augusta 54722 | (715) 286-2555 | 286-2505 | |
| Pierce | Prescott | (C) Bernard M. Hovel | 233 Broad Street, Prescott 54021 | (715) 262-5544 | 262-5665 | |
| | River Falls | (C) George C. Banta | City Hall, River Falls 54022 | (715) | 425-5733 | 425-2405 |
| Polk | Frederic | (V) Charles W. Anderson | P.O. Box 216, Frederic 54837 | | | |
| St. Croix | Glenwood | (V) Walter Waters, Sr. | City Hall, Glenwood City 54013 | 265-4455 | 265-4393 | |
| | Hudson | (C) Douglas Zilz | 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. Utecht | 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

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." Similar 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.

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 judges 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.
- 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.

CHART 6
**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.

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.

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.

Chart 7

| 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 | 54,785 | 82,274 | 20,801 | 10,268 | 654 | 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.

Recommended Municipal Court Activity Report

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

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.

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 the 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. 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 files a deposit.

Chart 9

PAYMENT NOTICE AND NOTICE OF RIGHT TO JUDICIAL HEARING

CITY OF MILWAUKEE VS.

DEFENDANT(S) —NAME AND ADDRESS —(LAST NAME FIRST)

CASE NO.

M _____

NOTICE OF DEFAULT JUDGEMENT AND POSSIBLE JAIL SENTENCE

ON _____, YOU WERE SCHEDULED TO APPEAR
BEFORE THE HONORABLE _____
PURSUANT TO AN ALLEGED VIOLATION OF THE MILWAUKEE
CODE OF ORDINANCES, TO-WIT:
YOU DID NOT APPEAR IN COURT ON THE DATE. THEREFORE, A DEFAULT JUDGEMENT
WAS TAKEN AGAINST YOU IN YOUR ABSENCE. YOU WERE FOUND GUILTY AND ASSESSED
A FINE OF \$ _____ INCLUDING COURT COST, THIS AMOUNT MUST BE PAID BY
_____ IF THE FINE IS NOT PAID BY THAT DATE 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 - 11:30 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 that 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 courtrooms is to educate judges and municipalities as to the minimum requirements of a courtroom. Chart 10 lists ten 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 are 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.
- 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.

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 are no data available to assess 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.

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.

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:

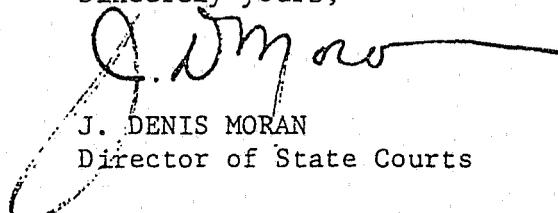
You may already be aware of the Municipal Courts Study Project being conducted by this office and the National Center for State Courts. As part of this study, we would like you to complete and return the enclosed questionnaire.

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,


J. DENIS MORAN
Director of State Courts

JDM:nc

enc.

DIRECTOR OF STATE COURTS OFFICE

1981

WISCONSIN MUNICIPAL COURT

SURVEY

NATIONAL CENTER FOR STATE COURTS

North Central Regional Office, 2601 American National Bank Building
St. Paul, Minnesota 55101

TABLE OF CONTENTS

| | PAGE |
|---------------------------------|------|
| I. GENERAL INSTRUCTIONS | |
| II. COURT ADMINISTRATION | 1 |
| III. CASE LOAD | 5 |
| IV. RECORDS MANAGEMENT | 8 |
| V. LEGAL RESOURCES AND TRAINING | 9 |
| VI. BACKGROUND INFORMATION | 12 |
| VII. PROBLEM AREAS | 13 |

GENERAL INSTRUCTIONS

- o 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.
- o 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.
- o 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.
- o Responses to questions may be handwritten (if legible) or typed.
- o If actual data or information is not known, provide best estimate.
- o 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.)
- o 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.
- o After you have completed the questionnaire, you may want to make a copy for yourself.
- o Mail the completed questionnaire to your District Court Administrator in the enclosed self-addressed stamped envelope by Friday, September 25, 1981.
- o Return only the questionnaire. Keep all cover materials and instructions.

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 | | Check | |
|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------------|--------------------------|
| | | All that Apply Written | Orally | All that Apply 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 |
|---------------------|-------------------------------|---------------------------------------|-----------------|--------|---|-------|
| | FORFEI- TURE OF DEPOSIT | PLEA OF GUILTY OR NO CONTEST | DISMIS- SALS | TRIALS | JURY TRIAL REQUESTS (Cir. Ct.) | |
| 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 | <input type="text"/> |
| (b) Reviewed on record | <input type="text"/> |
| (TOTAL) | <input type="text"/> |

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

Traffic cases YES NO If yes, State schedule? YES NO

Non-traffic cases YES NO Approved by governing body? YES NO

27. If a person claims to be unable to pay a penalty, do you make a formal determination that the party is or is not indigent?

YES, automatically YES, if requested NO

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 imposed for not paying a penalty?

YES NO

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

| <u>Who Collects...</u> | <u>Police</u> | <u>Court</u> | <u>Both</u> | <u>Other</u> |
|-----------------------------------|--------------------------|--------------------------|--------------------------|--------------------------------|
| o Deposits when citations issued? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| o Stipulations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| o Penalties at court appearance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |

Who Deposits...

| | | | | |
|-----------------|--------------------------|--------------------------|--------------------------|--------------------------------|
| o Deposits? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| o Stipulations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
| o Penalties? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |

In Whose Account Is Cash Deposited?

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
|--|--------------------------|--------------------------|--------------------------|--------------------------------|

Who Maintains Bookkeeping Records?

| | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> _____ |
|--|--------------------------|--------------------------|--------------------------|--------------------------------|

Are Monies Collected In the Courtroom?

| | | | | |
|--|-----|--------------------------|----|--------------------------|
| | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|--|-----|--------------------------|----|--------------------------|

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? _____

32. Are there any locally imposed limitations on the municipal court's 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

| | |
|--|---|
| <input type="checkbox"/> Counsel child, parent or guardian | % |
| <input type="checkbox"/> Impose (up to) \$25 forfeiture | % |
| <input type="checkbox"/> Restitution ordered | % |
| <input type="checkbox"/> Assign to work program | % |
| <input type="checkbox"/> Other _____ | % |

IF JUVENILE FAILS TO PAY:

| | |
|--|---|
| <input type="checkbox"/> Finding of ability to pay | % |
| <input type="checkbox"/> Adjourn payment up to 12 months | % |
| <input type="checkbox"/> Suspend driver's license | % |
| <input type="checkbox"/> Suspend hunting license | % |
| <input type="checkbox"/> Suspend fishing license | % |
| <input type="checkbox"/> 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 into one form? YES NO

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

o _____
o _____
o _____
o _____

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 |
|--------------------------------|-------------|
| | |
| | |
| | |
| | |
| | |

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 | |
| o _____ | , 19__ to _____, 19__ | |
| o _____ | , 19__ to _____, 19__ | |
| o _____ | , 19__ to _____, 19__ | |

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

| | | |
|---------|-----------------------|--|
| | Dates | |
| o _____ | , 19__ to _____, 19__ | |
| o _____ | , 19__ to _____, 19__ | |
| o _____ | , 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.

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

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)