Wisconsin Department of Justice DCI

Case Master Report 16-3772

Date Initiated 06/21/2016

Primary Information

Agency: WI Department of Justice

Div. of Criminal Investigation (DCI)
Sensitive Cases: Div. of Criminal Investigation (DCI)
Bureau: DCI Field Operations Bureau

Section: DCI Milwaukee Field Office

Lead LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Tijerino, Ricardo E SA (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Type Of Case: Public Integrity

Case Sub Type: PI-Public Int -Misconduct in Public Office

Case Description: Ozaukee County Court System

Authorized Operators

Name

Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Tijerino, Ricardo E SA (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Gibbs, Raymond R (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Korte, Roy R (WI Department of Justice / Wisconsin Department of Justice)

Evers, Elizabeth E (WI Department of Justice / Wisconsin Department of Justice DCI)

Schmidt, Julie A (WI Department of Justice / Wisconsin Department of Justice)

Jones, Shannon D (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Windorff, Ryan M (Appleton Narcotics DCI / Wisconsin Department of Justice DCI)

Steinke, Chelsea K (DCI Administrative Section / Wisconsin Department of Justice DCI)

Case Status

Case Status: Open
Case Status Date: 06/21/2016
Dissemination: Hidden

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Wisconsin Department of Justice DCI

Initiating Case Report 16-3772

Report Date: 06/21/2016

Primary Information

Description: Ozaukee County Court System

Occurrence From: 06/21/2016 00:00
Occurrence To: 06/21/2016 00:00

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Tijerino, Ricardo E SA (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Approved Status: Approved Approved Date: 07/18/2016

Approved By: Shogren, Ryan T (DCI Field Operations / Wisconsin Department of Justice DCI)

Synopsis

On Monday, May 9, 2016, DCI received a call from Judge Voilland, Circuit Court in Ozaukee County regarding a complaint of CCAP records being changed/tampered with. SA Nate Peskie made contact with Judge Voilland who explained that he had records of initial court findings being entered into CCAP and then changes being made altering those entries at a later date. Judge Voilland explained that he also forwarded his complaint to Chief Judge Randy Koschnick (Jefferson County).

SA Peskie and SA Culver will conduct an in-person interview with Judge Voilland, contact Judge Koschnick for interview to determine the extent of any criminal activity.

Narrative begins on the following page.

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Wisconsin Division of Criminal Investigation Case Report Case/Report Number: 16-3772 Initiating Case Report

This report is filed by SAC David Klabunde, WI DOJ-DCI Milwaukee field office.

On Monday, May 9, 2016, DCI received a call from Judge Voilland, Circuit Court in Ozaukee County regarding a complaint of CCAP records being changed/tampered with. SA Nate Peskie made contact with Judge Voilland who explained that he had records of initial court findings being entered into CCAP and then changes being made altering those entries at a later date. Judge Voilland explained that he also forwarded his complaint to Chief Judge Randy Koschnick (Jefferson County).

SA Peskie and SA Culver will conduct an in-person interview with Judge Voilland, contact Judge Koschnick for interview to determine the extent of any criminal activity.

This case will be assigned to SA Culver.

Wisconsin Department of Justice DCI

Investigative 16-3772/1

Report Date: 06/28/2016

Primary Information

Description: Interview of Judge Joseph Voiland on 6/10/2016

Occurrence From: 06/10/2016 12:15
Occurrence To: 06/10/2016 15:00

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Peskie, Nathan T (Milwaukee Narcotics DCI / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 07/27/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

<u>Relationship</u> <u>Address</u>

Interview Location 1201 S Spring St Ozaukee County Justice Facility, Port Washington, Wisconsin 53074, United States of

America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Subject of Records	Mueller, Mary Lou (Person)	White, Female	

Narrative begins on the following page.

09/14/2017 13:30:38 Page 1 of 10

On Friday, June 10, 2016, at approximately 12:15 p.m., Special Agents (SAs) John R. Culver, Jr. and Nathan T. Peskie met with the Honorable Joseph W. Voiland in his chambers within the Ozaukee County Criminal Justice Facility. Judge Voiland provided information which indicated records in the Wisconsin Circuit Court Automation Programs (CCAP) Case Management System, for a number of cases assigned to him, had been maliciously altered and in some cases had been destroyed.

Judge Voiland provided the following:

Judge Voiland was elected to his position of Circuit Court Judge on April 2, 2013, having defeated Judge Thomas Wolfgram by what Judge Voiland stated was a large margin of approximately 70% to 30%. Judge Voiland started in this position on August 1, 2013.

Judge Voiland stated the Chief Judge for his district, the Honorable Randy R. Koschnick, had to get involved in a number of things to get the staff to do what Judge Voiland had ordered under the law.

Judge Voiland stated the State is going paper-less with its record keeping and Ozaukee County began going paper-less in 2015.

Judge Voiland stated Judge Koschnick had contacted an employee of CCAP and obtained information (which Judge Voiland described as "metadata") for actions taken regarding records in this case, and a number of other cases, to verify that records of transactions and other information had been altered and/or deleted.

Judge Voiland stated he had been suspicious for some time that CCAP records for a number of his cases had been altered, but stated "it crossed the threshold on 03/22/2016" when he spent an entire day reviewing the cases on his docket and found that records in a probate case (13PR84, "In the Estate of Mary H. Malinowski") had been altered and back-dated by the Clerk of Circuit Courts, Mary Lou Mueller.

Specifically, Judge Voiland stated that on 03/22/2016 a "metadata" CCAP transaction record from this case showed Mary Lou Mueller had erased a record of an "order to show cause" hearing which had originally been entered on 3/9/2016, but an order to show cause hearing was later recorded in CCAP as having been filed on 4/6/2016. Judge Voiland had asked Mary Lou Mueller why this would have been erased and was told one of the attorneys in the case may have asked Mueller, or someone else to take it off the calendar. Judge Voiland looked at his calendar for 4/6/2016, and indicated this hearing had not been on his calendar and changed to 4/6/2016, as any event which is scheduled and then changed to another date would have been highlighted in yellow as having been changed. Judge Voiland stated the estate in this case was "small" and the case had been going on for three years. Judge Voiland stated the personal representative in this case is from California, and is a personal friend of Mary Lou Mueller. Judge Voiland wanted to see why this case was still open. Judge Voiland stated the case didn't show on his calendar as

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rescheduled or cancelled. Judge Voiland asked Mary Lou Mueller about the hearing from 3/9/2016 being deleted from his calendar. She told him she was glad he brought this to her attention, and said how complicated these cases are, but didn't provide him with an answer.

