

2008 REPORT
OF THE
ST. CROIX COUNTY
CLERK OF CIRCUIT COURT

Presented to the St. Croix County Board of Supervisors



**Prepared By:
Lori Meyer
Clerk of Circuit Court**

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INTRODUCTION

Following is the 2008 report of the Clerk of Circuit Court. This report provides information regarding court staff, interdepartmental duties, an automation overview, case statistics, and an overview of the financial activity of the Department.

The day-to-day operations of the courts are diverse and complex. Court staff must have a thorough knowledge and understanding of many different procedures and laws, and they must also be conscious of the importance of their role in the overall administration of justice.

It is difficult to give an accurate description of the day-to-day duties and activities of the courts in a report such as this. This document cannot reflect behind the scenes activity in administrative duties, automation and technology advances, review of new laws, implementing new policies/procedures or amending past procedures. Likewise, the amount of time spent on budget matters, personnel and training issues, inter-agency policies and practices, and legislation is not reflected. It is also impossible to accurately reflect the amount of time spent by this office with public contact (both telephone and walk-in) and the tremendous amount of time maintaining court records.

I would like to thank the members of the Finance Committee for their support and assistance. In addition, a very special thank you to my entire staff for their dedication and efforts to maintain the high standards expected of those in public service.

I am pleased to submit this report for your review, and invite you to stop by our office at any time.

Respectfully submitted,

Lori Meyer
Clerk of Circuit Court

JUDICIAL STAFF

CLERK OF COURT STAFF:

Clerk of Circuit Court	Lori Meyer
Office Manager	Kristi Severson
Lead Worker	Melissa Bond
Counter Deputy	Jackie Krenik
Financial Assistant	Ruth Spencer
Enforcement Clerk	DeAnn Persells
Traffic Deputy	Shelly Dux
Traffic Deputy	Edie Ferrill
Family/Paternity Deputy	Belinda Rutledge
Civil Deputy	Tamra Young
Small Claims Deputy	Nancy Peabody
Misdemeanor/Felony Deputy	Melissa Luedke
Court/Forfeiture Deputy	Kimberly Carey
Court/Felony Deputy	Kerry Feuerhelm
Court/Felony Deputy	Jill Beskar
Court/Jury Deputy	Liz Frank

CIRCUIT JUDGES, COURT COMMISSIONERS, AND COURT REPORTERS:

Branch I Judge	Hon. Eric J. Lundell
Branch I Court Reporter	Valerie Deiss
Branch II Judge	Hon. Edward F. Vlack
Branch II Court Reporter	Karin McClelland
Branch III Judge	Hon. Scott R. Needham
Branch III Court Reporter	Cleo Byrnes
Branch IV Judge	Hon. Howard W. Cameron
Branch IV Court Reporter	Erin Gilkison
Court Commissioner	Timothy Heckmann
Family Court Commissioner	Stephen J. Dunlap
Family Court Commissioner Asst.	Brenda Kearns

JURY BAILIFFS:

Richard Kinney	David Levi
Thomas Danielson	Paul Weyek

PROBATE/JUVENILE STAFF:

Register in Probate	Ericka Nelson
Deputy Register in Probate	Annette Schwab

JUDICIAL ASSISTANT:

Branch I	Kelli Calleja
Branch II	Nancy Bierbrauer
Branch III	Jodi Sachsenmaier
Branch IV	Katie Bell

INTERDEPARTMENTAL RESPONSIBILITY & 2008 OVERVIEW

Family/Paternity Division

This division has one person assigned to do all tasks associated with the case management functions for family (divorce, annulment, legal separation, support, custody and visitation actions, and actions to modify judgment) and paternity cases. These duties include opening new cases, maintaining case files, docketing, scheduling, filing, reporting vital statistic changes to the Bureau of Vital Statistics, and processing appeals. This division also serves as court clerk for Family Court Commissioner and default divorce hearings.

A large percentage of family cases are filed by unrepresented litigants, which require a significant amount of staff time in providing forms and explaining procedures. Often litigants in family cases are emotional, which requires staff to handle these cases with sensitivity and professionalism.

This division works closely with the Child Support Agency for purposes of establishing and enforcing court orders related to paternity, child support and medical support orders.

