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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Corrections and the Courts...

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**

Assembly

Record of Committee Proceedings

Committee on Corrections and the Courts

Assembly Bill 705

Relating to: adding a circuit court branch in Juneau County.
By Representative Albers; cosponsored by Senator Schultz.

September 27, 2005 Referred to Committee on Corrections and the Courts.

November 30, 2005 **PUBLIC HEARING HELD**

Present: (10) Representatives Bies, Gundrum, Underheim,
Owens, Suder, LeMahieu, Pope-Roberts,
Wasserman, Seidel, Parisi.

Absent: (0) None.

Appearances For

- Sheryl Albers — Rep., 50th Assembly District
- John Pier Roemer — Judge, Juneau County Judge

Appearances Against

- None.

Appearances for Information Only

- John Voelker — Director of State Courts

Registrations For

- None.

Registrations Against

- None.

December 15, 2005 **EXECUTIVE SESSION HELD**

Present: (9) Representatives Bies, Gundrum, Underheim,
Owens, Suder, LeMahieu, Pope-Roberts,
Wasserman and Parisi.

Absent: (1) Representative Seidel.

Moved by Representative Underheim, seconded by Representative
Owens that **Assembly Bill 705** be recommended for passage.

Ayes: (6) Representatives Bies, Gundrum, Underheim,
Owens, Suder and LeMahieu.
Noes: (3) Representatives Pope-Roberts, Wasserman
and Parisi.
Absent: (1) Representative Seidel.

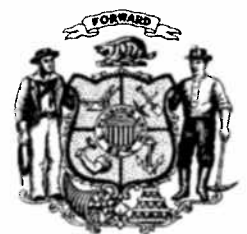
PASSAGE RECOMMENDED, Ayes 6, Noes 3

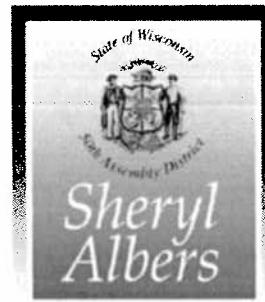


Andrew Nowlan
Committee Clerk



WISCONSIN STATE LEGISLATURE





2005 Assembly Bill 705 – Juneau County 2nd Court

Testimony of State Representative Sheryl K. Albers before the Assembly Committee on Corrections and the Courts

November 30, 2005

Mr. Chairman and members, thank you for the opportunity to discuss AB 705. As of August 1, 2006, this proposal adds one circuit court branch in Juneau County.

Currently, Juneau has but one judge. In the Legislative Fiscal Bureau publication *The Wisconsin Court System, Informational Paper 76*, January 2005, the Juneau County Circuit Court Judge is expected to do the work of 2 people, the highest workload in the State. Table 1 lists the case workload of the judges by county. This scenario fails to ensure a speedy trial, impartial justice and or equal treatment under the law.

