

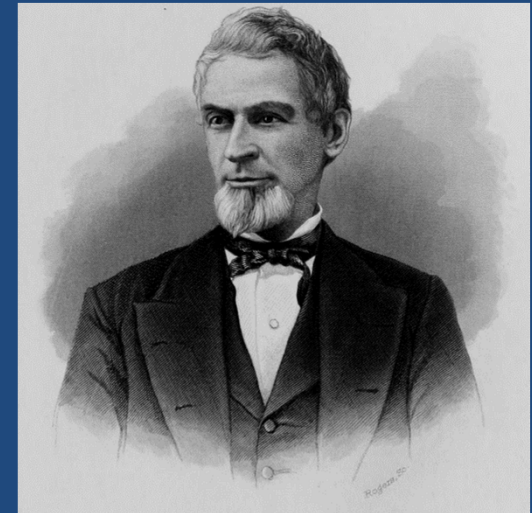
Clerk of Circuit Court

History, Role, Duties, and Budget

Position established in the Wisconsin Constitution; described in law

- Article VII, Section 12
- Ch. 59.40(2) Wis. Stats.
- But clerks of court were already in every organized county prior to Wisconsin's statehood...

Riding the Circuit!



- The Judiciary Act of 1789
- Dane County formally organized in 1839
- First Dane County Clerk of Circuit Court:
Simeon Mills, serving from 1839-1847.

About my office today

Second-largest in the state – 100 employees supporting 17 judges and 11 judicial court commissioners.

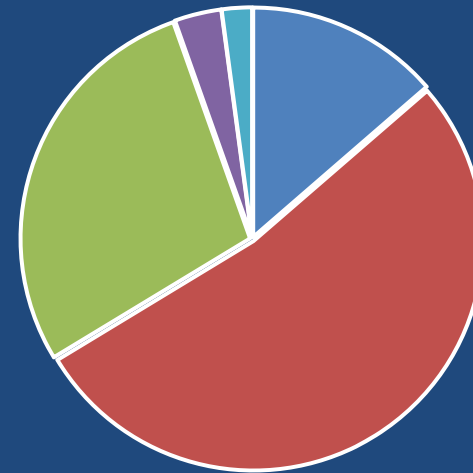
(Our courthouse opened in 2006.)



2019 Court Filings

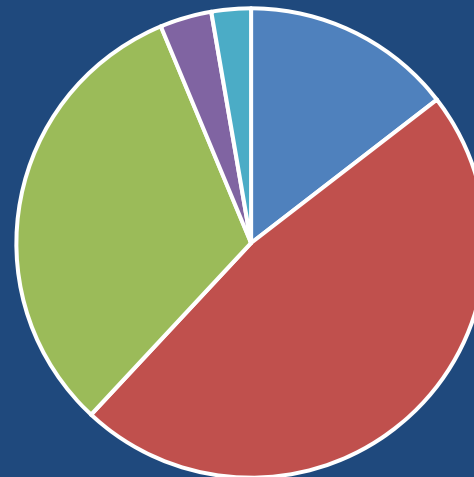
802,395 Total Filings Statewide

109,434 criminal
422,768 traffic / forfeiture
226,600 civil / family
26,543 probate
17,050 juvenile



48,771 Total Filings in Dane County

7,093 criminal
23,116 traffic / forfeiture
15,498 civil / family
1,739 probate
1,325 juvenile



Organization of Dane County Circuit Court

3 Divisions

- 6 judges - Criminal: felony, misdemeanor, criminal traffic, traffic
- 7 judges - Civil/Family: large claims civil, small claims, probate, divorce, paternity
- 4 judges - Juvenile: delinquency, CHIPS, termination of parental rights (plus limited civil assignments)

Functions of Clerk of Courts Office

- Receive/Process Filings
- Make a Record of Proceedings and Report Out
- Provide Court Interpreters
- Receipt Payments/Pursue Collections
- Appeals
- Public Access to Records
- Summon jurors
- Pretrial Services

Filings

- New filings and pleadings are accepted via mail, in-person delivery, (sometimes) fax, and via an electronic filing system.
- Incoming filings are immediately recorded in our electronic case management system and routed to appropriate staff or court officials for action.



Make a Record and Report Out

- The Deputy Clerk in the courtroom will take the minutes, swear in witnesses, mark exhibits, draft orders and, at the conclusion of proceedings, circulate the outcomes to system partners.
- Outside the courtroom, the Deputy will schedule future proceedings in consultation with case parties and provide notices of hearings to the parties.



Interpreters

- All parties in a court proceeding have the right to fully understand and participate in that proceeding, regardless of language barriers.
- Dane County has two certified Spanish language interpreters on staff, and they also manage and coordinate all other language interpreters for proceedings.

