



BUDGET SNAPSHOT

MAJOR CHANGES

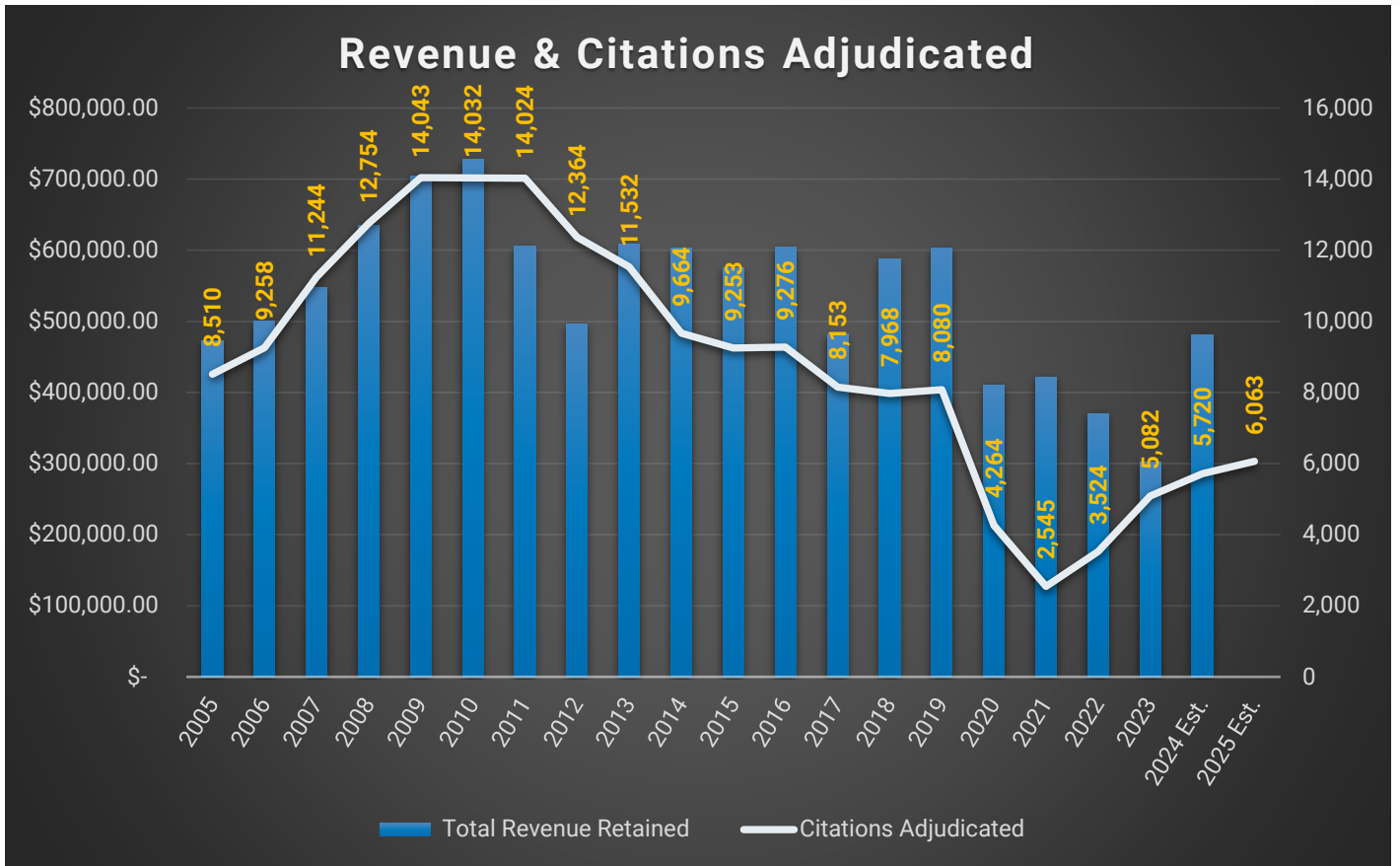
- Addition of Judicial Assistant position
- Credit card service fees to be paid by the City
- Change to daytime court sessions

CORE RESPONSIBILITIES

- The Municipal Court is the third branch of Wauwatosa's municipal government and created by Wauwatosa ordinance.
- The Court's jurisdiction is violations of municipal ordinances.
- The majority of the Court's cases involve traffic citations. The Court hears many citations for civil disobedience. The Court spends a significant amount of time on juvenile matters, such as truancy, vape/nicotine/THC use, and disorderly conduct.
- The Court generally imposes a forfeiture or penalty for violations of the ordinance. Per statute, the Court can undertake action for unpaid forfeitures, including driver's license suspension and debt collection.
- The Wauwatosa Municipal Court strives to serve the public efficiently, courteously, and in a positive manner.