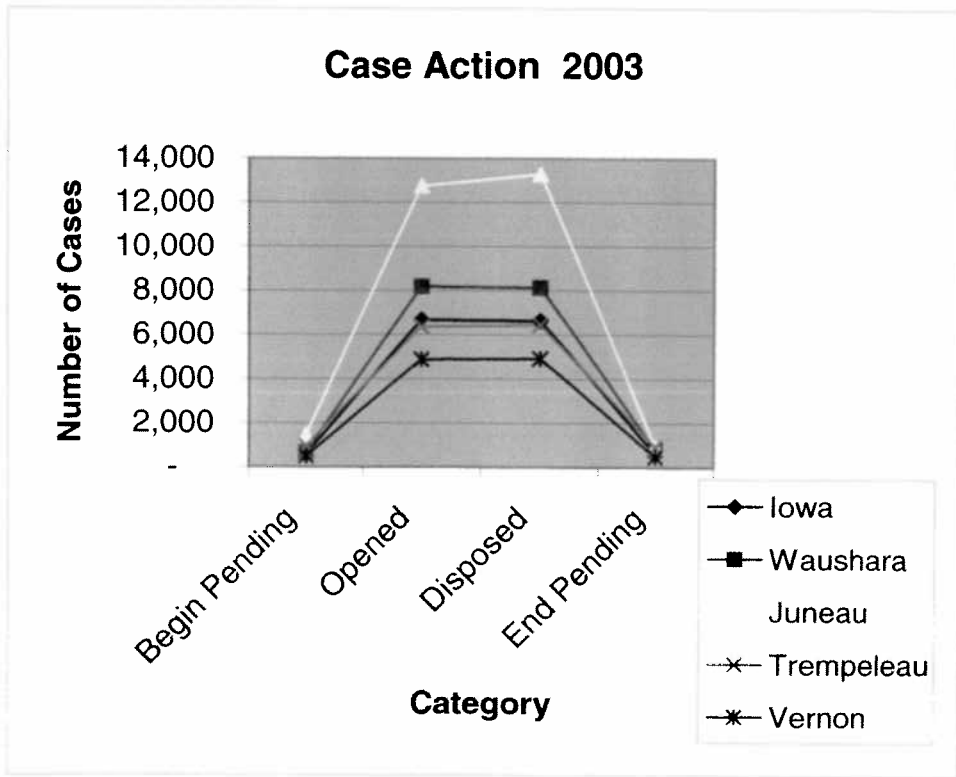
The Juneau County Circuit Court has experienced an increase in the number case coming before the Court. In 2003 the 12,758 cases were opened. In 2004 13,839 cases were opened. That is over an 8% increase in just one year. What is more critical is the number of cases not closed at the end of the year, “end pending.” This number is usually small but has a tendency to cumulate raising the end pending number increases over the previous year. For example, the end pending in 2003 was 951 and in 2004 it was 1,093. So each year the end pending number increases.

In addition, a comparison drawn from the data collected by the Director of Wisconsin State Courts*, of the activity in other courts in counties with approximately the same population and other similar characteristics clearly, IDENTIFIES THAT THE CASELOAD OF JUNEAU COUNTY’S CIRCUIT COURT TO BE MONUMENTALLY HIGHER THAN SIMILAR COUNTIES. The graph below identifies the caseload of five

counties, Iowa, Waushara, Juneau, Trempeleau, and Vernon. As you can see the caseload for Juneau County is much higher for both 2003 and 2004.

2003
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Population04 est.	County	Begin Pending	Opened	Disposed	End Pending
23,639	Iowa	575	6,667	6,638	606
24,806	Waushara	666	8,178	8,136	794
25,470	Juneau	1,467	12,758	13,294	951
27,765	Trempeleau	958	6,366	6,445	932
28,928	Vernon	499	4,874	4,917	475