Judge Voiland stated Mary Lou Mueller was, "at her whim", changing cases from "informal probate" to "formal probate" by (in the corresponding electronic form) checking the "formal" box under the case description. Judge Voiland stated Mary Lou Mueller is only authorized to check the box, as the "Register of Probate" for informal probate cases. Judge Voiland stated she had also changed cases from "formal" to "informal" under the authority of "by the Court" as the Register of Probate. Judge Voiland provided an example in 13PR84, whereas an "order for extension of time" was entered where Mary Lou Mueller had changed the case description from "formal" to "informal" without the Judge's approval instead of changing it, asking Judge Voiland for approval and then filing it. Judge Voiland had asked Mueller why this had disappeared from the docket. When he became suspicious Judge Voiland began keeping paper records. About one month ago, Judge Voiland had contacted a CCAP employee to see if he could track how these transactions had been entered.

Judge Voiland stated as the Clerk of Circuit Court, Mary Lou Mueller is supposed to report to all judges but she believes she only works for the presiding judge. The presiding judge is the Honorable Paul Malloy, who has been an Ozaukee County judge the longest. The only other Ozaukee County Circuit Court judge is the Honorable Sandy Williams (former Ozaukee County District Attorney). The Court Commissioner is Barry J. Boline.

Judge Voiland stated Judge Koschnick had sent an email to Judge Voiland, Judge Malloy and Judge Williams suggesting a meeting with CCAP personnel on the phone regarding four or five cases, which Judge Voiland had showed as having records which had been altered.

Judge Voiland stated in the case of 13PR130, "In the Estate of Emanuel Washington", he doesn't know how this case had suddenly appeared in his docket calendar. The CCAP "Court Record Events" for this case record showed the case was transferred to Judge Voiland on 7/13/2014. Judge Voiland stated he had first seen it on his calendar in January of 2016. Judge Voiland stated there were other cases like this which had "popped up" on his calendar in January (2016) which he had never seen before January (2016). Judge Voiland stated this was when he ordered Mary Lou Mueller to identify all of the cases Judge Voiland was responsible for.

Judge Voiland stated he obtained information from CCAP personnel from 13PR130 which showed a transaction for which the User ID/person who entered the data was Mary Lou Mueller (which appeared in this record as ""). SAs Culver and Peskie viewed a one page CCAP document, which Judge Voiland stated he had obtained from CCAP personnel, titled "Transaction Log Record Details, County: Ozaukee – Transaction #1459462272388, Table: CaseHist – Date: 2016-03-31 05:17:00 PM". Judge Voiland stated this transaction record shows Mary Lou Mueller had assigned 13PR130 to Judge Voiland on 03/31/2016 and that she had back-dated the case assignment to 07/13/2014. Judge Voiland stated his "Court Official" number Page 2

is # _____. The record showed the previously assigned Court Official as # _____. Judge Voiland stated Mary Lou Mueller had falsified a document, essentially making Judge Voiland look bad and look as if he was sitting on cases. SA Peskie asked Judge Voiland if he believed this action was malicious or due to incompetence. Judge Voiland stated he guessed it was malicious, but described such procedure as "status quo". Judge Voiland stated he knew of a party which Mary Lou Mueller had hosted for former Judge Tom Wolfgram and his friends. Judge Voiland stated he had his own clerk when he started in his current position in 2013 but shortly thereafter this clerk was fired. Since then, Judge Voiland has not been allowed to have his own clerk.

Judge Voiland stated he closes approximately 1,500 to 2,000 cases per year and stated, "Who knows how many cases were altered last year." Judge Voiland stated there would be no way to know without a full audit (of CCAP transaction records).

Judge Voiland provided another example of a case which was assigned to him, which had the corresponding CCAP transaction records altered (2011FA310, "In RE the marriage of Robert Roland Hanke and Antonia E. Hanke") to show the change of court official on March 28, 2016, which was back dated to November 17, 2014. SAs Culver and Peskie viewed a one page CCAP document, which Judge Voiland stated he had obtained from CCAP personnel, titled "Transaction Log Record Details, County: Ozaukee – Transaction #1459193988781, Table: CaseHist – Date: 2016-03-28 02:52:11 PM". The User ID/person who entered the data was Laurie Vandenberg (which appeared in this records as """). Judge Voiland stated the father of a female named in this case had written a letter to the Court. A meeting took place, on 03/22/2016, during which a guardian ad litem (GAL) appeared. Judge Voiland asked why Judge Williams had appointed a GAL two years ago at a hearing with Judge Williams, when the case was assigned to Judge Voiland. Judge Voiland stated he was told he wasn't there, at the Courthouse, so Judge Williams presided over the hearing. Judge Voiland stated the case had never been assigned to Judge Williams.

Judge Voiland stated he ordered a study (custody and placement study) in this case, on 03/22/2016 and that on 03/28/2016, Commissioner Boline also ordered a study. In this order, Commissioner Boline would assign someone to this study. Judge Voiland stated Commissioner Boline heard this case at a hearing on 03/28/2016 and that Laurie Vandenberg changed the court official presiding over the hearing from Judge Williams to Commissioner Boline (as previously described above in the CCAP Transaction Log Record Details). SA Culver asked Judge Voiland why this record would have been altered. Judge Voiland stated Vandenberg likely made this change, believing that Judge Voiland was unhappy that someone else heard his case and had appointed a GAL.

Judge Voiland further stated that Judge Williams doesn't want Judge Voiland appointing any GAL's in any cases, and that she wants all the GAL's appointed solely by her and only from a list of members of the Ozaukee County Bar Association. Judge Voiland stated he obtained a transcript of the aforementioned hearing, which showed Judge Williams presided over the

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hearing, contrary to the altered record which showed that Commissioner Boline presided over this hearing.

Judge Voiland stated Commissioner Boline was labeled as doing family court services, but that Commissioner Boline does not do anything related to family court services.

Judge Voiland stated in a letter (regarding 2011 FA284, "State of Wisconsin et al vs. Kevin M. Flood, re: Paternity Acknowledgment also involving petitioner, Alisha L. Balsitis), Judge Koschnick got involved. Judge Voiland had, on 5/22/2016, given an order to do a study.

