



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

Team Members Present:

Sue Opper

Michael Neimon

Katie Kegel

Amy Rendall

Kathy Madden

Chris Ehrfurth

Team Members Absent:

Hon. Ralph Ramirez

Others Present:

Molly Jasmer

Melissa Zilavy

Janelle McClain

Brittany Marin

Opper called the meeting to order at 7:42 a.m. The meeting began with introductions among committee members and guests present.

Approve Minutes from February 23, 2017

Motion: Madden moved, Rendall second, to approve the minutes of February 23, 2017. Motion carried unanimously.

Discuss and Consider Workgroup Membership Change

Motion: Madden moved, Kegel second, to replace Commissioner Robert Dehring with Commissioner Molly Jasmer. Motion carried unanimously.

Review & Discuss Outcomes from 3/28 Pretrial Conferencing

Rendall distributed and reviewed an updated spreadsheet containing data on the pretrial conferencing pilot. Ramirez had e-mailed the summary sheet for the March 28, 2017 pretrial conferencing statistics. Two cases were referred from Aprahamian, one case was from Dreyfus, and the rest were from Ramirez.

Kegel commented that the State Public Defenders (SPD) are extremely excited about the process because they are able to close multiple cases in one day. She noticed that the private bar attorneys seemed to be getting anxious while waiting to see the Assistant District Attorney (ADA). Kegel noted, however, that the wait is not any longer than it was previously, and that the anxiousness may be a result of not being familiar with the new process.

Kegel stated that the sign-up sheet is confusing. Attorneys and clients are unsure of what they need to complete. The workgroup discussed various solutions and Rendall, Marin, and Zilavy will devise a new sign-in method.

Ehrfurth arrived at 7:52 a.m.

Most branches have been okay with scheduling pretrial conferencing-eligible cases in Branch 3; however, Kegel has found that the Commissioners have not been as accommodating, and a letter has to be sent to the court to have the case moved. As the workgroup discussed the issue, it was determined that the court clerks

are saying cases cannot be moved, likely because it was getting close to the court date and they did not want to overbook. Rendall will reach out to Ramirez about this before the next C/T judges meeting on the April 11.

The workgroup discussed that if we were to extend the frequency of pretrial conferencing, it would be advisable to have another judge familiar with EBDM take it over. If we keep it on Tuesdays and judges do not have trials, we may not be adding to their workload. The group will get Ramirez's input at the next meeting.

Kegel commented that we may not need a second judge for long, as we are dealing with a lot of backlog right now, but once that is caught up, the pretrial conferences would be more current and there would not be as many cases to schedule. Madden and Rendall can look at the volume of cases coming in to determine the total volume over time. Opper stated that as long as we are aware of the date ahead of time, ADA staff would be able to handle two pretrial conferences a month.

Madden reminded the workgroup that we are not measuring the back office workflow, but that we know time and resources have been saved there during this process as well. The time to disposition and age of pending case statistics for Ramirez are impressive because of this pilot project.

Jasmer left at 8:07 a.m.

The group agreed that the intake court commissioner should not be telling the defendant what the fine would be. In addition, we need to determine a more efficient way to get files to the ADA for the pretrial conferences that are referred directly from intake court. Currently, Rendall is walking back and forth with the files. Suggestions included having Ramirez's legal clerk or a DA calendar clerk move the files.

Ehrfurth commented that there does not seem to be a lot of interest from the private bar because there are not a lot of cases that utilize the private bar that would be handled at a pretrial conference, and the defendant likely does not want to plead out if they are paying a fee to the attorney.

Rendall will update the spreadsheet to show totals for each pretrial conferencing day.

The group agreed to add a 9:30 a.m. pretrial conference time slot in an effort to eliminate wait time. This will go into effect in May, but Rendall and Marin will see if schedules can be changed for April as well.

The next pretrial conferencing day is April 18.

Discuss Future Workgroup Projects

At the next meeting, Rendall will bring updated summaries for the SPD pilot program that began a year ago. The summaries will be from the week in February 2016 where baseline data was collected compared to the same week in February 2017.

Clerks are coding the failures to appear (FTA) rate now, so Madden can provide a summary of the impact of text message reminders to defendants in an effort to reduce the FTA rate.

The workgroup will need to review the OAR information sheet, revised by Opper.

Ehrfurth asked if there is a way to allow attorneys easier access to their clients in the jail. The jail visiting hours are currently 7 a.m. – 11 a.m. and 12:30 p.m. – 4 p.m. Evening hours are allowed on the weekends, but

by video only, which causes a potential privacy issue. Ehrfurth stated that in other jails, there is more flexibility as an attorney because you need to be able to see your client at any time. The Policy Team members on this workgroup can bring it up at the Policy Team meeting, but are not sure how it will be received. Neimon stated that we are looking at video conferencing with the courthouse remodel project.

Discuss Agenda Items for Next Meeting

The April 6 meeting will be cancelled, and the group will resume meeting as scheduled on April 20 with NIC consultant, Mimi Carter.

Adjourn

The meeting adjourned at 8:40 a.m.