



**Waukesha County Criminal Justice Collaborating Council
Case Processing Committee Minutes
Thursday, March 28, 2019**

Team Members Present:

Katie Kegel	Michael Neimon	Sue Opper
Sara Scullen	Chris Ehrfurth	

Team Members Absent:

Hon. Brad Schimel	Monica Paz	Michelle Larsuel
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Others Present:

Gina Colletti (proxy for Paz)	Janelle McClain	Rebecca Luczaj
Melissa Zilavy	Karla Gabor	Bob Gibson

Neimon called the meeting to order at 7:40 a.m.

Approve Minutes from January 24, 2019

Motion: Scullen moved, Opper second, to approve the minutes of January 24, 2019. Motion carried unanimously.

Review and Discuss Pretrial Conferencing Outcomes

Colletti distributed and reviewed a packet of documents titled "Pretrial Program 2019."

Zilavy commented that she and Kristi Gordon have been splitting the pretrial conferences, and they continue to go well. Zilavy has appreciated having the Wednesday traffic cases scheduled at this time as well because it allows the parties to have the time to talk through the situation prior to the court hearing. However, the plea colloquies seem to be getting lengthier.

Kegel suggested identifying traffic cases separately on the outcomes report. She has seen a great response to SPD screening at the courthouse. Kegel suggested showing the overall impact of the program on the outcomes reports (i.e. time to disposition, # of trials scheduled, etc.). Neimon will talk to Paz to determine if something like this has already been created. Neimon commented that all of the parties have been working very well together.

Ehrfurth arrived at 7:46 a.m.

Zilavy attributed the low case clearance rate on 2/5 to a lack of defendants coming in with their driver's license. She added that one disincentive for defendants to getting their driver's license reinstated is the cost for SR-22 insurance.

Kegel suggested referring Milwaukee County residents to WCS' Center for Driver's License Recovery and Employability (CDLRE) program. Luczaj will try to arrange to have WCS present on the program at a future Case Processing Committee meeting.

The committee would like to see if the failure to appear (FTA) rate has improved since court notification via text messaging was implemented. Neimon believes that Paz may be tracking this information already.

Update on Increase in Pretrial Conferencing Capacity, Effective 3/12/19

Zilavy commented that the increase in pretrial conferencing capacity has been going well. She has noticed that there is usually a motion filed for OWI 1st cases with private attorneys, which causes delay. Scullen will mention to those with private attorneys that if they want to file a motion, it is their responsibility to remove the case from the pretrial calendar. Ehrfurth stated that, as a private bar attorney, there is not a lot of value in a pretrial conference for an OWI 1st.

The committee agreed to keep OWI 1st cases on the pretrial conferencing calendar, but only those cases with pro se defendants. Opper will update the list of allowable pretrial conferencing cases and distribute it.

Follow-Up on Ability to Provide Pretrial Screening Reports to Duty Judge on Weekends

Luczaj reported that due to WCS only have one screener available for a short period of time on Sunday mornings, and a supervisor (who would not be in until Monday) being required to review the reports prior to sending them out, it will not be possible to get screening reports to the Duty Judge on weekends at this time. However, once the PSA has been implemented, there will be additional screeners, so this issue can be revisited at that time. Luczaj is hoping for the PSA to be implemented by June or July.

Discuss Any Construction-Related Case Processing Issues/Concerns

Neimon reported that room 266 has officially been set up as the new Intake courtroom. In response to a concern from Kegel, Scullen stated that she would talk to Commissioner Costello about ensuring that law enforcement do not sit in the sections designated for defendants and defense attorneys.

Opper left at 8:19 a.m.

The County Board Room, C350, is nearing completion of transitioning into a non-jury secured courtroom. Judge Bugenhagen will be moved into that courtroom by the August rotation. Courtroom 360 will be used as a secure courtroom starting on August 5 with Judge Schimel. The courtroom does have a jury box and a jury room, but no bathroom facilities for the jury, so its use as a jury courtroom has some limitations when the time comes for deliberations. Overall, these changes mean that the third floor of the courthouse will be functioning with two full-time criminal courts. CG49 holding continues to be used until the new central holding facility is completed, expected in fall of this year. When that occurs, secure access to courtrooms 121 and 219 will cease to exist, and they will become non-custody courts. This work should last until spring 2021.

Other Items for Discussion

Luczaj commented that there was an issue brought up to her regarding defendants not going to the SPD's Office for screening, when sent there by the court. Kegel clarified that the issue is that people are being sent over, but they do not have time to come back before the building is closed. Staff are available at the SPD's Office until 5:00 p.m. Neimon stated that if a defendant does not come back, the case should be added to the court calendar.

Kegel initiated and the committee discussed the need for consistency in bail review at the commissioner level. Neimon suggested that the topic be discussed at the next commissioners' meeting.

Discuss Agenda Items for Next Meeting

- Presentation from WCS' Center for Driver's License Recovery and Employability (CDLRE)

Adjourn

Motion: Scullen moved, Neimon second, to adjourn the meeting at 8:31 a.m.