In a letter, Re:2011FA284, dated 6/8/2015, Commissioner Boline wrote (to Peter L. Ramirez of Von Briesen & Roper S.C., Milwaukee; Kristen L. Hildebrand of Hildebrand Law Firm LLC, Milwaukee; and Meg C. O'Marro of O'Marro Law Office LLC, Germantown) stating, "Attorney Peter L. Ramirez contacted the office of the undersigned on Thursday, May 28, 2015. Ms. Klitzke contacted the office of the undersigned on Wednesday, May 27, 2015. The Ozaukee County family court services office does not provide legal custody and physical placement studies. Ozaukee County does not have a cooperative agreement to establish such an office that provides legal custody and physical placement studies. The Director of Family Court Services does not have a contract with any person or public or private entity to provide legal custody and physical placement studies." Judge Voiland stated he doubts that Commissioner Boline sent this letter. Judge Voiland stated a Court Commissioner can't order a study anyhow.

Judge Voiland stated under Wis. Stats. 814.61 (1)(b), costs associated with family court cases are to be partly funded by filing fees, held in a separate account. These monies are to be used exclusively for family court services. Judge Voiland stated, since there are no family court services in Ozaukee County, where is the money from the filing fees? Judge Voiland stated 814.61 was enacted in 1991 and this practice could have been going on since then. Judge Voiland stated Judge Malloy stated not since Judge Malloy came to Ozaukee County 10 or 12 years ago, had filing fees been put in a separate account. Judge Voiland stated, therefore; people don't get custody studies.

Judge Voiland stated these filing fees are supposed to be maintained by the County Treasurer. Judge Voiland stated he essentially sent an open records request to the County Treasurer, requesting the balance of this account for the past three years. Judge Voiland stated the County Treasurer's response was an approximate monthly figure of between \$2,650 and \$3,700. Judge Voiland stated it is possible the Clerk of Courts could collect the money, and put it on some line item (account) which gets deposited with the County Treasurer.

Judge Voiland stated Wisconsin Statutes requires studies which staff are hired to conduct or which are hired out, and that a county have a Family Court Services Office. Judge Voiland stated he was told that in general they put more in the Court system than they get out.

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Judge Voiland stated Kristen Hildebrand stated in a letter that she asked the Court Commissioner for studies and was told they don't do them.

Judge Voiland stated every year Commissioner Boline and Judge Malloy had told Judge Voiland they would set up Family Services and studies "next year".

Judge Voiland cited a case (09FA88) in which Judge Voiland had ordered a study be done. Judge Voiland stated Judge Malloy ordered Commissioner Boline not to follow Judge Voiland's order to do a study and did not order mediation when the parties involved asked for it and Judge Voiland had ordered it. Judge Voiland stated this was why Judge Koschnick had to get involved in this case, in that Judge Malloy had ordered Commissioner Boline not to do what Judge Voiland had ordered.

Judge Voiland referenced an email message Commissioner Boline had sent to Judge Voiland on 6/7/2016, referencing 09FA88. (Judge Voiland provided a copy of this email to SAs Culver and Peskie.) In this email, Commissioner Boline stated he was contacted by phone by one of the attorneys on the Leedy case, and Commissioner Boline stated, "Yesterday, you ordered that they contact me, in writing, regarding a custody and placement study. You did not forward a copy of that order to me. As you know, Ozaukee County has yet to enact an ordinance regarding reimbursement for the cost of the studies. Judge Mallov has suggested a moratorium on ordering studies until the ordinance is passed. Of course, if you want me to order the studies now, I will do so. Please stop by my office and let me know your thoughts. I will wait until I speak with you before I act on this matter because, at present, your orders and Judge Malloy's orders are in conflict and I have no clear direction on how to proceed. As your order in the Leedy case includes specific deadlines, I hope that we can speak about this today. Also, please have your clerk send my clerk a list of all of the cases in which you have ordered custody and placement studies so that she can prepare the orders at the appropriate time. In the future, if you order studies, please send a courtesy of the order to me so that we know what parties will be contacting us. I hope this e-mail makes sense. I look forward to speaking with you about these things."

Judge Voiland subsequently met with Commissioner Boline in Judge Voiland's chambers regarding this email message. Judge Voiland used an audio recorder to record this conversation. Judge Voiland advised SAs Culver and Peskie he would provide them with a copy of this recorded conversation. In this conversation, Judge Voiland told Commissioner Boline that Judge Voiland's order (to do the custody study) was an order and asked Commissioner Boline if Judge Malloy's words (to Commissioner Boline) were a suggestion. Commissioner Boline stated Judge Malloy had ordered Commissioner Boline not to order the studies which Judge Voiland had ordered Commissioner Boline to arrange. Judge Voiland played this portion of the audio recording for SAs Culver and Peskie.

Judge Voiland stated studies are being ordered by Commissioner Boline, and he has no legal authority to do so. Judge Voiland stated the studies are being done through Social Services, and they have to "eat the cost" as these studies are not in their budget.

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John Doe Cases:

Judge Voiland stated John Doe cases are to be assigned to the custody/intake judge, which is a rotating assignment.

Judge Voiland stated a John Doe case (16JD1) was assigned to Judge Malloy when Judge Malloy was the March (2016) intake Judge. This case was filed by a male subject who had filed between 20 and 25 such cases in approximately the past two years. Judge Voiland was working on drafting an order, with certain exceptions, which would prevent this subject from filing such cases. The subject filed one case which involved the subject's girlfriend choking the subject. Judge Voiland stated there were several other subjects filing similar cases, for whom Judge Voiland had entered orders for them not to file such cases any longer as they are a burden on the Courts' resources.

Judge Voiland stated John Doe case 16JD3 had initially randomly assigned, but on 03/23/2016 was assigned to Judge Malloy who at the time was the intake/custody Judge. SA Culver viewed the CCAP Court Record Events for this case, which stated the motion to request the proceeding was filed on 03/22/2016. This record showed the case assigned to Judge Malloy on 03/23/2016, and contained the comment, "Case should be assigned to custody judge. Error by clerk in opening."

Judge Voiland stated in 16JD4, Judge Malloy was listed as a respondent in the case. SA Culver examined the CCAP Court Record Events for this case, which showed the motion for the proceeding was filed on 4/27/2016. Instead of this case being assigned to Judge Voiland, who was the intake/custody Judge in April, the case was assigned to Judge Williams as a "random assignment".

Judge Voiland stated he had checked the CCAP records for 16JD2, and it appeared that it didn't exist. Judge Voiland contacted CCAP personnel to determine whose case it was and what the case was. CCAP personnel told Judge Voiland the case was assigned to Judge Voiland on 3/10/2016 and that the case was destroyed on 4/1/2016. CCAP personnel told Judge Voiland the case opening was done by Connie Mueller, the Chief Deputy Clerk. Judge Voiland further stated Connie Mueller is a former sister-in-law to Mary Lou Mueller. SAs Culver and Peskie viewed the "Transaction Log Record Details, County: Ozaukee – Transaction #1459518042360, Table: CaseHist – Date: 2016-04-01 08:57:13 PM", which showed the assignment of the case to Judge Voiland ("filingCtofcNo") on 03/10/2016.

