

Date: July 30, 2024

To: Ms. Jamie Kuhn, Dane County Executive  
Mr. Greg Brockmeyer, Director, Dane County Department of Administration  
Mr. Charles Hicklin, Dane County Controller

From: Jeff Okazaki, Dane County Clerk of Circuit Court/Register in Probate

Re: 2025 Circuit Court Budget Submission

This 2025 budget request comports with the requirements and direction provided by the Dane County judiciary, in accordance with Supreme Court Rules 70.19(3)(k) and 70.32.

Our annual comprehensive budget review was conducted by Chief Deputy Shelly Maas, Accounting Assistant Molly Zenner, and myself, with additional input from the Dane County Judiciary. Our submission is compliant with the Executive's budget guidance of June 14, 2024.

With regard to our operating budget decision items, we have a number of line items that have faced significant gaps in actual versus budgeted costs due to volume and statutory rate changes. Our first decision item is to add \$40,000 to our Guardian Ad Litem (GAL) expense line for WATTS and ME cases. GALs are attorneys who are appointed by the court to represent the interests of parties that are not able to speak for themselves. In this case, WATTS and ME cases pertain to people who have been committed or protectively placed by a county human services agency. In July of 2023, the statutory rate increased from \$70/hr to \$100/hr and the statutory rate for travel increased from \$25/hr to \$50/hr. This will increase our costs by the requested budget amount.

The changes discussed previously also impact other GAL budget items for the court. GAL attorneys for our civil division primarily work on restraining order cases. The statutory rate changes necessitate a \$5,400 increase in expenses for this line item.

These same statutory rate changes also extend into a third budget line item, Court Appointed Attorneys. To comply with case law, the county – through the courts – is directed to provide an attorney to defendants who are unable to afford an attorney, yet cannot meet the eligibility requirements for an attorney appointed by the Office of the State Public Defender. The budget line for our court in this area has not been increased for over a decade and falls woefully short of the actual, mandated cost to the county.

Since the last budgeted adjustment in 2013, appointments continue to rise and are now more than three times higher. In addition, the statutory rate change has increased the overall cost of providing these appointments as the county had to renegotiate the rates paid to our Criminal Defense Project (CDP) attorneys to maintain parity. This necessitates an increase to the Court Appointed Attorney – Adult decision line to \$430,000.

Because these cost increases are partially volume driven, we are also able to make adjustments to revenue in these same areas, which helps to offset the cost increase. For this, we would request the Guardian Ad Litem Fees revenue line be increased to \$125,000 and Court Appointed Counsel Reimbursement be increased to \$230,000.

In addition, after reviewing all of our revenue line items, we have identified that the Circuit Court Block Grant item has also not been updated recently and is no longer in line with the increased support we receive from the state. We are requesting a revenue increase for this line item to \$1,634,000.

Combined, these changes bring the Clerk of Court budget significantly more in line with the actual costs the county is required to pay and with the revenue the county receives from these activities. Despite the \$365,075 increase in operating costs against GPR, we are able to bring in additional revenue offsets of \$284,150. This makes our overall impact on GPR a much more manageable \$80,925.

Our budget request also includes two budget-neutral reallocations. The first is a holdover from the separation of Pretrial Services (PTS) from the Clerk of Court. We are requesting a \$3,000 transfer of Interpreter Services for the PTS usage of the language line. This provides for better delineation between the departments and allows them to establish their own account at no additional cost. We are also requesting a transfer for the entire budgeted amount of \$31,500 for our Limited Term Employees within the Commissioner Center Org to the same line in our General Court Support Org. The original allocation for file scanning in the Commissioner Center has ceased and the positions are no longer filled. This budget expenditure has already moved to the Clerk of Courts administrative office where it is being used to generate revenue within our debt collection processing.

Secondarily, we also note that the county increased LTE wage rates in December of 2023, but the LTE wage expense lines were not adjusted accordingly. These wage increases nearly doubled our LTE expense lines. While we do not have a formal budget request, the increases would total \$30,600 to General Court Support LTE allocation. We would encourage the county to adjust these lines as part of their standard departmental wage expense adjustments for 2025.

The Executive's budget guidance advised that capital requests should only be brought forward for projects and initiatives that are absolutely necessary. After careful consideration, and in conferring with the Judiciary, we have a single, critical capital need: to replace the aging audio/visual and remote appearance infrastructure in our courtrooms.

Throughout the pandemic, and with increasing frequency over the past two years, our courts have struggled to meet the demand for remote appearances through video conferencing. The current system predates modern remote appearance technology, and this creates significant technical challenges and disadvantages for parties that appear remotely. This causes delays and disruption with our court proceedings and poorly represents our justice system to the stakeholders involved.

Most critically, the majority of our current equipment is at the end of its functional life. System components are 10 years old and have been operating in physical conditions not well suited for electronic hardware. We are seeing an exponential increase in hardware failures, with repair costs tripling in 2023 and expected to double or triple again in 2024.

In order to address this issue, we are requesting a capital project expenditure of \$2,300,000. This is intended to cover the cost of equipment replacement and infrastructure for all 17 of our courtrooms and our Jury Assembly Room, and provide hardware with an estimated 10-year life span, which will address the functional issues with our current system.

In addition to the increasing cost and critical operational issues for this request, we would also like to highlight the important equity and community issues addressed by this project. There are many in our community who do not have reliable transportation, work irregular hours, or attend school. Finding time to leave a job, rent a cab, or arrange childcare can be logistically and financially difficult. However, nearly all of these individuals have a smartphone capable of video conferencing.

This project would allow us to better accommodate those families and increase our capacity for remote hearings and mixed in-person/remote hearings that would better serve the needs of our community. Our current setup also disadvantages remote appearance because the quality and reliability of the connection is so poor. Resolving these issues will allow for greater access to our courts, enhance our community reputation for a fair and effective judicial system, and reduce the burden on disadvantaged families and individuals.

We hope you will see enough merit in these proposals so that you may recommend making them prerogatives for your 2025 Executive Budget.

Thank you for your consideration of our 2025 budget submission.

Jeff Okazaki  
Clerk of Circuit Court / Register in Probate

c: Presiding Judge Frank Remington  
District Court Administrator Amber Peterson  
District Attorney Ismael Ozanne  
Sheriff Calvin Barrett  
County Board Chair Patrick Miles  
Supervisor Richelle Andrae, Chair, Public Protection and Judiciary Committee  
Chief Deputy Clerk of Court Shelly Maas