Wisconsin Court Interpreters



Ensuring Justice for All

Payments/Collections

- Court ordered fines/forfeitures/costs are collected by the Clerk of Court.
- Debtors who do not make arrangements to pay, or who default on their arrangements will have a civil judgment filed against them and may have their debts sent to a collection agency. Drivers license suspension is also a collections tool, but we have discontinued that practice.



Appeals

- Litigants who are dissatisfied with their case outcome in circuit court have the right to appeal the decision to the next highest court.
- The Clerk of Court's Office will transmit the entire circuit court record to the Court of Appeals. This is now done entirely through the electronic transmission of digital documents.



Public Access to Records

- Most records kept by the court are open to unrestricted public inspection. Exceptions are cases confidential by law (such as Juvenile cases) or cases sealed by court order.
- As the official keeper of the records of the court, the Clerk's Office responds to requests for records made via telephone or e-mail inquiry, or over the counter.
- Summaries of case records are available online to all via the internet (wcca.wicourts.gov).



Summoning Jurors

- The Clerk of Court summons randomly chosen citizens of their county to serve as jurors on criminal and civil cases.
- Citizens are eligible to serve on a jury in their county once every four years.
- Most jury trials in Dane County last 1-2 days.
- Only about 2% of criminal cases go in front of a jury.



Pretrial Services

- As an alternative to high cash bails or pretrial incarceration, judges and court commissioners can refer criminal case defendants to pretrial services.
- A pretrial risk assessment is done for all in-custody defendants prior to their initial appearances in order to better inform decisions on bail conditions.
- Pretrial supervision can include GPS monitoring, random remote alcohol testing, and random drug tests.

DANE COUNTY CLERK OF COURTS
Public Safety Assessment - Report

Spillman Name Number: 433320
Name: Eddie Lee Armstrong
DOB: 09/23/1991
Arrest Date: 09/15/2018
PSA Completion Date: 09/16/2018

FILED
SEP 13 2018

New Violent Criminal Activity Flag
No ☐ Yes ☐

New Criminal Activity Scale
No ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6

Failure to Appear Scale
1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6

(Charges)
1. 2017 TRV: Theft-Movable Property <\$2500 M 1
2. 2017 TRV: Actual Use of Firearm <2000 M 1
3. 2017 TRV: Possession of Firearm <2000 M 1
4. 2017 TRV: Possession of Firearm <2000 M 2
5. 2017 TRV: Possession of Firearm <2000 M 2

Age-Related
23 or Older
18-22
16-17
14-15
12-13
10-11
9 or Younger

Other Factors
1. High or Current Arrest
2. High or Current Offense
3. High or Current Offense & 20 Years Old or Younger
4. High or Current Offense & 20 Years Old or Younger
5. High or Current Offense & 20 Years Old or Younger
6. High or Current Offense & 20 Years Old or Younger
7. High or Current Offense & 20 Years Old or Younger
8. High or Current Offense & 20 Years Old or Younger
9. High or Current Offense & 20 Years Old or Younger
10. High or Current Offense & 20 Years Old or Younger



Court Commissioner Center

- Court Commissioners are appointed by our local judiciary, are compensated by the county (rather than the state), and serve in a limited judicial capacity.
- Commissioners oversee criminal initial appearance court, primarily responsible for setting bond and conditions of bond.
- Commissioners also handle small claims cases, and conduct the early hearings in divorce and paternity cases.



A Word About Court Technology

Consolidated Court Automation Program – CCAP

- record keeping, jury management and financial system
- calendaring of in-court activities
- electronic filing, interagency interfaces (i.e. Dept. of Corrections, District Attorney, Child Support Agency)

Evidence Display in Court

- document camera
- play videos of interviews, incidents
- remote appearances by video or telephone connections

Operational Budget Summary

- Clerk of Court divided into five organizational units: General Court Support, Court Commissioner Center, Pretrial Services, Judicial Law Clerks, Guardian ad Litem.
- In 2020, total expenses across all four subunits totaled \$14,063,831. Revenues totaled 5,613,308. Total GPR support was \$8,450,523.
- Personal Services (salaries and benefits for 111 staff and commissioners) accounts for most of this.

2022 Budget Requests

- Operational: \$6,250 for a subscription to CCAP for raw court data to support the work of the Criminal Justice Council's Innovation Team.
- Capital: \$58,794 to replace the VOIP telephone handsets that have been in continuous use since the Courthouse opened in 2006. They have long since reached end-of-life.

And Something to Consider...

- Pretrial Services needs a reorganization out from under the Clerk of Court umbrella.
- No other Clerk of Court in the United States supervises a Pretrial operation.
- The office is best organized as a standalone agency with a judicially appointed Director, just like the Family Court Services office.
- This will be a formal budget request for the 2023 budget, but if there's interest now, I'm ready to work on it for 2022.

Questions?

Carlo Esqueda
Dane County Clerk of Circuit
Court/Register In Probate
Carlo.Esqueda@wicourts.gov