Judge Voiland provided SAs Culver and Peskie with an e-mail message dated 5/3/2016 (10:35 a.m.) from Judge Malloy to Commissioner Boline, Judge Voiland, Michael Neimon, Judge Koschnick, and Judge Williams which JJohnson@co.ozaukee.wis.us was cc'd on. In this email the subject line states, "I am looking for some thoughts on entering an order that would stop a local resident from filing an endless number of actions without filing fees and/or service feels.

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This came up today because the sheriff and the clerk of courts are concerned about the s." The body of the email stated, "I am looking for some thoughts on entering an order that would stop a local resident from filing an endless number of actions without filing fees and/or service feels. This came up today because the sheriff and the clerk of courts are concerned about the service and filing fees that are being waived. Since late 2015 he has filed 3 John Does, a writ of mandamus and one small claims actions involving a former girl friend, and I believe a large claim against Fed Ex. In addition, each John Doe and the mandamus action required judicial time to prepare a response. Have any of you ever entered an order requiring filing from repeat filers to be screened before they are excepted. I would mention that I am named in one of his John does so I would another Judge to do the screening. Thanks for any thoughts."

Regarding 16JD2, SA Culver asked Judge Voiland if he had inquired with Connie Mueller about the content of the case. Judge Voiland stated he didn't ask Connie Mueller what was in this case before it was destroyed. Judge Voiland stated, contemporaneously, he had been asking the Clerk of Courts where his files were. Judge Voiland stated at the same time cases appeared on his docket, which looked like (when first viewed) they had been on his docket for 1½ months, the Clerk of Courts wouldn't answer any of his questions about where the files were. Judge Voiland stated the Clerk of Courts had "stone-walled" him "for months".

Judge Voiland stated in a case he had been assigned, he held Leah Goodman in custody on a criminal warrant, after he found her in violation of an injunction for a firearms surrender hearing (for non-appearance), Judge Malloy ordered Goodman released. Judge Voiland stated he believed this matter resulted in the filing of a Judicial Commission complaint.

SA Peskie had located a Milwaukee Journal Sentinel Online story (dated August 27, 2015, by Bruce Vielmetti of the Journal Sentinel) which stated the following about this matter involving Goodman:

Ozaukee judge orders release of woman from jail

An Ozaukee County judge ordered a woman released from jail Wednesday after finding a fellow judge had ordered her held there indefinitely without legal grounds.

An attorney for Leah Marie Goodman filed a <u>writ of habeas corpus</u> with Circuit Judge Paul V. Malloy. The writ is a centuries old means of challenging the legality of someone's confinement.

The petition and court records showed that Circuit Judge Joseph Voiland had sent Goodman, 28, to jail after a hearing Tuesday at which he told her he didn't believe her sworn testimony that she did not own or have access to guns.

The hearing was a follow-up in an earlier case where Voiland had issued an injunction ordering Goodman not to have contact with her daughter after the girl's father had filed a complaint alleging Goodman was abusive toward the girl. Voiland had earlier issued a civil arrest warrant at the hearing for which Goodman had not been served notice.

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Court records show a Racine County sheriff's deputy tried twice to serve Goodman, who lives in Burlington, in late July but could not locate her. Voiland later declared Goodman was evading service and he considered her effectively served.

In his order granting Goodman's immediate release from the Ozaukee County Jail, Malloy noted that Voiland's order did not find Goodman in contempt, nor list conditions that, if met, would free her from any contempt.

In addition to freeing Goodman, Malloy referred the domestic injunction case that had been pending before Voiland for reassignment to another judge outside Ozaukee County.

Voiland <u>defeated longtime judge Thomas Wolfgram in 2013</u> after a campaign focused on the fact Wolfgram had signed a 2011 petition in support of a recall election for Gov. Scott Walker. The next year, Voiland <u>withdrew his support for a former law firm colleague</u> who was running for judge in Milwaukee County, who had also signed the recall petition, after conservatives criticized that support.

A message to Voiland's chambers was not immediately returned Thursday.

(end of news story)

Judge Voiland stated Judge Koschnick may order an audit of the CCAP records which are believed to have been altered. Judge Voiland stated that CCAP purges the Transaction Log Record Details (previously referred to as metadata) for each case after one year. Judge Voiland opined Judge Koschnick may have contacted the Wisconsin Department of Justice regarding the aforementioned matters to determine if any of the actions taken are criminal. Judge Voiland stated he believes there may have been actions constituting misconduct in office, falsifying court documents, destroying public records, but at least contempt of Court in that there were refusals to follow Court orders. Judge Voiland cited the (Clerk of Courts, Mary Lou Mueller's) refusal for months to provide answers as to where his case files were located.

Judge Voiland suspects his e-mails were somehow being read by someone. On 4/22/2016, Judge Voiland called CCAP personnel to change his CCAP password. He received an email from CCAP at 11:58 a.m. confirming his password change. On 4/22/2016, after Judge Voiland returned from lunch, he found his account to be "auto-locked-out" and he had received an "intruder alert" from the Ozaukee County Courthouse database which indicated that at 12:20 p.m., while he was gone at lunch, someone had logged onto his account within the facility either in his chambers or at his bench and had entered his old password three or five times, which triggered the "auto-lock out" and the "intruder alert" message.

Judge Voiland reported he had noticed cases assigned to him on his "dashboard", which he described as software utilized by judges to track cases, and time requirements of cases needing review or hearings. Multiple cases Judge Voiland was not familiar with began showing

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significantly overdue 750 to 1,100 days. Judge Voiland suspects cases are being held and not entered or assigned by Clerk of Courts, Mary Lou Mueller. Judge Voiland showed SAs Culver and Peskie examples of cases not on his "dashboard" one month, then the next month a case would show "overdue/late" by a significant amount of time, that should have showed late in a prior month.

The interview with Judge Voiland concluded at approximately 3:00 p.m.

SA Culver electronically attached the above referenced documents to this report, which were separated into two attachments. One attachment is labeled as documents which were emailed (by Judege Voiland to SA Peskie on June 7, 2016) and the other is labeled as documents printed and received at the time of the interview (See Attachments Section).

From: Randy Koschnick

To: Joseph Voiland; Paul Malloy;

Sandy Williams

Date: 6/7/2016 5:10 PM

Subject: Duty Judge Meeting on June 15.

