

Establishing Clerk of Court & Sheriff Salaries 2027-2030 as Directed by State Statute

Introduction

Pursuant to Wisconsin Statutes 59.22 (1)(a) the salaries of all elected officials may be set only one time per term. The relevant portions of the statute are:

The [County] board shall, before the earliest time for filing nomination papers for any elective office to be voted on in the county, establish the total annual compensation for services to be paid to the officer exclusive of reimbursements for expenses for out-of-pocket expenses.

The compensation established shall not be increased nor diminished during the officer's term and shall remain for ensuing terms unless changed by the board. Court fees shall not be used for compensation for county officers.

Elected Offices

Elected officials are department directors who perform similar managerial duties of non-elected department heads and often time additional duties above and beyond non-elected department heads.

These officials are required to duties present in any other county offices including budgets and annual reports; interview, hire, supervise, and train staff; establish goals, maintain standards and expectations of the offices; work with the county on legislation regarding duties; attend department head meetings; as well as upholding all statutory responsibilities of their office.

Any future elected officials in these offices would have to perform the same duties as the current officers and are accountable to the citizens with elections held on 4-year terms. That requirement makes it imperative that these offices are functioning efficiently, ethically, and providing the best service to Dane County residents.

As for any non-represented position, the county needs qualified, professional individual administering our courts, maintaining safety and security of our residents, providing transparency through open records requests, and managing some of the largest departments in the county, in addition to other county responsibilities as deemed necessary and proper. Counties need to attract and retain effective, intelligent people or risk losing the integrity of their elected offices and public confidence.

Pursuant to the statute above, elected officials cannot receive regular county wage increases and are ineligible for vacation or sick time benefits, sabbatical, or other paid time banking provided to county employees. That means set salary is the primary measure available to the county for compensation.

Historical Review

County constitutional officer elections are staggered in 4-year periods with the County Executive, County Clerk, Treasurer, and Register of Deeds running in one cycle and the Sheriff and Clerk of Court running in a separate cycle. Because of this offset in election cycles, the time when compensation is set

for these positions is also offset by two years. Compensation for the County Executive’s group was last set in 2024. Compensation for the Sheriff and Clerk of Court is required to be set in 2026 for 2027-2030.

Historically, salaries for the Clerk of Court and County Clerk have been linked. The Register of Deeds and Treasurer have been linked, and the County Executive and Sheriff have been independently determined due to their unique leadership roles within the county.

For County Clerk and Clerk of Court this can be identified in the previous cycles under 59.22.

	County Clerk	Clerk of Court
2019	\$100,595	\$107,342
2020	\$102,104	\$108,952
2021	\$119,912	\$111,132
2022	\$122,010	\$113,354
2023	\$124,756	\$125,480
2024	\$126,261	\$127,676
2025	\$144,781	\$129,910
2026	\$149,124	\$132,184

Current Comparison

Constitutional elected officer compensation was last set by the Dane County Board in March of 2024. At that time, the board by a vote of 30/6 approved a 14.67% increase to the County Clerk, a 14.62% increase to the Treasurer and Register of Deeds, and an 11.58% increase to the County Executive. Also approved was a 3.00% annual COLA for 2026-2028. This equals total increases of 20.67%, 20.62%, and 17.58% by 2027, the first year of consideration for this cycle.

With the exception of the County Executive’s oversight over all executively administrated department heads, the Clerk of Court and Sheriff’s Office administer departments that are vastly larger in size and budget than any other county elected official.

The Clerk of Court oversees a department budget nearly 1,500% larger than a comparable elected office and a staff that is nearly 2,000% larger. However, under the current structure, the Clerk of Court makes less than 88% of the equivalent salary. At current rates, even if other elected officials are given no increase in 2029, the Clerk of Court would be on course to comparatively make \$75,200 less. This would be equivalent to getting paid for less than 3.5 out of the 4 years of the term.

The Sheriff has a budget more than 8,300% larger and a staff 14,800% larger with the second largest department in the county, but has not had a notable increase such as those given to other elected officials, since before at least 2015.