PERFORMANCE MEASURES

- In 2023-24, the Court worked with Wauwatosa East and Wauwatosa West to create an internship program, and 7 interns served with the Court. In April, the interns had an informal event with Judge LaFave and two other municipal court judges to discuss law school, experiences as attorneys, and municipal court.
- The Court is working to educate the community about municipal courts. Two events have been held, one discussing restorative justice and one was an overview of the municipal court. The Court plans to hold an additional event about juvenile court.
- Citations for 2023 increased approximately 45% over 2022. It is estimated that the citations will continue to increase in 2024 and 2025. [Click here to read the 2023 State of the Court publication.](#)



NEXT YEAR'S GOALS

- Continue to educate the public about municipal courts.
- Find and secure partnerships with agencies to provide treatment for juveniles to replace the loss of the Social Development Commission.
- Add an additional Judicial Assistant and move the court staff back to the court office for efficiency, practicality, and improved customer service for defendants.
- Move court to daytime court, with an optional pre-trial night one time a month.

BUDGETARY CHANGES

CREDIT CARD SERVICE FEE (NEXT YEAR BUDGETARY CHANGE (\$6,000.00))

Credit card service fee structure to be changed from "customer paid fees" to "city paid fees" for in-person and online citation payments. This change will allow citation payments to be taken at the Welcome Desk. This will also align with the City-wide practice of not charging service fees for credit card payments.

CONSOLIDATED FEE SCHEDULE (NEXT YEAR BUDGETARY CHANGE \$4,000.00)

The Court Administrator spends many hours a week providing background check information for defendants as well as exporting citation data for companies to provide to insurance companies. In order



to capture the amount of time that she is performing these duties, the Court seeks to add fees for performing these record requests:

- Certified Court Disposition - \$2.00
- Bulk Search - \$55.00
- Simple Background Search Request (Less than 10 pages and less than 30 minutes of time) – No charge
- Complicated Background Search Request (More than 10 pages and more than 30 minutes of staff time) - \$25.00

ADDITIONAL JUDICIAL ASSISTANT (NEXT YEAR BUDGETARY CHANGE \$--)

Wauwatosa Municipal Court needs to have two full time employees: a Court Administrator and a Judicial Assistant. The Court Administrator will serve as the clerk during most sessions of court, and the Judicial Assistant can fill-in as needed due to absences. Additional staffing is required in order for the court to operate at full capacity and to ensure that staff are able to take their earned vacations, holidays, and be able to call in sick when an illness occurs. A second full-time individual will reduce the overtime that has been needed since the reduction of staffing. This will also align Wauwatosa's Municipal Court with similarly-situated municipal courts in Wisconsin.

Currently Insufficient Staffing

The Court has only 1.25 FTE court clerk staff (Full-time Court Administrator; assistant from City Clerk's office works 10 hours per week in Court). Court staff must complete the following on a regular basis:

- Daily download of citations (average lately of 80 citations per day) from TRACS and inputting the information into TIPSS
- Preparing dockets every week ahead of court sessions, and some weeks there are two court sessions. Docket preparation includes: obtaining police reports; downloading driving records; ensuring the proper documents are placed with the proper citation; creating summons and pleadings for the judge to sign
- Taking payments and assisting in-person individuals with their counter requests
- Scheduling and re-scheduling motion hearings, continuances, and trials
- Verifying payment on installment plans. Sending notices to defendants.
- Reviewing overdue payments and sending defendants to the State Debt Collection service and TRIP.
- Reviewing returned defendants from the State Debt Collection Service and issuing Summons and Writs for them to appear in court
- Suspending and unsuspending driver's licenses

In addition, the court administrator or assistant clerk attends court sessions, which averages 2-4 hours a week when there is one court night, and 5-8 hours a week when there are two court sessions. This does not account for time for actual court sessions, which averages 4-9 hours per week depending on the calendar. Even if the court moved to daytime, there is still the need for 2 full-time individuals. In fact, it would be very beneficial to have one individual who takes payment and another individual who is assisting the judge and contemporaneously entering her orders.

The Court has not been able to accomplish additional tasks due to the work needed for maintaining the weekly court operations. With a second full-time staff member, the Court will be able to:



- Maintain a list of locations for defendants and juveniles to perform community service
- Locating options for replacement of the Social Development Commission services
- Grant research and applications for programming
- Reviewing and updating court manuals and procedures
- Ensure regular input of defendants into the State Debt Collection service and investigate other options for debt collection

The Wauwatosa Municipal Court staffing model is an outlier

Similarly-sized municipalities and courts with similar caseload have provided their staff information to the Court. The overwhelming response from the other court staff was surprise that the City of Wauwatosa Municipal Court was understaffed to this degree. Quotes from other municipalities include statements such as “That is crazy with your caseload.” And “WOW! That’s a lot for one person!” For similarly-situated municipal courts, **the average number of citations per court staff member was 2,846**. Based on this information, Wauwatosa needs 2 staff members to fully staff the Wauwatosa Municipal Court.