<u>2008</u>	Paternity Cases	103
	Family Cases	540

Civil Division

The Civil Division is comprised of one employee. This division is responsible for the management of very complex case files such as products liability, medical malpractice, foreclosure, wrongful death, contracts, minor settlements, domestic abuse and harassment restraining orders, and others. This division also handles case management for group files and foreign judgments and prepares a significant number of files for appeal to the Court of Appeals.

Duties include all of the case management functions of opening and closing cases, filing, docketing, monitoring and managing return of exhibits, entering judgments, and approving bills of cost.

This position also manages restraining order cases. Often times these cases are filed by unrepresented litigants who are emotional and distraught. These cases, much like the family cases, must also be handled with professionalism and sensitivity. These situations can be very dangerous for the parties involved and can be volatile situations for our department.

<u>2008</u>	Civil Cases	1474
	Foreign Judgments	49
	Group Files	18

Small Claims

The majority of responsibilities in the Small Claims Division are handled by one employee, with some assistance provided by the family, civil and counter deputies. Small Claims cases are matters for damages under \$5,000, replevin actions, evictions, and garnishments. This division also files all construction liens, transcripts of judgment from other Wisconsin Counties, tax warrants, and delinquent unemployment compensation liens.

Duties include all of the case management functions of opening a case, filing, scheduling, docketing, preparing judgments, preparation and mailing of notice of entry of judgments and financial disclosure statements to debtors, and processing appeals. Post-judgment proceedings include contempt hearings and issuance and monitoring of warrants, if arrest is ordered. This Deputy grants a default judgment if the defendant fails to appear, or dismisses the case if the plaintiff fails to appear at the initial appearance.

An extraordinary amount of time is spent in this division with the public, giving out information on filing procedures, collection procedures which include garnishments, executions or filing transcripts of judgments in other states or counties, or writs of assistance in eviction proceedings. Most litigants using small claims procedures are not represented by an attorney and rely on court staff for information. These contacts are often time consuming. This position also serves as a court clerk for initial appearances held every Tuesday and trials held by the Court Commissioner every Thursday.

<u>2008</u>	Small Claims Cases	2189
	Transcripts of Judgment	24
	Tax Warrants	245
	Unemployment Comp. Liens	168
	Construction Liens	85

Traffic Division

The traffic division is staffed by two individuals. These staff members work with law enforcement officers and prosecutors for the various agencies.

Responsibilities include all of the duties of case management, including entering all citations, entering criminal traffic complaints, filing, scheduling, docketing, entering default judgments, and processing appeals. This division also prepares judgments of conviction, disposes of citations with the Department of Transportation, prepares documents for alcohol assessment, and answers thousands of telephone and counter inquiries from the public.

This division is also responsible for some fine collection responsibilities by issuing suspensions of driver's licenses, and entering

civil judgments. This division serves as court clerk for the initial appearances held every Wednesday.

<u>2008</u>	Citations Processed	6965
	Criminal Traffic Cases	473

Juvenile Ordinance, DNR and County Ordinance Violations

This division is staffed by one employee. This staff member works with law enforcement officers and prosecutors for the various agencies.

Responsibilities include all of the duties of case management, including entering all citations, entering forfeiture complaints, filing, scheduling, docketing, and entering default judgments. This division also prepares judgments of conviction, disposes of citations with the Department of Transportation, and prepares documents for juvenile's to attend alcohol education class.

This division is also responsible for some of the fine collection duties on these citations. These responsibilities include issuing suspensions of driver's licenses, and entering civil judgments. This division serves as court clerk for the initial appearances held on Wednesday's.

<u>2008</u>	Juvenile Forfeitures	71
	Ordinance Forfeitures	878

Criminal Division

The Criminal Division is staffed by three individuals and is responsible for all felony, misdemeanor, John Doe and search warrant proceedings. These deputies work closely with law enforcement and prosecutors. This division also serves as the court clerk for criminal intake.