CC: Connie Mueller; MaryLou

Mueller; Neimon, Michael

Attachments: MOU Ozaukee.docx

Dear Ozaukee Judges:

I have now spoken with each of you and I believe that the attached MOU correctly states the duty judge policy that was agreed to at our last meeting. If you all agree, then I don't believe that it will be necessary to meet on June 15.

The only other issue that I had planned on covering on June 15 was to reiterate that the Clerk of Court and the Commissioner are required to comply with the lawful request of any judge pertaining to cases assigned to that judge in a timely manner and that other judges are not to interfere with such requests. I am happy to keep the meeting on as scheduled if any one of you thinks that we need additional discussion on these items. I'd like to avoid lengthy email debate so if the issues are not hereby fully resolved, then I think that we need to have the meeting.

We will still meet on July 1 from 9:30- noon to discuss a comprehensive calendering system. Please "reply to all" as to whether you agree with the foregoing and whether you think we need to meet on June 15.

Thank you all for your cooperation in these matters.

Randy

Randy R. Koschnick

Chief Judge, District 3
Jefferson County Courthouse Branch 4
311 S. Center Avenue
Jefferson, WI 53549
920.674.7217
fax: 920.674.7523
randy.koschnick@wicourts.gov

Joseph Voiland - 09 FA 88

From:

Barry Boline

To:

Joseph Voiland

Date:

6/7/2016 2:57 PM

Subject: 09 FA 88

CC:

Barry Boline

Judge Voiland,

I have been contacted by phone by one of the attorneys on the Leedy case. Yesterday, you ordered that they contact me, in writing, regarding a custody and placement study. You did not forward a copy of that order to me.

As you know, Ozaukee County has yet to enact an ordinance regarding reimbursement for the cost of the studies. Judge Malloy has suggested a moratorium on ordering studies until the ordinance is passed. Of course, if you want me to order the studies now, I will do so. Please stop by my office and let me know your thoughts. I will wait until I speak with you before I act on this matter because, at present, your orders and Judge Malloy's orders are in conflict and I have no clear direction on how to proceed. As your order in the Leedy case includes specific deadlines, I hope that we can speak about this today.

Also, please have your clerk send my clerk a list of all of the cases in which you have ordered custody and placement studies so that she can prepare the orders at the appropriate time. In the future, if you order studies please send a courtesy of the order to me so that we know what parties will be contacting us.

I hope this e-mail makes sense. I look forward to speaking with you about these things.

Barry J. Boline Circuit Court Commissioner Ozaukee County barry.boline@wicourts.gov



Ozaukee County, WI
Mary Lou May I er @ @ Cawyers

Peter L. Ramirez Direct Telephone 414-287-1428 pramirez@vonbriesen.com

June 22, 2015

VIA eFILING

Honorable Joseph W. Voiland Ozaukee County Courthouse 1201 S. Spring Street Port Washington, WI 53074

Re: In Re the Paternity of H.F.;

State of Wisconsin and Alisha Leigh Balsitis v. Kevin McCutcheon Flood

Case No.: 2011FA00284

Dear Judge Voiland:

I am sure that by now you are aware that Commissioner Boline was not able to appoint any individual or agency to conduct a custody/placement study because in part because Ozaukee County does not provide those services. On June 8, 2015 Commissioner Boline sent a letter to all counsel. I have attached a copy for the court's convenience.

Subsequent to that letter, the Guardian ad Litem found an individual who specializes in these types of studies by the name of Dr. Christine Harness. She recommended that the parties use her services for the study and Mr. Flood has no objection. Apparently, Ms. Klitzke does and she wishes to use someone from a program that is not in existence. I bring all-of-this up at this juncture because of what I learned today from Mr. Flood.

Mr. Flood has become increasingly frustrated with the system, the court and everyone involved, because this case is no more forward now than it was two (2) years ago. He is disappointed that the court has not signed and entered a proposed order I sent May 22, 2015 regarding this court's finding that Ms. Klitzke was in contempt of a court order. He is perturbed because the fee issue has not been addressed by the court and he is upset because Ms. Klitzke does not allow him and his mother to be alone with their child. Apparently, Ms. Klitzke will not allow those two to leave with She has been with them at each visitation. It came to a head yesterday, during the Father's Day placement, when she cut their visitation short by an hour.

Mr. Flood wants this court to make a decision on the proposed order finding Ms. Klitzke in contempt and awarding him legal fees. More importantly, Mr. Flood wants this court to order that



Honorable Joseph W. Voiland June 22, 2015 Page 2

Dr. Christine Harness - who apparently is available immediately - conduct a custody/placement study.

We look forward to the court's response to all of this. Thank you.

Very truly yours,

von BRIESEN & ROPER, s.c.

Peter L. Ramirez

PLR:jmp

cc: Kirsten Hillenbrand, Esq. (via eFiling)

Meg O'Marro, Esq. (via email)

Kevin Flood (via email)

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Circuit Court of Ozaukee County

Barry J. Boline

Court Commissioner
OZAUKEE COUNTY JUSTICE CENTER
1201 S. SPRING STREET
P.O. BOX 994
PORT WASHINGTON WI 53074

Lauri A. Vanden Berg Judicial Deputy Clark

Authenticated/Filed Ozaukee County Circuit

JUN - 8 2015

Mary Lou Mueller Clerk of Circuit Court/ Register in Probate

June 8, 2015

Peter L. Ramirez Von Briesen & Roper S.C. 411 E. Wisconsin Avenue Milwaukee, WI 53202

Kristen L. Hildebrand Hildebrand Law Firm L.L.C. 7545 N. Port Washington Road Milwaukee, WI 53217

Meg C. O'Marro O'Marro Law Office L.L.C. W175 N11117 Stonewood Drive, Suite 203A Germantown, WI 53022

Re: Case Number 2011FA284

Attorney Peter L. Ramirez contacted the office of the undersigned on Thursday, May 28, 2015. Ms. Klitzke contacted the office of the undersigned on Wednesday, May 27, 2015.

The Ozaukee County family court services office does not provide legal custody and physical placement studies. Ozaukee County does not have a cooperative agreement to establish such an office that provides legal custody and physical placement studies. The Director of Family Court Services does not have a contract with any person or public or private entity to provide legal custody and physical placement studies.

Very Truly Yours,

Barry J. Boline

STATE OF WISCONSIN

CIRCUIT COURT FAMILY COURT BRANCH

FILED 05-22-2015 Ozaukee County, WI OZAUKEE COUNTY Mary Lou Mueller CoCC

In re the paternity of HF.

STATE OF WISCONSIN,

Petitioner,

and

ALISHA L. BALSITIS,

Co-Petitioner,

200

Case No. 2011FA00284

KEVIN M. FLOOD,

Respondent.

