



Waukesha County Criminal Justice Collaborating Council Case Processing Committee Minutes Thursday, January 28, 2021

Team Members Present:

Michael Neimon (Co-Chair)

Neil Dussault

Chris Bailey

Monica Paz

David Herring

Paul Crawford

Hon. Paul Bugenhagen

Team Members Absent:

Sue Opper (Co-Chair)

Michelle Larsuel

Others Present:

Rebecca Luczaj

Janelle McClain

Brittany Marin

Neimon called the meeting to order at 7:32 a.m.

Approve Minutes from December 3, 2020 Meeting

Motion: Herring moved, Bugenhagen second, to approve the Case Processing Committee minutes of December 3, 2020. Motion carried without a negative vote.

Continue to Discuss Strategies to Dispose of Cases ~AND~ Follow-Up Discussion on Pretrial Conferencing

Paz reported that there are approximately 1,000 pending misdemeanor and traffic cases that are eligible for pretrial conferencing, including:

- 372 Operating After Revocation (OAR) cases
- 240 Operating Without a License (OWL) cases
- 428 misdemeanor cases

Paz stated that there may be an additional 1,000 pretrial-eligible cases as well.

Bailey arrived at 7:35 a.m.

Prior to the COVID-19 pandemic, pretrial conferencing was held two Tuesdays per month at the following times:

- 8:30 a.m. (16 cases)
- 9:30 a.m. (16 cases)
- 10:30 a.m. (13 cases)
- 1:30 p.m. (16 cases)
- 2:30 p.m. (16 cases)
- 3:30 p.m. (13 cases)

Due to social distancing protocols, Paz proposed the following to resume pretrial conferencing:

- Half as many cases, held in half hour increments (i.e. 4 cases heard at 8:30 a.m., 4 cases heard at 9:00 a.m., 4 cases heard at 9:30 a.m.)
- Hold the hearings in the County Board room (C350)
- Clerk checking parties in with a plexiglass divider
- Attorneys in adjoining conference rooms
- Initially offer 3 pretrial conferencing dates per month, and if that works increase to 4 dates
- Continue having the cases heard by criminal/traffic judges, and in the future, add family and civil judges into the rotation

Initially, the criminal/traffic judges would rotate the pretrial conferences, as there is difficulty assigning the hearings due to the jury trial calendar. Paz estimated that pretrial conferencing could begin by approximately April, if all stakeholders are on board.

Paz stated that there is a judicial roundtable discussion scheduled for February 9 to discuss topics such as: returning to in-person hearings timeline, addressing the criminal case backlog, an update on the secure tower, and Zoom decorum. This meeting will be open to judges, commissioners, and attorneys.

Herring mentioned that many defendants have reported contacting the State Public Defender's Office but are not hearing back. Crawford acknowledged that the SPD's Office is experiencing a flood of referrals, so attorneys are not being appointed right away (some clients need to be referred for outside representation, so that is an additional delay).

Follow-Up Discussion on Defense Attorney Access to Defendants' Contact Information in CCAP

Paz stated that the state Supreme Court CCAP Steering Committee will be allowing defense attorneys access to email contact information for criminal defendants. Until then, parties should be able to view the email contact information on the bail bond.

Announcements

Neimon stated that the new secure tower is on schedule for occupancy by approximately June 2021.

Discuss Agenda Items for Next Meeting

- Continue to Discuss Pretrial Conferences
- Review Case Filing Statistics
- Update on Case Backlog

Crawford left at 8:12 a.m.

Public Comment

There was no public comment.

Adjourn

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