In fact, if you look back 5 more years at all previous cycles from 2020-2026, other elected officials received total wage rate increases of 41.82% compared to increases of 21.45% for the Clerk of Court and just 12.5% for the Sheriff.

Special Duties

In addition to the internal office duties, the Sheriff and Clerk of Court have special statutory duties and assist with the work of many other parts of government.

- The Sheriff coordinates with City of Madison and other local police departments and additionally has taken on the role of primary law enforcement in a number of jurisdictions that are no longer able to provide their own service.
- Additionally, the Sheriff oversees jail services at the County Public Safety Building, which is not the case even for larger jurisdictions like Milwaukee. The PSB also provides resident detainment for other jurisdictions.
- The Clerk of Court is a critical part of the election process, providing election night support and direction to the County Clerk and other municipal election clerks for court orders regarding polling hour extension, interference, and other emergencies.
- The Clerk of Court was asked to take over management of the County Condemnation Commission that was previously handled by the County Board Office. Dane County has the busiest commission in the state.
- The Clerk of Court also works closely with the Sheriff's Office and other community partners such as Tenant Resource Center to provide support to all parties in evictions and other court events requiring an individual to be served.
- In Dane County, the Clerk of Court also serves as Register in Probate and Clerk of Juvenile Court. In other counties these are separate salaried positions. In counties that also have the Clerk serve in dual roles a stipend of as much as \$6,000 is included in their compensation.

Critical Infrastructure Designation & Risks

The proper functioning of our law enforcement and our court system is an inherent part of our nation's critical infrastructure. Critical infrastructure is a Department of Homeland Security designation established in federal law and given to "systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters" (Source: 42 U.S.C. §5195c(e)).

As chief law enforcement officer, the Sheriff is an integral part of county emergency management and provides coordination and incident response for other jurisdictions, county departments, and municipal agencies. The Sheriff also faces serious risks as the highest profile law enforcement leader.

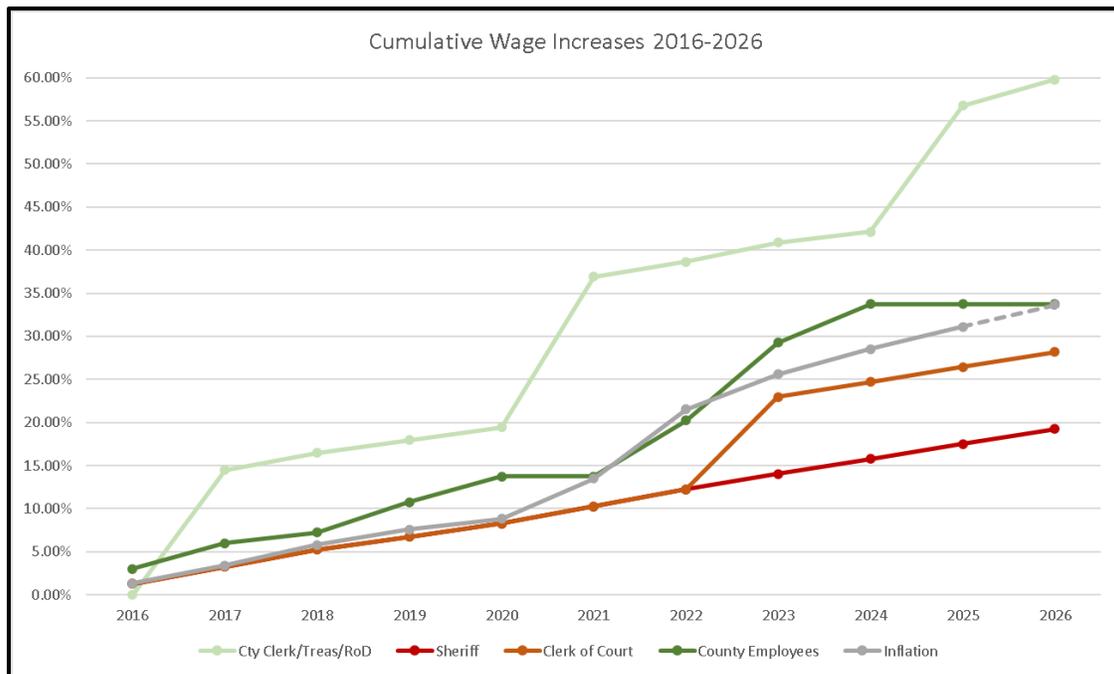
Clerks of Court also face increasing risk as the face of the court. The majority of correspondence coming from the County Court includes the name of the Clerk of Court and members of the public are often confused about the role. Current and previous Clerks of Court have been named in frivolous federal and state lawsuits, regularly deal with difficult and threatening customers, and receive threatening mail. In Florida, a new law was passed in a bipartisan proposal from 2024 protecting clerk of court's personal information. The bill noted that: "*clerk's regular duties, involve legal enforcement of divorce and child support proceedings, which have resulted in threats, including death threats, and harassing telephone calls and emails from disgruntled individuals.*"

