



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup
Thursday, March 24, 2016

Team Members Present:

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

Attorney Katie Bricco
Commissioner Robert Dehring
District Court Administrator Michael Neimon

Team Members Absent:

Attorney Dan Fay

Others Present: Courts Division Coordinator Amy Rendell, CJCC Coordinator Rebecca Luczaj, Janelle McClain

Opper called the meeting to order at 7:36 a.m.

Review Additional Data Collected Since Previous Meeting & Discuss Further Data Needs

Madden distributed and reviewed a spreadsheet with courts data collected from the first week of February 2015. The group asked for more detailed information regarding the 285 adjournments. An adjournment occurs when nothing related to the case occurs in court, and there is a new date assigned for the case. An adjournment would not occur if something happened, such as a plea being entered. "Adjourned for other" could mean a variety of things, such as the case not being listed in the court record, the attorney just being assigned a case, the client or attorney not showing up, or more time being needed for any reason. Dehring requested that there be a separate category to track any counsel-related reason for the adjournment.

Possible reasons were discussed regarding the time span from initial appearance to the date counsel first appeared, as this is the point in the system that has the most adjournments. Ramirez stated that we do not want to create more rules to follow, but rather, create realistic opportunities for people to obtain counsel.

The group discussed implementing a pilot program that would have defendants report for an initial hearing at 8:15am, and if screening for a Public Defender is necessary, go right to the Public Defender's Office to determine eligibility, and then return to court at 10:00am. A new hearing would not need to be generated. Counsel would then be assigned within a week. Ramirez commented that there is a huge investment and symbolism for the defendant to go from the commissioner to the public defender, and to come back. This action engages the defendant and means a lot from the court official's perspective. If the pilot is started and found to be beneficial, the possibility of housing a public defender intake worker at the courthouse could be discussed at a later time. Bricco will discuss the idea of this pilot program with her supervisor, with a possible start date of April 11.

If a defendant is not eligible for a public defender, the next step is to go to the commissioner to be considered for a court-appointed attorney. Madden stated that if there is an ability to pay, they can still be appointed an attorney from a contract list at a reduced rate, or hire an attorney on their own.

A cost-benefit analysis should be done to determine which scenario is worth doing: Have a person come back numerous times, or just appoint an attorney right from the beginning. Ramirez also suggested reviewing Attorney Voss's billing to determine how he pays for his interpreters.

Neiman asked that a discussion be held to figure out how to ensure attorneys come prepared to court, versus ask for an adjournment for more time, as this is an unnecessary drain on resources.

Continue to Discuss Pre-Charge Diversion Opportunities

Luczaj distributed the Eau Claire County Pre-Charge Diversion Program information. This will be discussed at a future meeting.

Discuss Next Steps & Set Date for Next Meeting

April 7, 2016 at 7:30 a.m.

The meeting adjourned at 8:28 a.m.