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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

1999-00

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Judiciary and Personal Privacy
(AC-JPP)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (May/2012)

- Jeff Schmidt, Ozaukee County
- Nancy Robillard, Door County
- Ruth Janssen, Appleton

Registrations against

- Rep. Mary Hubler, 74th Assembly District

October 27, 1999

EXECUTIVE SESSION

Present: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Excused: (0) None.

Moved by Representative Hebl, seconded by Representative Walker, that **Assembly Joint Resolution 64** be recommended for adoption.

Ayes: (9) Representatives Huebsch, Gundrum, Walker, Suder, Grothman, Sherman, Colon, Hebl and Staskunas.

Noes: (0) None.

Excused:(0) None.

ADOPTION RECOMMENDED, Ayes 9, Noes 0, Excused 0



Robert Delaporte
Committee Clerk



Wisconsin Clerks of Circuit Court Association

Serving Wisconsin Courts

October 12, 1999

President

GAIL GENTZ
912 56th Street, Courthouse
Kenosha, WI 53140
Tele: 414-653-2810
FAX: 414-653-2435

**GAIL GENTZ'S REMARKS
PUBLIC HEARING AJR 64**

FOUR YEAR TERMS FOR CLERKS OF CIRCUIT COURT

Vice President

JUDITH A. COLEMAN
City-County Bldg., Rm. GR-10
210 Martin Luther King, Jr. Blvd.
Madison, WI 53709
Tele: 608-266-4679
FAX: 608-266-9286

Good morning representatives. Thank you for this opportunity to speak with you today on behalf of the Wisconsin Clerks of Circuit Court Association. I am Gail Gentz, Clerk of Circuit Court from Kenosha County and president of our association. My purpose is to encourage your support of four year terms for Clerks of Circuit Court, and also to let you know why I and my colleagues from across the state believe that this change would better serve the interests of the constituents both of our groups have been elected to serve.

Secretary

NANCY ROBILLARD
421 Nebraska St., Courthouse
Sturgeon Bay, WI 54235
Tele: 920-746-2205
FAX: 920-746-2381

Today's courts have become centers of complex business operations over the decades since Wisconsin's constitution was drafted. Our positions have evolved from clerical support to one of judicial officers to one of upper level management for budget, facilities planning, personnel, technology implementation and much more. These points have been itemized in a position paper which is attached for your review. Some of us have recently returned from a national conference on the impact of technology on the courts, and we learned how it can enhance and improve the delivery of justice to the citizens of this state. A strong and convincing message of this meeting was that improved access to a higher quality court system is within our grasp, but competent and knowledgeable leadership will be critical in accomplishing these goals. The potential two year turnover is not conducive to this end.

Treasurer

BERNADETTE FLATOFF
1516 Church St., Courthouse
Stevens Point, WI 54481
Tele: 715-346-1370
FAX: 715-346-1236

Clerks of Circuit Court from all areas of the state are present today to convey to you the importance of this effort for change. We thank you Representative Huebsch and this committee for scheduling this hearing. We ask this committee to report the bill to the full Assembly for a floor vote as soon as possible.

Executive Committee

Judith A. Coleman, Chair
John Barrett, Dist. 1
Taraesa Wheary, Dist. 2
Kristine Deiss, Dist. 3
Diane Fremgen, Dist. 4
Eldred Mielke, Dist. 5
Mary Ellen Cross, Dist. 6
Carolyn K. Olson, Dist. 7
Ruth H. Janssen, Dist. 8
Susan Krueger, Dist. 9
Clara Minor, Dist. 10

We believe the issue is straight forward, reasonable and in line with objectives of more effective and efficient government services in this state. We are happy to answer any questions or address any issues you may have at this time.

Legislative Committee

Cynthia S. Ernst, Chair
John Barrett, Dist. 1
Sheila Reiff, Dist. 2
Barbara Grube, Dist. 4
Judith Coleman, Dist. 5
Richard Thieme, Dist. 6
Pamela Radtke, Dist. 7
David Bruske, Dist. 8
Donna Seidel, Dist. 9
Diana Miller, Dist. 10

Thank you again for your attention and support.



TESTIMONY AT PUBLIC HEARING
AJR-64 - FOUR YEAR TERMS FOR CLERKS OF CIRCUIT COURT
OCTOBER 12, 1999

- Clerks of Circuit Court, as local elected officials, have similar administrative duties compared to Sheriffs who now have 4 year terms.
- 2 year terms hamper the ability of Clerks of Circuit Court to implement programs campaigned on.
- 4 year terms:
 - Bring this office in line with the Sheriffs and other constitutional offices which were created when the constitution was written 150 years ago. A series of approved amendments has extended most terms to four years.
 - Spare both the candidates and voters from every other year campaigns.
 - Increase consistency in terms of development of local policies and long range administrative planning.
 - Reflect the trend of public opinion.
 - Maintain public accountability as much as two year terms do.
- Passage of this bill, which has bi-partisan support in both the Senate and Assembly, allows the voters the privilege to voice their opinion through a referendum.





