



Waukesha County Criminal Justice Collaborating Council Case Processing Committee Minutes

Thursday, June 23, 2022

Team Members Present:

Hon. Paul Bugenhagen	Sue Opper (Co-Chair)	David Herring
Monica Paz	Neil Dussault	Jessica Klein
Steven Hughes		

Team Members Absent:

Michael Neimon (Co-Chair)

Others Present:

Rebecca Luczaj	Janelle McClain
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Co-Chair Opper called the meeting to order at 7:31 a.m.

Approve Minutes from April 28, 2022 Meeting

Motion: Herring moved, Paz second, to approve the Case Processing Committee minutes of April 28, 2022. Motion carried without a negative vote.

Discuss Pretrial Conferencing Outcomes

Paz distributed and reviewed documents titled, "Pretrial Program Summary," as well as the 2022 Pretrial Conference schedule and assignments.

If a not guilty plea is entered for a traffic case, the case is being adjourned to another initial hearing first since the Assistant District Attorney (ADA) is already there and the case could potentially be resolved. However, adjourned pretrial dates are getting backed up, as the first available date is about 60 days out.

Klein arrived at 7:34 a.m.

Paz stated that if the Commissioner has a defendant who wants to resolve everything the same day as their initial appearance, the defendant can be sent down to pretrial conferencing. If it is at the beginning of the morning or afternoon sessions, the time should be able to be made up.

Emails continue to be sent to attorneys reminding them of scheduled pretrial conferences for their clients, and defendants receive a text reminder the Friday before.

Update on Criminal Case Backlog

Paz shared the following statistics:

Case Type	March 2020	Peak	Current
CF – Felony	1294	2017	1650
CM – Misdemeanor	1415	2109	1400
CT – Crim. Traffic	686	1042	450

The backlog, which refers to where Waukesha County was at pre-pandemic versus where the County is at currently, is at 502 felony cases as of June 13. In comparison, Milwaukee County has a backlog of 1,797 felony cases.

Paz stated that there have been 57 jury trials thus far in 2022. This puts Waukesha County on track for about 120 jury trials for the year. In comparison, there were 97 jury trials in 2021, and 59 jury trials in 2019, pre-pandemic.

There will not be a Branch 7 appointee by the August rotation. Judges Reilly and Martens will cover the branch during the month of August on Mondays, Thursdays, and Fridays. Beginning in September, Branch 7 will rotate back to the C/T Division and Branch 12 will rotate to Juvenile. Judge Schimel will be rotating to Civil, and Judge Carter will be handling Judge Schimel's criminal caseload. As of September, Waukesha County will have 100% of branches covered.

Update on State Public Defender (SPD) Resuming On-Site Eligibility Screening/Evaluation

Hughes reported that at this time, the SPD's Office does not have the resources to resume the on-site screening process, but they do plan to return to this in the future.

Herring stated that there are delays caused when the SPD has a conflict and cannot find another attorney. Klein offered to contact the Bar Association and ask them to send an email to the attorneys asking them to get on the SPD's referral list.

Courthouse Construction Update

Paz stated that stakeholders are still in the design phase and determining what will occur during Phase 2 of the construction. The architect is determining the best place to start, as they are wanting to close courtrooms, but that would cause issues with the case backlog and with pretrial conferences. Paz noted that the Courts only have the extra ARPA-funded C/T Judge through 2023, and construction is not slated to begin until July 2023.

Announcements

There were no new announcements.

Discuss Agenda Items for Next Meeting

- Huber closure?
- Opper will not be available to attend the next meeting

Public Comment

There was no public comment.

Adjourn

Motion: Herring moved, Klein second, to adjourn the meeting at 8:12 a.m. Motion passed unanimously.