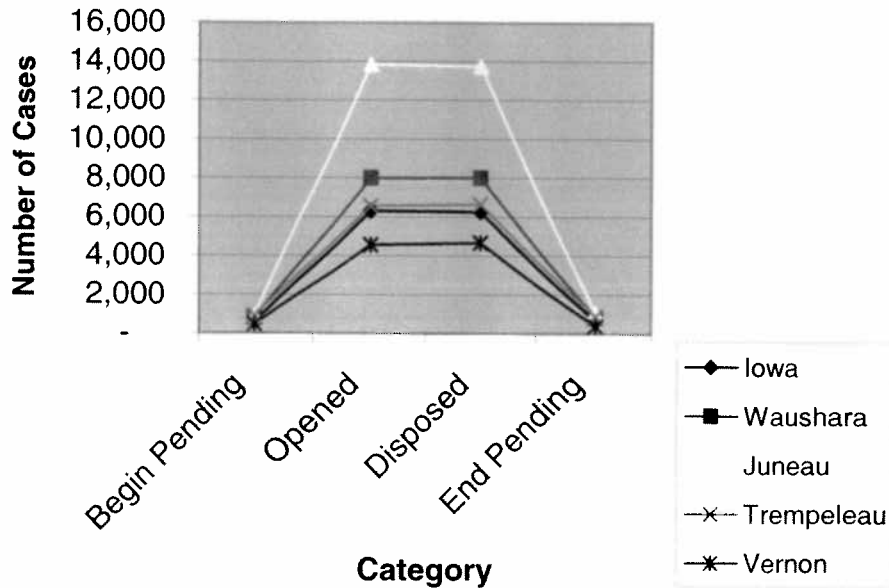


2004

Report Generated on 02-28-2005 09:30 am *

Population04 est.	County	Begin Pending	Opened	Disposed	End Pending
23,639	Iowa	583	6,280	6,250	642
24,806	Waushara	783	7,990	7,994	825
25,470	Juneau	920	13,839	13,746	1,093
27,765	Trempeleau	908	6,556	6,628	893
28,928	Vernon	467	4,542	4,656	383

Case Action 2004



No one wants to give up part of a judicial position and there is apparently no available GPR. This bill commits by the spring of 2006 Juneau County will be afforded an additional judge. Juneau County is prepared to generate and allocate staff and funding, as evidenced by the attached Resolution. Because of the Juneau County Courthouse addition, the needed space is available.

We are open and flexible on the effective date and want to work cooperatively with the Juneau County Board on the implementation date.

I urge you to join me in supporting this much needed court for Juneau County.

I am willing to answer questions you may have.

APPENDIX III

2003 Circuit Court Caseload Study - Ranked By Workload

County	Current Branches	2003* Study	Workload** Per Court	County	Current Branches	2003* Study	Workload** Per Court
Juneau	1	1.97	2.0	Shawano/Menominee	2	2.37	1.2
Green	1	1.72	1.7	Columbia	3	3.52	1.2
Chippewa	2	3.28	1.6	Milwaukee	47	54.99	1.2
Sawyer	1	1.56	1.6	Barron	2	2.31	1.2
Clark	1	1.51	1.5	Vernon	1	1.15	1.2
Rock	7	10.57	1.5	Waukesha	12	13.81	1.2
Calumet	1	1.50	1.5	Polk	2	2.30	1.1
Burnett	1	1.45	1.5	Outagamie	7	7.97	1.1
Waushara	1	1.44	1.4	Fond du Lac	5	5.60	1.1
Kenosha	7	9.91	1.4	Washington	4	4.48	1.1
Dodge	3	4.18	1.4	Washburn	1	1.11	1.1
Trempealeau	1	1.39	1.4	Walworth	4	4.38	1.1
Douglas	2	2.78	1.4	Oneida	2	2.16	1.1
Monroe	2	2.75	1.4	Ozaukee	3	3.22	1.1
Winnebago	6	8.23	1.4	Richland	1	1.05	1.0
Adams	1	1.37	1.4	Marquette	1	0.99	1.0
Sheboygan	5	6.85	1.4	Ashland	1	0.96	1.0
Eau Claire	5	6.82	1.4	Marinette	2	1.93	1.0
Green Lake	1	1.36	1.4	Jefferson	4	3.84	1.0
Sauk	3	4.08	1.4	Grant	2	1.89	0.9
Manitowoc	3	4.07	1.4	Buffalo/Pepin	1	0.94	0.9
Iowa	1	1.35	1.3	Waupaca	3	2.76	0.9
Jackson	1	1.34	1.3	Rusk	1	0.91	0.9
Brown	8	10.74	1.3	Bayfield	1	0.89	0.9
St. Croix	3	3.99	1.3	Taylor	1	0.85	0.8
Marathon	5	6.65	1.3	Lincoln	2	1.66	0.8
Dunn	2	2.64	1.3	Kewaunee	1	0.82	0.8
Wood	3	3.92	1.3	Price	1	0.79	0.8
Pierce	1	1.29	1.3	Oconto	2	1.51	0.8
Dane	17	21.59	1.3	Door	2	1.38	0.7
Racine	10	12.58	1.3	Lafayette	1	0.68	0.7
Vilas	1	1.21	1.2	Crawford	1	0.63	0.6
Langlade	1	1.20	1.2	Iron	1	0.36	0.4
Florence/Forest	1	1.19	1.2	Portage***			
La Crosse	5	5.94	1.2				
				STATE TOTAL***	238	288.63	1.2

* Number of branches required based solely on the 2003 weighted caseload study.