Rate Comparison to County Employees

Because elected officials are required to have compensation set for four years, they are not subject to increases given to county employees. Over the last decade, county employees have received cumulative wage increases of 33.75%. In 2026 county employees are subject to a temporary 1% wage reduction that was given in the form of an exchange for equivalent vacation time. Elected officials cannot receive this equivalent exchange.

In that same time period, the Clerk of Court received a 28.2% adjustment. This was primarily driven by a 10.7% correction for 2023 in the previous lookback from 2018-2022.

The Sheriff received no significant adjustments and saw just a 19.25% increase from 2016 to present.



At the same time, inflation increased in that time period by 31.10%, not including adjustments for 2026 which are expected to be above 2.5% again. Adjusting for 2026, this means that compared to inflation the Sheriff took a pay cut of more than 14.3% and the Clerk of Court took a pay cut of nearly 5.5%.

Wage Comparison to County Employees

If you took a county employee making the same wage as the Clerk of Court or the Sheriff in 2015, by the end of this year, those employees would have made \$66,451 more than the Clerk and \$149,493 more than the Sheriff.

But not only are rate increases for elected positions lower, but starting salaries are lower as well. This provides a combined loss to these positions of lower increases compounded by lower starting salaries. This is again multiplied by the fact that unlike county employees, elected officials get no step increases, earn no longevity increases, and cannot earn or bank benefit time.

When comparing the Clerk of Court to county department head positions with regard to duties and responsibilities, and compensation, there are clear disparities in terms of budget and staff size.

Title	2024 Salary	Budget	Staff
Dir. Criminal Justice Reform	\$163,500	\$1,177,190	5
Dir. Emergency Mgmt	\$182,531	\$2,483,185	13
Juvenile Court Admin	(2023) \$172,411	\$5,466,588	36
Director Office of Equity & Inclusion	\$149,282	\$1,680,884	8
Zoo Director	\$150,728	\$7,578,355	43
Clerk of Circuit Court	\$132,184	\$17,549,322	111.5

The same is true for the Sheriff’s Office. Despite the fact that there are no other comparable departments providing law enforcement services, jail services, and in having the second largest county department, the Sheriff makes a lower comparative wage.

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Dir. Criminal Justice Reform	\$163,500	\$1,177,190	5
Dir. Emergency Mgmt	\$182,531	\$2,483,185	13
Juvenile Court Admin	(2023) \$172,411	\$5,466,588	36
Dir. Public Safety Communications	\$186,534	\$16,286,352	109
Dir. Waste and Renewables	\$178,178	\$29,618,947	36
Sheriff	\$162,319	\$113,775,683	596

Recommendation

In the interest of equity and to balance compensation for our County leaders, compensation effective for the term commencing in 2027 should be updated to that of the increase and annual adjustments previously granted by this board to other elected officials since 2024.

Elected Official	2027	2028	2029	2030
Clerk of Court	\$158,349.60	\$163,100.09	\$167,993.10	\$173,032.89
Sheriff	\$195,803.75	\$203,788.74	\$209,902.41	\$216,199.48

This is equivalent to the adjustment already given by the board to other elected officials in the last cycle. It is a fair and equitable adjustment that represents an impact of just 6/1000th of a percent on the overall county budget and less than a 0.039% impact on the departmental budgets.