Duties include all case management responsibilities of opening and closing cases, filing, issuing and canceling arrest warrants, docketing, scheduling, and restitution collection where appropriate, and processing appeals. Additionally, this division prepares orders for payment, all judgments of conviction and orders to Wisconsin State Prison, reports information to the Crime Information Bureau, FBI, Probation and Parole, and other law enforcement agencies as requested.

<u>2008</u>	Felony Cases	428
	Misdemeanor Cases	1033
	Search Warrants	81

Financial Division

The Department's financial records are maintained by a financial assistant. This assistant is responsible for daily reconciliation of accounts, monthly and annual reporting and closing, daily banking, daily

disbursing of funds, maintaining various trust accounts, and overseeing special investment accounts for renewals or terminations.

The Clerk of Courts office receipted over Five Million Dollars in 2007. These funds are generally made up of small payments. Strict adherence to accepted principles of accounting are essential for the records of the Court in order to maintain the integrity and accountability required by law and the public.

This division also assists with collection of delinquent accounts by sending reminder notices and issuing failure to pay warrants.

Enforcement Clerk

This division is an extension of the financial division and is geared more towards collection responsibilities. More specifically, this clerk meets with clients to assess ability to pay for fines and court appointed counsel, sets up payment plans, monitors payment plans and huber accounts, issues wage assignments, and assists with entering delinquent fines into the State of Wisconsin Department of Revenue Tax Intercept program. This clerk also assists with the preparation of suspensions, warrants, and judgments on delinquent fines and statistical reporting.

Counter Deputy/Receptionist

There is one employee assigned to serve as counter deputy. Backup coverage for this position is provided by other Clerk of Court staff for rest and lunch breaks, vacations, and at peak times. This clerk is available to assist the public, via telephone and walk-in, who need services the Clerk of Court office provides. This clerk spends the majority of time filing new cases and documents, assisting litigants with forms & filing procedures, directing phone calls, and receipting various payments.

This division also opens, sorts, and disseminates mail, receipts fees, fines and forfeitures, conducts all criminal and civil search requests received by mail, assists the public with searches for information and cases, opens new cases, assigns Judges to cases, makes photocopies for litigants and attorneys, provides backup to the jury clerk, enters citations, and manages forms for all case types.

2008 Searches 125

Court Clerks

Each Circuit Court Judge and Court Commissioner is assigned a Deputy Clerk who is responsible for all of the in-court activity which requires the presence of a clerk to take minutes of all court proceedings, administer

oaths, accept and account for all exhibits, prepare numerous forms and any other duties necessary, which may be required by the Judge, during the course of court proceedings. Other duties include preparing and distributing the daily court calendar, pulling files for the Judge's court activity, scheduling, preparing and distributing notices for hearings, and coordinating activities between the Judge and Clerk's office.

All staff assigned to the courtroom must be knowledgeable and possess a thorough understanding of legal procedures and local court practices. Their records are a major source of information for follow-up work by division deputies, the press, public and appellate courts. The minutes taken are part of the official record and correct information is absolutely essential.

Office Manager/First Deputy

This position is responsible for assisting in management of the office in the presence and absence of the Clerk of Court. Duties include approving time off requests, coordinating daily court calendars and staff coverage, serving as a backup to deputies who are on vacation, assisting with the annual evaluation of employees, preparing payroll/time records, hiring and training new staff, ordering office supplies, managing court forms, and updating inventory.

This employee also assists with financial management of the office by preparing daily deposits, serving as back-up to the bookkeeper for month-end closing, making daily adjustments, preparing weekly and monthly vouchers to Finance for vendors and witness, mediation, and guardian ad litem fees, and working with the Collection Agency on recouping delinquent guardian ad litem accounts. Responsibilities also include distribution of funds from garnishments, restitution, bail bonds, and guardian ad litem trust accounts. This employee also assists with coordination of video conference events and securing interpreters, when required.

The Office Manager also serves as the "Network Administrator" for the Circuit Court Automation. The Network Administrator provides network support and problem solving when computer issues are experienced locally. Technical assistance and additional support is provided by the Director of State Court's office in Madison.

Part-time Deputy

The duties of our part-time deputy vary from assisting specific areas during peak workload times to general assignments throughout the office. This deputy also serves as the primary back up to the Counter Deputy and assists with jury management.

