



**Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup Minutes
Thursday, October 26, 2017**

Team Members Present:

Monica Paz	Sara Scullen	Frank McElderry
Sue Opper	Hon. Ralph Ramirez	Katie Kegel

Team Members Absent:

Michael Neimon	Kathy Madden	Chris Ehrfurth
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Others Present:

Rebecca Luczaj	Janelle McClain	Melissa Zilavy
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Opper called the meeting to order at 7:35 a.m.

Approve Minutes from October 10, 2017

Motion: Ramirez moved, Scullen second, to approve the minutes of October 10, 2017. Motion carried unanimously.

Review and Discuss Outcomes from 10/24/17 Pretrial Conferencing

Paz distributed and reviewed the handouts titled "Summary Data of Branch 3 Pretrial Pilot" and "State Public Defender Screening Pilot."

Lazar will be presiding over the November 14 pretrial conferencing where there are 70 cases scheduled.

Ramirez presided over the October 24 pretrial conferencing and shortened his plea colloquy. There appeared to be many stipulations. The State Public Defender's (SPD) Office is definitely vested in the system; however, the private bar does not seem to have the same level of commitment, likely because the more court appearances they have, the more they can charge. Zilavy added that the "private bar" for the sake of this discussion, does not appear to include attorneys appointed by the SPD's Office. Scullen will adjust what she says to the private bar during Intake Court to include that if the parties decide to schedule the case for pretrial conferencing, they should be prepared to resolve the case.

Kegel arrived at 7:39 a.m.

McElderry commented that, other than the process slowing down in the afternoon, everything seemed to be managed well, and no one was taken into custody. Scullen added that the slower afternoon might be due to several pro se cases being scheduled for the afternoon because of the morning interpreter availability and defendants working during the day and attempting to avoid taking additional time off work.

Ramirez reminded the workgroup that the courtroom is public, and the public must be allowed to come and go. This should be conveyed to those in the hallway managing traffic in and out of the courtroom.

The workgroup discussed options to have the process run smoother between the clerk checking people in, the ADA meeting with the defense attorneys/defendants, and then seeing the judge. The group agreed to try

utilizing laminated numbers that will be distributed by the clerk in the hallway on a first-come, first-served basis.

Due to staffing issues, Opper will be handling the District Attorney's Office portion of the pretrial conferencing on November 14.

Ramirez reviewed the list of acceptable charges for pretrial conferencing, which include:

- Ordinances (FO)
- DNR cases
- Non-criminal traffic (TR)
- OWL/OAR
- Retail Theft
 - A list of retailers that have signed agreements would be helpful
- Disorderly Conduct Without a Victim
- Obstructing/Resisting
- Possession of Controlled Substance
- Possession of Drug Paraphernalia
- Issuance of Worthless Checks
- Bail Jumping

Generally, cases that do not have a victim or weapon involved are eligible for pretrial conferencing. Opper will send Ramirez the most updated list of acceptable charges. Ramirez will then draft an information sheet with Zilavy for distribution. The workgroup expressed concern that if a list is provided, some parties may stick strictly to the list, rather than using their best judgment regarding if a case is eligible for pretrial conferencing.

Ramirez, Opper, and Kegel will meet with all of the Criminal/Traffic judges next week to discuss pretrial conferencing, as well as discuss future scheduling options. Scullen requested Ramirez speak at the next Commissioner's meeting as well.

Scullen left at 8:11 a.m.

November will be the first month where there are two pretrial conferences held. Once we see how that goes, we will be able to determine the most efficient way to hold pretrial conferences that will work with scheduling and personnel limitations.

Continue Discussing OARs and Potential for New Pilot Project

This agenda item was tabled until a future meeting.

Review Revised Workgroup Dashboard

This agenda item was tabled until a future meeting.

Discuss Agenda Items for Next Meeting

The meeting scheduled for November 23 will be moved to November 30. McClain will send an updated Outlook meeting notice.

Adjourn

The meeting adjourned at 8:25 a.m.