Court	Citations	Court Clerks	Judicial Assistants	Total Staff	# Citations per Staff
Brookfield	3580	2 FT	None	2	1790
Franklin	5379	2 FT	1 PT (20 hrs/wk)	2.5	2152
Kenosha	12636	3 FT	1 PT	3.5	3610
LaCrosse	7775	2 FT	1 PT (ideally this would be FT)	2.5	3110
Menomonee Falls	5508	1 FT	1 FT	2	2754
New Berlin	5750	1FT	2 PT (1@30 h/w, 1@14-17 h/w)	2.1	2738
Oak Creek	5054	2 FT	None	2	2527
Racine	8601	2 FT, 1 PT	None	2.5	3440
Sheboygan Area Joint Court	6421	2 FT	None	2	3211
Stevens Point - Plover	4268	1FT	None	1	4268
Waukesha	7700	3 FT	1 PT (20 hrs/wk)	3.5	2200
Wausau	3523	1 FT	1 PT Deputy Court Clerk	1.5	2349

Staffing History

In the distant past, there were 3 full-time court clerks. In 2020, the City reduced court staff from 2.6 to 1.6 clerks. The remaining staff was able carry out its duties mainly due to their combined 35 years of experience and knowledge. Citations increased in 2023 with an adjudication of 5,089 citations (5,706 issued by police). Through June 30, 2024, the Court has adjudicated 2685 citations, and the Police Department has issued 2,407 citations. This is far greater than the number of citations estimated during budget hearings last year.

The 2024 Executive Budget included .6 for a court clerk position, but it was to be staffed internally across multiple individuals. Given the amount of work to train an individual on the court’s processes and the limited options within city staff to fulfill the position, it was determined by Judge LaFave to utilize one individual from the City Clerk’s office. From August 2023-February 2024, the Court operated with 1 clerk and the assistance of a floating person as available and some assistance from an individual from the City Clerk’s office. Since February 2024, the court has had .2 additional assistance from a secondary clerk. The court was told that this person could spare 10 hours per week to work for the court.

The Court has attempted to work within the framework required by the Executive Budget. However, asking one individual to train multiple people–while also doing their own full-time job and ensuring that court



sessions are prepped each week--is an overwhelming ask. The Court appreciates the assistance of the city clerk employee who has been working for the Court 10 hours per week. He has been able to take on some of the routine tasks, such as preparing a docket, and has helped to cover some court nights, but it is an insufficient number of hours. There has also been an insufficient amount of training hours provided to the court, despite requesting additional time in early 2024 (prior to election season) for training. Training is also interrupted by the employee needing to attend to City Clerk work for which he is either the only person available or the only one who can provide the service for the public.

JUVENILE PROGRAMS - REPLACEMENT FOR SDC – NO BUDGETARY CHANGE

Secure agency partnerships to provide counseling and community services opportunities for juvenile offenders. This would replace the Social Development Commission (SDC) who provided these very beneficial services free of charge in 2023-24. The court has sought out partnerships with other organizations but have not yet had success. The court has also looked into grant options but is without the resources and available staff time to apply to a grant. The court plans to explore with Aurora for a contract similar to the School District and/or working with local colleges or JusticePoint. Payment for this would come out of the General Services Fund currently budgeted at \$18,000.

CHANGE TO DAYTIME COURT – NO BUDGETARY CHANGE

The Court is looking to shift to a daytime court starting in November 2024. In reviewing how similar-sized courts operate, many of them are during the day. It is uncommon to have a night court with the substantial number of citations that Wauwatosa issues. Often, the pre-trials between the defendants and the city prosecutor happen without the court's involvement. This will also lessen overtime.

Attendance at night court varies significantly. On days with nice weather or when there are a significant number of events planned in the Greater Milwaukee area (which often occurs on Wednesdays), there is less attendance by Defendants. A daytime court will ensure that there is less of a conflict with other activities, and will hopefully reduce the number of cases that need to be reopened. The Court will also make clear on its website, in the information the Police Department provides to those receiving a citation, and during court, that a pleading can be provided to an employer stating that the defendant was required to attend court that day. This will hopefully ensure that defendants are able to attend. For those who are not able to attend during the day, they can enter a Not Guilty plea and request to be scheduled on the evening court night. For juvenile cases, the court will be after school and still during the workday for administrators. This will lessen the amount of time that administrators must sit in court after work.

The City Prosecutor and all court staff agree with this change. As for trials involving police officers, the court works with staff to schedule it appropriately on their calendars, and will continue to do so. As for the internship program, the Court hopes to maintain it with the school district and will work with school staff on how to continue the program.

The Court is considering making this change in November 2024. The tentative schedule on Wednesdays is as follows:

Weekly:

9:00 – Initial Appearances
10:00 – Pretrial / Motions

On certain weeks:

11:00 – Trials
3:00 – Juvenile Initial Appearance
5:00 – Pre-trial / Motion / Trial by request only



BUDGET SUMMARY TABLE

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PERSONNEL SCHEDULES

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