



**Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup Minutes
Thursday, November 30, 2017**

Team Members Present:

Monica Paz
Sue Opper

Sara Scullen
Hon. Ralph Ramirez

Chris Ehrfurth
Katie Kegel

Team Members Absent:

Michael Neimon

Kathy Madden

Frank McElderry

Others Present:

Rebecca Luczaj
Melissa Zilavy

Janelle McClain
Kristina Gordon

Brittany Marin

Opper called the meeting to order at 7:34 a.m.

Approve Minutes from October 26, 2017

Motion: Ramirez moved, Ehrfurth second, to approve the minutes of October 26, 2017. Motion carried unanimously.

Review and Discuss Outcomes from 11/14/17 and 11/28/17 Pretrial Conferencing

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

Ramirez and Opper agreed that, while the clearance rates were not particularly high for either pretrial conference date, those cases are still not going to trial, so we are still accomplishing what we originally set out to do. Neither have spoken to Lazar to obtain feedback on how she felt her pretrial conference day went.

Kegel arrived at 7:40 a.m.

Scullen stated that at four different times during the initial hearing process, defendants are reminded to obtain their driver's license before their next court appearance. Scullen also said that it continues to be difficult to get defendant's to go to the SPD's Office for eligibility screening.

As the State Public Defender's (SPD) Office is about to be fully staffed, Kegel stated she will request a SPD pilot project where an attorney would be stationed at the courthouse from approximately 8:00 – 9:00 a.m. on Tuesday mornings to conduct eligibility screening.

Gordon would like to know how many of the pro se defendants have OAR or OWL cases. Marin said she would look into this for the next meeting.

Yesterday was Ehrfurth's first experience with pretrial conferencing, and he was impressed that his client received a good offer right away and the case was able to be resolved. He has not heard any feedback from other private bar attorneys, which in this case, is good news.

Kegel commented that clients are appreciating the text message reminders about court.

We will continue to track the Failures to Appear (FTA), but when tracking the clearance rate, they should not be included.

Ramirez will distribute the updated list of pretrial-eligible cases. He will also speak to the judges regarding shortening the length of the plea colloquies.

Gordon stated that the clerk directing traffic in the hallway should be aware that the cases with attorneys have precedence over pro se defendants.

Paz distributed and reviewed a document titled "Criminal/Traffic Division Pretrial Conference Schedule: January – July 2018." Pretrial conferences have been scheduled twice a month through July, as judicial rotation will take place in August. Currently, January and February are full.

Scullen left at 8:10 a.m.

Zilavy distributed and reviewed a document titled "Pre-trial Conference Information Sheet." These information sheets will be distributed at Intake Court when the case is scheduled for pretrial conferencing.

The workgroup agreed to the following changes:

- Change the second bullet under "What are pre-trial conferences?" to read, "The purpose is to try to negotiate and resolve the case that day."
- Move the bullet that reads, "You always have the constitutional right to a jury trial..." from the last bullet under "How to prepare for your pre-trial conference" to the last bullet under "What are pre-trial conferences?"
- Update the bullet that reads, "You always have the constitutional right to a jury trial..." to say "schedule" instead of "reschedule."

Ehrfurth will bring the document to the attention of the County Bar Association.

Kegel suggested that she and Ehrfurth reach out to attorneys as liaisons of the Case Processing Workgroup to answer any questions they may have about the process.

Follow-up on Potential for New Pilot Project with OARs

This item was tabled until a future meeting.

Discuss Agenda Items for Next Meeting

The December meeting will be cancelled; the next workgroup meeting is scheduled for 1/25/18.

Kegel will e-mail the workgroup members with an update on whether the SPD's Office is able to have an attorney stationed at Intake Court for an on-site eligibility-screening pilot.

Adjourn

The meeting adjourned at 8:26 a.m.