



Waukesha County Criminal Justice Collaborating Council Case Processing Committee Minutes

Thursday, July 22, 2021

Team Members Present:

Michael Neimon (Co-Chair)	Jessica Klein	Monica Paz
Neil Dussault	David Herring	Paul Crawford
Hon. Paul Bugenhagen		
Sue Opper (Co-Chair, Present via Zoom, Not Counted Toward Quorum)		

Others Present:

Rebecca Luczaj	Janelle McClain	Melissa Zilavy
Brittany Marin		

Neimon called the meeting to order at 7:31 a.m. Attendees introduced themselves.

Approve Minutes from May 27, 2021 Meeting

Motion: Herring moved, Dussault second, to approve the Case Processing Committee minutes of May 27, 2021. Motion carried without a negative vote.

Bugenhagen arrived at 7:33 a.m.

Update on Criminal Case Backlog

Paz reported that Waukesha County's Department of Administration (DOA) will support a sixth Criminal/Traffic Division judge for the calendar years 2022 and 2023 to help address the backlog of causes caused by the pandemic. There will likely be 2 additional part-time court commissioners as well; however, there will be no additional criminal calendars for the new commissioners. The commissioners are being requested to cover trainings and vacations so that calendars can be maintained. The commissioners may also handle certain types of hearings.

Since March, the criminal/traffic caseload has continued to fall, with 4,517 pending criminal/traffic cases at the end of June. While criminal/traffic cases are decreasing, misdemeanor and felony cases are rising, although they were starting to rise prior to the pandemic.

Paz stated that Judge Dorow's intention is for cases to return to the originating judges when the funding for the sixth judge expires. There will be case disposition benchmarks for the judges to attain each month; however, the benchmarks have not yet been established.

Update on Pretrial Conferencing Outcomes and Discuss Continuing Pretrial Conferencing Beyond August

Paz reported that the judges for last week's pretrial conferences were Judge Lazar in the morning and Judge Ramirez in the afternoon. The clearance rate per defendant was 81%, and the clearance rate per case remains at approximately 77%.

Pretrial conferences are being held in the Jury Assembly Room (JAR). Eight cases are heard every half hour, with five cases heard in the last time slot.

Attendees shared some suggestions to avoid a backlog of cases, including having the Assistant District Attorney (ADA) arrive at least 15 minutes prior to the start so they can begin to meet with defendants and

defense attorneys, as well as defense attorneys and clients discussing what the clients want and filling out any paperwork prior to meeting with the ADA.

Pretrial conferencing will transition back to the criminal/traffic judges soon. Paz will send proposed pretrial conference dates to Oppen. Starting in September, the goal is to hold pretrial conferences once per month.

Continue Discussion on Changing Traffic Court to a Paper Process in the Fall

Paz expressed that the current process for Traffic cases is too overwhelming for the Clerks and wondered if some of the paper process could be retained moving forward.

Herring asked what percent of defendants in traffic cases do not show up, and therefore get defaulted.

Traffic Court will be resuming on September 1.

Oppen stated that parties should monitor how many people are coming in to contest traffic violations, as that could cause a backlog of cases.

Announcements

Neimon reported that the secure courtroom tower is scheduled to open on August 30; however, not everything will be finalized by then, so the date may change. New jury chairs had to be ordered, and it will take approximately 10 weeks for the chairs to be made/delivered due to a foam shortage. Jury trials will not be able to be held until after the new chairs are installed.

IT is not set to have the technology completely installed until mid-August. At that time, the systems can be tested to determine if any additional work needs to be done.

Discuss Agenda Items for Next Meeting

- Zoom at initial appearances for victims

Public Comment

There was no public comment.

Adjourn

Motion: Dussault moved, Paz second, to adjourn the meeting at 8:16 a.m. Motion passed unanimously.