** Current workload for each court branch (for example "1.5" means that, according to the weighted caseload study, one judge is doing the workload of 1.5 judges).

*** Data for Portage County was unavailable.

Juneau County Board of Supervisors

Courthouse, 220 East State Street
Juneau, Wisconsin 53948



March 16, 1999
Resolution 99 - 18

RESOLUTION SUPPORTING CREATION OF ADDITIONAL CIRCUIT COURT JUDGESHIP FOR JUNEAU COUNTY

Sponsor: Executive Committee

Intent: Place Juneau County on record in support of a second judgeship for the County.

Fiscal
Impact: Undetermined.

WHEREAS, statistics kept by the Director of State Courts show that growth in the caseload of the Circuit Court for Juneau County has now reached the point where there is a need for a second Circuit Judge position in Juneau County;

WHEREAS, the current volume of cases has led to delays in processing cases and exceeds the reasonable capacity of the County's single judge to handle, and future growth of the County and construction of state institutions makes it likely the caseload will increase further in the near future;

WHEREAS, creation of a second judgeship will reduce the need to bring judges from other counties to Juneau County when substitution requests are filed, which will reduce costs and speed the administration of justice;

WHEREAS, the creation of a second judgeship depends on legislative action to create the position and provide for its funding, and the process commences with an indication of support from the County Board;

WHEREAS, the Juneau County Board of Supervisors believes that the public interest dictates the creation of a second judgeship, and the County is willing to provide the space and additional resources which will be required by a second judgeship;

NOW, THEREFORE, BE IT RESOLVED, by the Juneau County Board of Supervisors, that Juneau County does hereby support the creation of a second judgeship for Juneau County, and requests the State of Wisconsin to provide that judgeship as soon as reasonably possible.

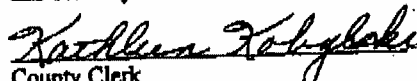
AND BE IT FURTHER RESOLVED, that the Juneau County Board is aware that the additional Judgeship will require the County to expend a substantial amount of funds for additional furniture, supplies and equipment, and for the salaries and benefits of additional clerical support for the additional Judge.


James C. Barrett, Chairman


Edward R. Brown

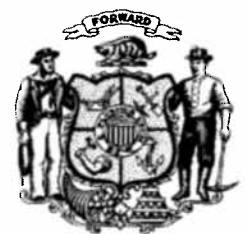

Alan K. Peterson

Adopted by the County Board of Supervisors of Juneau County
this 16th day of March, 1999.


County Clerk



WISCONSIN STATE LEGISLATURE





Memorandum

To: Members, Assembly Corrections and the Courts Committee

From: Rep. Garey Bies, Chair

Date: December 12, 2005

Re: Fiscal Estimate

Attached please find a copy of the fiscal estimate for Assembly Bill 705, scheduled for executive action by the Committee on Wednesday.

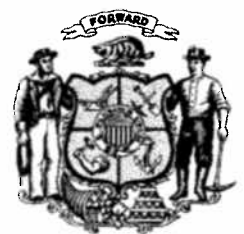
First for Wisconsin!

Capitol: P.O. 8952, Madison, WI 53708-8952 • (608) 266-5350 • Fax: (608) 282-3601
Toll-Free: (888) 482-0001 • Rep.Bies@legis.state.wi.us

Home: 2590 Settlement Road, Sister Bay, WI 54234 • (920) 854-2811



WISCONSIN STATE LEGISLATURE





Memorandum

To: Members, Assembly Corrections and the Courts Committee

From: Rep. Garey Bies, Chair

Date: December 14, 2005

Re: AB 705

Attached please find additional information provided by the Office of the Director of State Courts regarding expenditures in Juneau County for reserve judges. Take this information into account when considering Assembly Bill 705, which is scheduled for committee action before the Corrections Committee on December 15.