ORDER ARISING FROM THE APRIL 28, 2015 HEARING

On April 28, 2015, the Court held a hearing on Respondent's Motion and Order To Show Cause for contempt against Co-Petitioner Alisha Balsitis ("Ms. Klitzke"). Present for the hearing were the following: Ms. Klitzke by her attorneys Hildebrand Law Firm, LLC by Kirsten Hildebrand; Kevin Flood ("Mr. Flood") by his attorneys von Briesen & Roper, s.c. by Peter L. Ramirez; and Guardian ad Litem Meg O'Marro on behalf of the best interests of the minor child.

The Court after having reviewed affidavits and other legal memoranda filed by the parties, heard testimony from the parties and arguments of counsel makes the following **ORDER**:

The co-petitioner Ms. Klitzke is in contempt of court for failing to abide by the March
 26, 2015 Order relating to the visitation/placement periods that were awarded to
 Respondent Mr. Flood on three dates.

 As a sanction for her failure to abide by the court order, Mr. Flood is entitled to an additional nine (9) hours of placement time to be used as he wishes.

As an additional sanction for Mr. Flood having to seek this relief, Ms. Klitzke shall pay
to the law firm of von Briesen & Roper, s.c. \$5024.00 as fees for the Court's for her
contempt.

Dated this ____ day of May, 2015.

BY THE COURT:

Honorable Joseph W. Voiland Circuit Court Judge Ozaukee County, Wisconsin

Document prepared by:
Peter L Ramirez, Esq.
von Briesen & Roper, s.c.
411 E. Wisconsin Ave. Suite 1000
Milwaukee, WI 53202
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general fund and shall retain the balance for the use of the county. The secretary of administration shall credit \$5 of the \$25 to the appropriation under s. 20.680 (2) (j)

- (4) JURY FEE. For a jury in all civil actions, except a garnishment action under ch. 812, a nonrefundable fee of \$6 per juror demanded to hear the case to be paid by the party demanding a jury within the time permitted to demand a jury trial. If the jury fee is not paid, no jury may be called in the action, and the action may be tried to the court without a jury.
- (5) JUDGMENTS, WRITS, EXECUTIONS, LIENS, WARRANTS, AWARDS, CERTIFICATES. The clerk shall collect a fee of \$5 for the following:
- (a) Issuing executions, certificates, commissions to take depositions, transcripts from the judgment and lien docket, and any writs not commencing an action or special proceeding
- (b) Filing and entering judgments, transcripts of judgments, liens, warrants and awards, including filing and entering assignments or satisfactions of judgments, liens or warrants and withdrawals, satisfactions and voidances of tax warrants under s.
- (6) FOREIGN JUDGMENTS. On filing a foreign judgment under s. 806.24, \$15.
- (7) REVISION OF JUDGMENT OR ORDER IN ACTION AFFECTING THE FAMILY. (a) Except as provided in par. (b), upon the filing of any petition under s. 767.59 (1c) (a) or any motion, by either party, for the revision of a judgment or order in an action affecting the family, \$30. No fee may be collected under this paragraph for any petition or motion by either party for the revision of a judgment or order involving child support, family support, or maintenance if both parties have stipulated to the revision of the judgment or order. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 50% to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county.
- (b) Upon the filing of any petition, motion, or order to show cause by either party under s. 767.451 or 767.481, \$50. No fee may be collected under this paragraph for filing a petition, motion, or order to show cause for the revision of a judgment or order for legal custody or physical placement if both parties have stipulated to the revision of the judgment or order. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 25% to the secretary of administration for deposit in the general fund, retain 25% for the use of the county, and deposit 50% in a separate account to be used by the county exclusively for the purposes specified in s. 767.405,
- (c) Paragraphs (a) and (b) do not apply to a petition or motion filed by the state or its delegate in connection with an action to determine paternity under s. 767.80 (1) (g), to a petition or motion filed by an attorney appointed under s. 767.407 (1) (c) in connection with an action to determine paternity when the circumstances specified in s. 767.407 (1) (c) 1. or 2. apply or to a petition or motion filed in an action under ch. 769.
- (8) APPEAL FROM MUNICIPAL COURT OR ADMINISTRATIVE DECI-SION. (am) On appeal from municipal court or on review of any administrative decision, including an appeal from a commission's award in a condemnation action under ch. 32:
 - If the appeal or review is by certiorari or on the record, \$40.
 - 2. If a new trial is authorized and requested, \$55.
- (c) Of the fees received by the clerk under par. (am) 1., the county treasurer shall pay \$22.50 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The secretary of administration shall credit \$5 of the \$22.50 to the appropriation under s. 20.680 (2) (j).
- (d) Of the fees received by the clerk under par. (am) 2,, the county treasurer shall pay \$30 to the secretary of administration for deposit in the general fund and shall retain the balance for the

use of the county. The state treasurer shall credit \$5 of the \$30 to the appropriation under s, 20.680 (2) (j).

814.61

- (9) TRANSMITTING DOCUMENTS. For certifying and transmitting documents upon appeal, writ of error, change of venue, for enforcing real estate judgments in other counties, or for enforcing judgments in other states, \$15 plus postage.
- (10) COPIES. (a) Except as provided in par. (b), for copies, certified or otherwise, of any document for which a specific fee is not established by this section, or for comparison and attestation of copies not provided by the clerk, \$1.25 per page.
- (b) For copies of any court document requested by the state public defender, other than a transcript, a fee equal to the actual, necessary and direct costs of copying.
- (11) SEARCHES. For searching files or records to locate any one action when the person requesting the search does not furnish the case number of the action, or to ascertain the existence or nonexistence of any instrument or record in the custody of the clerk of circuit court, \$5.
- (12) RECEIVING AND DISBURSING MONEY. (a) Trust funds and small estates. 1. For receiving a trust fund, or handling or depositing money under s. 757.25 or 807.10 (3), at the time the money is deposited with the clerk, a fee of \$10 or 0.5 percent of the amount deposited, whichever is greater. In addition, a fee of \$10 shall be charged upon each withdrawal of any or all of the money deposited with the clerk.
- 2. If the clerk is required by court order or by law to deposit any of the funds in subd. 1. in an account in a bank, savings bank, savings and loan association or other suitable financial institution, the type of account shall be in the clerk's discretion unless the court specifies a particular type of account in its order. In depositing the funds into any account, the clerk shall act as a conservator, not as a trustee, and shall not be held liable or responsible for obtaining any specific rate of interest on the deposit.
- (c) Deposits in contempt proceedings. For receiving and disbursing deposits made under s. 818.12 in contempt proceedings under ch. 785, \$10 per deposit. The \$10 fee shall be deducted from the deposit, unless the entire deposit is ordered returned to the defendant, before applying the deposit to the satisfaction of a judgment under s. 818.14.
- (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services, whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s. 49.19, 49.46, 49.465, 49.468, 49.47, or 49.471 files a petition requesting child support, maintenance or family support payments, \$10 in addition to any other fee required under this section. This subsection does not apply to a petition filed by the state or its delegate.
- (14) PETITION FOR OCCUPATIONAL LICENSE. On filing a petition for an occupational license under s. 343.10 (4), \$40.

