



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup
Thursday, September 29, 2016

Team Members Present:

District Attorney Sue Opper
Judge Ralph Ramirez

District Court Administrator Michael Neimon
Attorney Katie Bricco

Team Members Absent:

Commissioner Robert Dehring

Clerk of Circuit Court Kathy Madden

Others Present:

CJCC Coordinator Rebecca Luczaj
Janelle McClain

Circuit Court Division Coordinator Amy Rendall

Opper called the meeting to order at 7:37 a.m.

Update on Public Defender Screening Pilot

Rendall distributed and reviewed the updated numbers from the pilot project. Of noteworthy mention, September 19 had 12 defendants appearing with an attorney at their initial appearance.

Neimon said the workgroup would not have the age of disposition numbers until April 2017. At that point, it can be determined if there was a statistically sufficient change resulting from the implementation of this pilot project.

The pilot consists of those who have been sent to the State Public Defender's (SPD) office from intake court, or who have acted on the letter that was received with the summons. The OAR letter previously discussed by the workgroup has not been drafted yet.

Bricco arrived at 7:43 a.m.

Bricco reported that the SPD office has found there to be a more consistent pace of defendants coming in to be screened, which is good. There is almost no one coming in on Tuesday mornings.

Neimon announced that with the new court tower project, technology options are being explored. Therefore, there may be an opportunity to set up video conferencing with the SPD office. This has not been discussed with the SPD office yet because they are still in the planning stages. The groundbreaking is scheduled for 2018, with a completion date in 2020.

Luczaj reported that the work this group has done on the pilot program impressed the EBDM Phase VI application evaluators.

Approve Minutes from August 25, 2016

Motion: Ramirez moved, Neimon second, to approve the minutes of August 25, 2016. Motion carried unanimously.

Continue Discussion/Planning for Pretrial Conferencing Pilot

Opper distributed the revised *Pretrial Conferences-Pilot* draft document.

Ramirez will begin the pilot on December 20. Thereafter, pretrial conferencing will be occurring once a month on a Tuesday. The specific Tuesday each month will change based on schedules. Ramirez and Rendall will work together on selecting dates and cases. Ramirez will be mandating participation for all Branch 3 eligible cases.

The pretrial conferencing pilot will include defendants who are in custody as well. Bricco stated that security might be difficult, but as long as the judge orders that attorneys need to have access to their clients at certain times in the jail, there should not be an issue. If attorneys are only given access to defendants via video conferencing, the forms can be reviewed at that time, and then the defendant can sign them in court.

Bricco said cases should be scheduled at least 30-45 days in advance to allow enough time for all parties to be prepared. The group needs to decide how many cases can be handled in 1 day. Cases will be scheduled at 8:30am, 10am, 1:30pm, and 3pm, and treated like a G-49 day. The first meeting between attorneys would happen at 8:30am. The pilot will include both new and existing cases.

Bricco asked what about clients with multiple charges. The group agreed this is acceptable, but all of the cases/charges have to be within the specific parameters of the pilot program (all victimless crimes). If the defendant has new charges for something not on the approved list, they are no longer eligible for pretrial conferencing. The list of eligible cases will be re-evaluated in the future. If the defendant receives a new charge that is on the list, the additional charge(s) can be added on if there is time before the pretrial conference. If a defendant picks up a non-qualifying charge after being scheduled for pretrial conferencing, an e-mail should be sent to Ramirez's clerk to cancel the pretrial conference.

All of the pilot project details need to be finalized before we begin scheduling cases. November 1 will be the target date to start scheduling cases for a December 20 start. The committee discussed developing a written summary of the pilot project to distribute to the private bar and other parties in order to educate them on the new pilot.

Discuss Next Steps & Set Date for Next Meeting

The next meeting will be Thursday, October 13, 2016 at 7:30 a.m.

The meeting adjourned at 8:27 a.m.