First for Wisconsin!

Juneau County Reserve Judge Estimated Cost Calendar Years 2003-2005

2003

Reserve Judge Days	99
Reserve Judge Daily Per Diem	292.6
Reserve Judge Expense	\$ 28,967.40

Court Reporter Days	99
Court Reporter Daily Per Diem	169
Court Reporter Expense	<u>\$ 16,731.00</u>

Total 2003 Expenses **\$ 45,698.40**

2004

Reserve Judge Days	69.5
Reserve Judge Daily Per Diem	292.6
Reserve Judge Expense	\$ 20,335.70

Court Reporter Days	69.5
Court Reporter Daily Per Diem	172
Court Reporter Expense	<u>\$ 11,954.00</u>

Total 2004 Expenses **\$ 32,289.70**

2005

Reserve Judge Days	49
Reserve Judge Daily Per Diem	296.09
Reserve Judge Expense	\$ 14,508.41

Court Reporter Days	31
Court Reporter Daily Per Diem	174
Court Reporter Expense	<u>\$ 5,394.00</u>

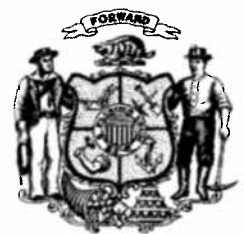
Total 2005 Expenses **\$ 19,902.41**

Total Expenses 03-05 **\$ 97,890.51**

Average Annual Expense **\$ 32,630.17**



WISCONSIN STATE LEGISLATURE



This bill creates an additional circuit court judgeship in Juneau County effective August 1, 2006.

This bill will result in annual increases in staff and attendant costs for both state and county governments. These include the following:

State Costs:

A. Costs under s. 20.625(1)(a)

Judge	112,500
Court reporter	36,800
Fringe benefits	57,600
Travel expenses for judge	<u>1,700</u>
Total	208,600

B. Costs under s. 20.680(1)(a)

Wisconsin Reports – (one time)	1,700
Annual advance sheets	100
Bound volumes	<u>200</u>
Total	2,000

C. Costs under s. 20.680(2)(j)

CCAP equipment – (one time)	28,260
CCAP computer maintenance	<u>3,850</u>
Total	32,110

Total Annual Costs	212,750	(208,900 GPR; 3,850 PR)
Total One-Time Costs	29,960	(1,700 GPR; 28,260 PR)

Annual County Costs

1- Judicial Assistant	26,939
2 - Deputy Court Clerks	49,780
Fringe benefits (30%)	23,016
Supplies and services	8,500
Legal materials (one time)	6,300
Legal materials (per s. 757.40, Stats.)	1,500
Furniture, equipment (one time)	<u>6,000</u>
Total	122,035

Total Annual Costs	109,735
Total One-Time Costs	12,300

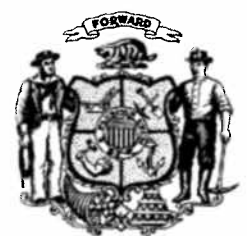
This estimate does not include various other costs such as jury costs, guardian ad litem costs, witness fees, rent, etc. These costs vary by county and by year and cannot be predicted with accuracy.

The state of Wisconsin sends block grant payments to counties to offset these costs. The average payment per branch of court in counties with more than one branch is approximately \$100,000 per year. If the total appropriation remains the same and must be divided among 242 circuit court branches (rather than the current 241), then the current county payments will be decreased slightly.

In addition, there may be additional revenue from fees, fines and forfeitures that are collected by circuit courts for state and county governments. This revenue cannot be accurately predicted.



WISCONSIN STATE LEGISLATURE



AB 705

~~Not a bill~~

Enough case for an additional
1/4 judges.

Entitled to a case heard
in a timely manner. This
entitlement does not
currently exist in Tureau
Co.

Facilities already in
place for additional
court.

The one judge in Tureau
Co. has the highest
work load of any judge
in the state.

Concern with the piecemeal
nature of bill

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Creoles 2nd niveau

Schl Dist do,