History: 1981 c, 317, 1983 a. 27, 1983 a, 189 s, 329 (28); 1983 a. 228, 447, 538; 1985 a. 29, 169; 1987 a. 27 ss, 2143p, 3202 (24); 1987 a. 144, 355, 399; 1989 a. 31; 1989 a. 56 s, 259; 1989 a. 191; 1991 a. 39, 221, 269; 1993 a. 16, 319, 326, 481, 491; 1995 a. 27, 201, 224, 269, 279, 289, 306; 1997 a. 27, 35, 285; 1999 a. 9, 71; 2001 a. 109; 2003 a. 33, 165, 327; 2005 a. 272, 387, 434; 2005 a. 443 s. 265; 2007 a. 20; 2009 a. 261; 2015 a. 55.

Requiring the payment of a jury fee does not violate the right to a trial by jury. County of Portage v. Steinpreis, 104 Wis. 2d 466, 312 N.W.2d 731 (1981).

County of Portage v. Steinpreis, 104 Wis. 2d 466, 312 N.W.2d 731 (1981).

The trial court has discretion to allow a jury trial when fees under s. 814.61 (4) are not timely paid. Chitwood v. A. O. Smith Harvestore, 170 Wis. 2d 622, 489 N.W.2d 697 (Ct. App. 1992).

Section 757.25 imposes two prerequisites for charging a fee under sub. (12) (a) for handling or depositing money under s. 757.25: 1) a party to the action has paid at least \$1000 into court; and 2) that same party has obtained from the judge an order directing the clerk of court to deposit the money in a safe depository. HSBC Realty Credit Corporation v. City of Glendale, 2007 WI 94, 303 Wis. 2d 1, 735 N.W.2d 77, 05-1042.

Circumstances under which additional fees under sub. (13) are to be paid are discussed. 75 Atty. Gen. 1.

A domestic abuse petition filed under s. 813.12 (2) in conjunction with or in a pendg action affecting the family does not require a separate filing fee. 80 Atty. Gen.

"Copies" in sub. (10) (a) includes the use of technologies such as a camera phone or handheld scanner. The statutes, however, do not authorize the collection of fees when a requester makes the copies using those devices with no aid from the clerk of

COURT COSTS, FEES, AND SURCHARGES 814.49

(2) COSTS ON STAY OF FURTHER PROCEEDINGS. Whenever any party obtains an order staying further proceedings in the action pursuant to s. 801.63, the court may award that party all statutory costs and disbursements in the action up to the order for stay.

History: Sup. Ct. Order, 67 Wis. 2d 585, 758, 781 (1975); Stats. 1975 s. 814.49; Sup. Ct. Order, 130 Wis. 2d xix (1986); 1993 a. 486.

Judicial Council Note, 1986: Sub. (2) is amended to give the court discretion to award or deny costs and disbursements when further proceedings are stayed pending trial in another state under s. 801.63. [Re Order off. 7–1–86]

814.51 Jury fees; discretion of court. The court shall have discretionary authority in any civil or criminal action or proceeding triable by jury to assess the entire cost of one day's juror fees for a jury, including all mileage costs, against either the plaintiff or defendant or to divide the cost and assess the cost against both plaintiff and defendant, or additional parties plaintiff or defendant, if a jury demand has been made in any case and if a jury demand is later withdrawn within 2 business days prior to the time set by the court for the commencement of the trial. The party assessed shall be required to make payment to the clerk of circuit court within a prescribed period and the payment thereof shall be enforced by contempt proceedings.

History: 1971 c. 297; Sup. Ct. Order, 67 Wis. 2d 585, 761 (1975); Stats. 1975 s. 814.51; 1977 c. 318.

This section is inapplicable if the parties reach a settlement after selecting a jury and making opening statements. Jacobson v. Avestruz, 81 Wis. 2d 240, 260 N.W.2d 267 (1977).

An accused who cancels a jury trial at the last moment to accept a plea bargain risks both taxation of costs under s. 973.06 and the assessment of jury fees under s. 814.51. State v. Foster, 100 Wis. 2d 103, 301 N.W.2d 192 (1981).

Circuit courts do not have the authority to impose a penalty for cancellation of a

Circuit courts do not have the authority to impose a penalty for cancellation of a jury trial beyond that provided for in this section. Collins v. American Family Mutual Insurance Co. 153 Wis. 2d 477, 451 N.W.2d 429 (1990).

As a matter of sound grammar, the phrase "either the plaintiff or defendant" necessarily refers to both civil and criminal actions as "civil" and "criminal" are set forth in the disjunctive and modify the clauses that follow. Thus, circuit courts are authorized to impose jury fees in any criminal action or proceeding against either the plaintiff or defendant. If the state were not the plaintiff in criminal cases, the statute's provision that the circuit court may assess jury fees against either party in a criminal case would be rendered a nullity. State v. Circuit Court for Monroe County, 2007 WI App 36, 300 Wis. 2d 447, 730 N.W.2d 421, 06–0139.

- 814.52 Transport costs. (1) If a law enforcement agency requests a ferry provider to operate beyond its usual hours of operation to transport an arrested person to a jail or other facility, the law enforcement agency shall be reimbursed for the costs it incurs to pay for the ferry transport pursuant to sub. (2).
- (2) In any civil or criminal action or proceeding, if a circuit court enters a judgment against a defendant who was the subject of a ferry transport described in sub. (1), the clerk of circuit court shall collect costs in an amount equal to the costs incurred by a law enforcement agency under sub. (1). When judgment is entered against the defendant, the defendant shall pay the costs and the clerk of circuit court shall pay the law enforcement agency that requested the transport.

History: 2009 a. 72.