JOHN RYBA

STATE REPRESENTATIVE
90th Assembly District

October 12, 1999

To: Members of the Assembly Judiciary and Personal Privacy Committee

Rep. Michael Huebsch, Chair
Rep. Mark Gundrum, Vice Chair
Rep. Scott Walker
Rep. Scott Suder
Rep. Glenn Grothman

Rep. Gary Sherman
Rep. Pedro Colon
Rep. Tom Hebl
Rep. Tony Staskunas

From: Rep. John J. Ryba, 90th Assembly District

Chairman Huebsch and committee members, my name is Margaret Hyatt, and I would like to thank you for this opportunity to appear before you today to speak in support of AJR-64. My boss, Rep. Ryba, sponsor of the resolution, could not be here today so he has asked me to appear on his behalf.

AJR 64 would increase from 2 to 4 years the terms of office for Clerks of Circuit Courts. Currently county sheriffs have four-year terms, and legislation is pending to extend this privilege to district attorneys (under second consideration).

We believe that our clerks of courts, as part of the justice system, are equally deserving of four-year terms. These public officials are responsible for managing the records of court documents for all the circuit and commissioners' courts. Other support services provided by the clerks include jury management, court staffing, maintaining indexes and files, issuing required papers, collecting fines, docketing papers, serving the public in person and by phone. Without competent personnel and knowledgeable and effective clerks of courts, the operation of the circuit courts would be seriously impaired.

By increasing the clerks' terms to four years, they are relieved of the burden of having to expend time and money running for re-election biennially. This frees them up to do the job for which they were elected in the first place. Additionally, a longer term eliminates the potential turmoil of changing leadership every two years and provides continuity for staff and for those who rely on the clerk of courts for court-related services.

AJR-64 is presented for first consideration so it will have to pass not only this session, but also in the 2001-2002 Legislative Session and then be approved by Wisconsin voters. Its Senate companion, SJR-20, recently received a unanimous recommendation for passage from the Economic Development, Housing and Government Operations Committee. I hope you will carefully consider AJR-64 and cast a favorable vote to send it on to the Assembly for further debate.

I will now conclude my remarks in order to allow the people who know much more about the responsibilities of Clerks of Courts an opportunity to speak. Thank you.





Wisconsin Clerks of Circuit Court Association Legislative Committee

POSITION PAPER ON 4-YEAR TERM FOR CLERKS OF CIRCUIT COURT AJR-64/SJR-20

Date?

The Wisconsin Clerks of Circuit Court Association (WCCCA) supports 1999 Assembly Joint Resolution 64 and 1999 Senate Joint Resolution 20 which extend the term of office of Clerks of Circuit Court from two to four years. The WCCCA supports this bi-partisan effort to amend the Wisconsin Constitution for the following reasons:

- Clerks of Circuit Court are constitutionally elected officers who are elected on a county-wide basis to serve the public and the county legal system.
- Clerks of Circuit Court represent the entire county from which they are elected, whether that is a small, homogeneous, rural county or a large, multi-cultural, urban county.
- Clerks of Circuit Court have numerous, diverse duties which require administrative, financial, public relations and law-related skills.
- Clerks of Circuit Court are responsible for developing and over-seeing multi-million dollar budgets.
- Clerks of Circuit Court are responsible for managing files and related documents concerning small claims cases, criminal cases, civil and family cases, and the myriad of other court actions that are filed on a daily basis in the county legal system.
- Clerks of Circuit Court have, along with all other aspects of the criminal justice system, incurred geometric increases in recent years in the number of legal actions and personnel matters they must administer.
- Clerks of Circuit Court have, along with other county officers, been called upon in recent years to do more as the federal and state governments shift additional responsibilities to county governments.
- In 1998, a constitutional amendment was adopted by the public to extend to four years the term of office of Sheriff. The Legislature passed joint resolutions on that matter during the 1995 and 1997 sessions.
- A joint resolution to extend to four years the term of office for a District Attorney was passed by the 1997 Legislature and is currently being considered by the 1999 Legislature.
- The four year term of office for Clerks of Circuit Court is consistent with the effort to ensure that all county offices involved with the criminal justice system are four year positions.