Lead Worker

The lead worker position assists with assignments, back-up and supervision of all divisions in the Clerk of Court office and is responsible for assisting with the supervision of office staff. Primary duties include training new staff, providing follow-up training to existing staff, updating

office procedures, creating and maintaining current desk procedure manuals,, coordinating daily court calendars and staff coverage, serving as a floater/backup to deputies who are on vacation, assisting with the annual evaluation of employees, and assisting with collections.

Jury Management

The jury system is managed primarily by the Clerk of Court and one Deputy Clerk.

Jury management includes the annual initial mailing of questionnaires to over 3,000 St. Croix County citizens, whose names are provided from the Department of Transportation. These questionnaires are reviewed by Deputy Clerks of Court to determine eligibility. The master jury pool is maintained on the computer and panels are selected for jury service each month. Jurors are summoned for service, orientation provided for each group, and decisions made regarding persons who have made requests to be excused or deferred to a different time. The Clerk also prepares payment vouchers and maintains lists of jurors scheduled for each trial.

Managing the jury system takes a great deal of time, especially during the period of time every month when the summons is sent for new groups. Most people have had no experience with jury service and have many questions and misunderstandings about what will be required during their time of service. It is an opportunity for citizens to learn, observe and participate in the judicial system.

2008 Jury Trial Summary

Civil	7
Criminal Felony	6
Criminal Traffic	6
Criminal Misdemeanor	1
County Forfeiture	1
Traffic	1
Small Claims	1
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TOTAL	23

Law Library

The Clerk of Court's office maintains the County's Law Library. In January, 1999, we automated most library services. In doing so, we eliminated all but two "hard" bound subscriptions. The responsibility for the library includes the purchasing of all updates and new volumes, replacing obsolete volumes with new, updating volumes with new supplements, assisting users with research, maintaining the Wisconsin Administrative Code, and monitoring usage of the library.

AUTOMATION OVERVIEW & HISTORY

CCAP-Circuit Court Automation Project

In February, 1993, St. Croix County converted from manual record keeping to the Circuit Court Automation Program. This system provides automation for all functions of the courts, including case management for all case types, scheduling, jury management, case monitoring, accounting, electronic statistical reporting to the Wisconsin Court Information system, and word processing.

This is a **non-mandated** system under the direction of the Director of State Courts. Equipment has been provided for all court personnel, including the Judges, Judicial Assistants and courtrooms. Training has been provided by the Director of State Courts office and technical assistance is provided by State personnel either by telephone or via modem. Each County has a case supervisor and network administrator. County Network Administrators have received additional training to assist users with troubleshooting problems, training, user security and setup, and statistical reporting.

The financial/accounting software was installed in July, 1995. We completed the transition from manual to automated accounting in October, 1995. This application assists with all receipting and accounting that was previously done manually. The Probate Department was added to the CCAP financial software system in 2005.

Internet and electronic mail was installed for Circuit Court Judges, Clerk of Court and Register in Probate in December, 1998. In June, 2000, electronic mail and "internet" was installed for all other court staff.

The Director of State Courts office has developed a website which provides members of the public with access to case information in St. Croix County Circuit Court and in other Counties in Wisconsin, as well. Members of the public can access this site at: <http://wicourts.gov>. This public research tool has reduced the number of search requests processed by the Clerk of Court's office.

The Director of State Courts Office continues to work on interfaces with other agencies and enhancements to the existing software. We now interface with the District Attorney's office for the purpose of new case filings, the Department of Revenue for tax warrants and tax intercept, and the Criminal Information Bureau for criminal case disposition reporting, Department of Transportation for traffic case disposition reporting, and the Wisconsin State Patrol and Sheriff's Department for electronic citation filing.

We have also recently been provided with internet payment of fines, file scanning software, Digital Audio Recording software, and a calendar kiosk where litigants can search for case information. Future initiatives will provide for on-line filing of new small claims cases.

