



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup
Thursday, July 21, 2016

Team Members Present:

District Attorney Sue Oppen
Judge Ralph Ramirez
Clerk of Circuit Court Kathy Madden

District Court Administrator Michael Neimon
Commissioner Robert Dehring

Team Members Absent:

Attorney Katie Bricco

Attorney Dan Fay

Others Present:

CJCC Coordinator Rebecca Luczaj
Janelle McClain

Circuit Court Division Coordinator Amy Rendall
Attorney Sam Benedict

Oppen called the meeting to order at 7:33 a.m.

Approve Minutes from July 14, 2016

Motion: Dehring moved, Ramirez second, to approve the minutes of July 14, 2016. Motion carried unanimously.

Finalize Plan for Pretrial Conferencing Pilot Project

The Pretrial Conferencing Pilot would be only in Branch 3 with select cases. At Intake Court, the clerk will need to identify Branch 3 cases. When ADAs are charging the case, they would say that it is appropriate for pretrial conference if it is a Branch 3 case. The way cases are assigned to judges will not change. Ramirez stated that it would be the court's decision if a pretrial conference is ordered on a case; if defense attorneys want to opt out, they can always sub on the case.

Ramirez requested that the pretrial conferencing be held one Tuesday a month to start, and will be based on the judge's calendar.

There will be no pretrial conferences on felonies, which involve victims, as we will run into issues with victim notification when we go to plea. Retail Theft cases are the exception because we receive waivers from merchants indicating they will waive their right to be notified and appear in court.

Ramirez and Rendall will determine a start date in October or November. Current cases will not be changed.

Ramirez commented that for scheduling the pretrial calendar, everyone would need to see the judge or his clerk before they left. Scheduling does not have to be on-the-record, but there does have to be a court action, so the judge will still have to approve the schedule.

When the judge orders an interpreter as a court function, it is reimbursable by the state. There may need to be two interpreters – 1 for inside and 1 for outside the courtroom. It would be best to have all of the defendants that need interpreters be either in the morning or in the afternoon. It is easily identifiable on CCAP if the defendants will need an interpreter.

The workgroup discussed how a control group could be created so that there is a way to measure whether pretrial conferencing is working to shorten the time to disposition and reduce the number of cases set for trial. It was decided that it is best to compare judges against themselves. We can review the numbers now for Judge Ramirez, and then again after pretrial conferencing has been implemented.

Benedict suggested surveying the legal participants (SPD, ADA, etc.) to find out how they like it and whether there are benefits realized in other areas. Questions could be developed regarding the new system, and Luczaj can put them into Survey Monkey.

Opper will put a draft together of the pretrial conferencing pilot process and will have it ready to review at the next meeting.

Update on Conference Call with Eau Claire County Regarding Pre-Charge Diversion

Luczaj reported that there would be a conference call with the Eau Claire County Diversion Coordinator and CJCC Coordinator regarding their pre-charge diversion program at the August 4 meeting at 8am.

Update on Progress of Public Defender Screening Pilot

Benedict reported that the Public Defender Screening Pilot numbers are widely variable, going between 3 last week Monday, up to 16 defendants in one day. The Public Defender's Office has also been receiving judicial referrals at the same time, up to 6 in one day. Defendants reporting to the Public Defender's Office because of the notice in the hearing summons has been starting to increase, although sporadic at this point.

Discuss Next Steps & Set Date for Next Meeting

The next meeting will be Thursday, August 4, 2016 at 7:30 a.m.

The meeting adjourned at 8:25 a.m.