FINANCIAL OVERVIEW

<u>RECEIPTS</u>	2008
Clerk Fees/State share.....	175,294.39
Clerk Fees/County share.....	246,888.63
OWI Surcharge.....	114,223.94
State Fines.....	267,603.23
Other State Fines.....	63,052.02
County Fines.....	189,674.38
Municipal Fines.....	3,563.64
Ch 348 (Scale).....	76,263.17
Ex348(County).....	408.95
Trust Accounts.....	2,194,920.11
Penalty Assessment.....	147,172.13
Dept Natural Resources Assessment.....	2,433.42
Crime-Victim Witness Surcharge.....	49,482.75
Automation & JIF Fees.....	123,245.22
CCAP(Circuit Court Automation Fee).....	83,022.87
Jail Assessment Fee.....	66,892.89
Mediation Fee.....	8,335.00
Weapons Assessment.....	8,304.29
Guardian ad litem.....	8,696.54
NSF Fees.....	701.99
Drug surcharge.....	1438.66
Domestic Abuse surcharge.....	167.00
Court Support Fee.....	794,580.03
DNA.....	1,895.85
Railroad Crossing.....	63.38
Snow Registration.....	150.00
Juvenile Legal Fee.....	4,895.00
Juvenile Victim Witness.....	600.00
Crime Lab Drug Assess.....	52,262.96
DA Victim Witness Fees.....	6.00
ATTY Fees due County.....	75,046.02
ATTY Fees Trust.....	0.00
Occupational License.....	80.00
TOTAL.....	4,761,464.46

DISBURSEMENTS

2008

Clerk Fees/State share.....	197,865.25
Clerk Fees/County share.....	242,590.72
OWI Surcharge.....	113,920.71
State Fines.....	275,652.15
Other State Fines.....	66,531.93
County Fines.....	192,822.41
Municipal Fines.....	2,826.24
Ch 348 (Scale).....	74,472.26
EX 348-County.....	408.95
Trust Accounts.....	3,388,959.64
Penalty Assessment.....	149,564.42
Dept Natural Resources Assessment.....	2,729.53
Crime-Victim Witness Surcharge.....	47,190.32
Automation & JIF Fees.....	124,110.74
CCAP(Circuit Court Automation Fee).....	82,929.28
Jail Assessment Fee.....	67,703.13
Mediation Fee.....	8,775.00
Weapons Assessment.....	8,379.29
Guardian ad litem.....	7,347.06
NSF Fees.....	791.99
Drug surcharge.....	485.42
Domestic Abuse surcharge.....	167.00
Court Support Fee.....	796,644.41
DNA.....	1,645.85
Railroad Crossing.....	63.38
Snowmobile Registration.....	150.00
Juvenile Legal Fee.....	4,965.00
Juvenile Victim Witness.....	600.00
Crime Lab Drug Assess.....	52,960.26
DA Victim Witness Fees.....	21.00
ATTY Fees due County.....	71,330.21
ATTY Fees Trust.....	7,610.00
Occupational License.....	169.00
TOTAL.....	5,967,352.55

2006- 2008 CASE COMPARISONS

<u>FAMILY CASES FILED:</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
FAMILY	585	616	540
PATERNITY	54	123	103
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TOTAL	638	739	643

<u>CIVIL CASES FILED:</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
UPPER BRANCH	1006	1210	1474
SMALL CLAIMS	1995	2199	2189
(Actions under \$5,000)	----	----	----
TOTAL	3001	3409	3663

<u>MISC. CASES FILED:</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
FOREIGN JUDGMENTS	30	33	49
CONSTRUCTION LIENS	247	184	85
GROUP FILE (MISC.)	13	22	18
TAX WARRANTS	396	364	245
UNEMPLOYMENT COMP LIENS	127	156	168
TRANSCRIPTS OF JUDGMENT	27	21	24
SEARCHES	63	139	125
SEARCH WARRANTS	61	69	81
JURY TRIALS	21	23	23
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TOTAL	985	1011	818

<u>CRIMINAL CASES FILED:</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
FELONY	614	465	428
MISDEMEANOR	1399	1078	1033
CRIMINAL TRAFFIC	395	374	473
	----	----	----
TOTAL	2408	1917	1934

<u>CITATIONS:</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
TRAFFIC	6937	6854	6965
JUVENILE FORF.	61	37	71
ORDINANCE FORF.	898	813	878
	----	----	----
TOTAL	7896	7704	7914