SUBCHAPTER II

COURT FEES

814.60 Criminal actions; fees of the clerk of court. (1) In a criminal action, the clerk of circuit court shall collect a fee of \$163 for all necessary filing, entering, or recording, to be paid by the defendant when judgment is entered against the defendant. Of the fees received by the clerk of circuit court under this subsection, the county treasurer shall pay 93.87 percent to the secretary of administration for deposit in the general fund and

shall retain the balance for the use of the county. (2) In addition to any fine imposed, a defendant shall pay the costs, fees, and surcharges imposed under this chapter.

History: 1981 e. 317; 1983 a. 27; 1985 a. 36; 1987 a. 27, 339; 1989 a. 64, 107; 1991 a. 39; 1993 a. 16; 1995 a. 224, 227, 448; 1997 a. 27, 248; 1999 a. 9; 2001 a. 16, 56, 103; 2003 a. 33, 139; 2009 a. 100.

Because each charged count requires filing, entering, and recording that is separate and distinct from other charged counts, sub. (1) permits a separate fee for each count. State v. Carter, 229 Wis. 2d 200, 598 N.W.2d 619 (Ct. App. 1999), 98–1688.

Neither the clerk of court nor the county board has the authority to adopt a nonre-fundable processing fee in the absence of a statute specifically providing for the fee. 80 Atty, Gen. 223.

- 814.61 Civil actions; fees of the clerk of court. In a civil action, the clerk of court shall collect the fees provided in this section. Unless a specific exemption is provided, a governmental unit, as defined in s. 108.02 (17), shall pay fees under this section. The clerk shall collect the following fees:
- (1) COMMENCEMENT OF ACTIONS. (a) Except as provided under pars. (c), (d), and (e), at the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, \$75. Of the fees received by the clerk under this paragraph, the county treasurer shall pay \$45 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The secretary of administration shall credit \$15 of the \$45 to the appropriation under s. 20.680 (2) (j).
- (b) Except as provided in pars. (c), (d) and (e), in addition to the fee under par. (a), at the commencement of an action affecting the family as defined in s. 767.001 (1), a fee of \$20 to be deposited by the county treasurer in a separate account to be used by the county exclusively for the purposes specified in s. 767.405.
 - (c) Paragraphs (a) and (b) do not apply to any of the following:
- . An action to determine paternity brought by the state or its delegate under s. 767.80 (1) (g) or (h) or commenced on behalf of the child by an attorney appointed under s. 767.407 (1) (c).

1m. An action under s. 767.805 (3) that is brought by the state or its delegate or commenced on behalf of the child by an attorney appointed under s. 767.407.

- An action under ch. 769.
- A forfeiture proceeding under ss. 961.55 to 961.56 or 973.075 to 973.077,
- 4. An action to terminate parental rights under subch. VIII of ch. 48.
 - An action for adoption under subch, XIX of ch. 48.
 - 6. An action to commit a person under ch. 51, 55, or 980.
- 7. An action under s. 165.76 (6) to compel provision of a biological specimen for deoxyribonucleic acid analysis.
- (d) No fee charged under this subsection in any action commenced under s. 813.12, 813.122, or 813.123 may be collected from a petitioner under s. 813.12, 813.122, or 813.123. The fee charged under this subsection for petitions filed and granted under s. 813.12, 813.122, or 813.123 shall be collected from the respondent under s. 813.12, 813.122, or 813.123 if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4), 813.122 (4) or (5), or 813.123 (4) or (5).
- (e) No fee charged under this subsection in any action commenced under s. 813.125 may be collected from a petitioner under s. 813.125 if the petition alleges conduct that is the same as or similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (am) 1. to 6. If no fee is collected under this paragraph, the fee charged under this subsection for petitions filed and granted under s. 813.125 shall be collected from the respondent under s. 813.125 if he or she is convicted of violating a temporary restraining order or injunction issued under s. 813.125 (3) or (4).
- (2) CHANGE OF VENUE. (a) Except as provided in par. (b), on a change of venue at commencement in the court to which the action is transferred, a fee equal to the fee paid by the plaintiff to commence the action. The transferring court, in its order for change of venue, shall make a finding as to which party's actions necessitated the change of venue and shall order that party to pay the fee, which shall not be taxed as a cost in the action.
- (b) If the court orders a change of venue under s. 801.52, no fee may be charged.
- (3) THIRD-PARTY COMPLAINT. When any defendant files a 3rdparty complaint, the defendant shall pay a fee of \$45. The defendant shall pay only one such \$45 fee in an action. Of the fees received by the clerk under this subsection, the county treasurer shall pay \$25 to the secretary of administration for deposit in the

court. The court clerk is the authority holding the records. The clerk thus controls the method of copying and may choose whether to allow a person to make copies with a personal device. OAG 12-14.

- 814,615 Fees for mediation and studies. (1) (a) Except as provided under sub. (2), for family court services provided under s. 767,405 a county shall collect the following fees:
- 1. For the first mediation session conducted upon referral under s. 767.405 (5), no fee.
- For all mediation provided after the first session mediation described under subd. 1., a single fee of \$200, regardless of the number of mediation sessions held.
 - 3. For a study under s. 767.405 (14), a fee of \$300.
- (b) The county shall determine when and how to collect the fees under par. (a). Subject to sub. (3), the county shall reduce the fees in accordance with the parties' ability to pay or provide the services without payment of the fees if both parties are unable to pay
- (2) In lieu of the fee under sub. (1) (a) 2. or 3., a county may establish a fee schedule to recover its reasonable costs of providing family court services under s. 767.405. A fee schedule established under this subsection may apply in lieu of the fee under sub. (1) (a) 2. or 3. or both, and shall require no fee for the first mediation session conducted upon referral under s. 767.405 (5); provide for payment for any other services based on the parties' ability to pay; and take into account the fees the county collects under s. 814.61 (1) (b) and (7) (b). Fees shall be based on services actually provided. The county may not collect a single fee applicable without regard to the number of sessions or services provided. Subject to sub. (3), the county shall provide family court services to the parties even if both parties are unable to pay.
- (3) The court or a circuit court commissioner shall direct either or both parties to pay any applicable fee under this section. If either or both parties are unable to pay, the court shall grant a separate judgment for the amount of the fees in favor of the county and against the party or parties responsible for the fees.
- (4) The county treasurer shall deposit fees collected under this section in a separate account for the exclusive purpose of providing mediation services and studies under s, 767,405.

History; 1987 a. 355; 1991 a. 269; 2001 a. 61; 2005 a. 443 ss. 264, 265. NOTE: 1987 Wis. Act 355 contains explanatory notes.

- 814.62 Fees in garnishment, wage earner and small claims actions. The clerk of court shall collect the fees provided in this section. Unless a specific exemption is provided, a governmental unit, as defined in s. 108.02 (17), shall pay fees under this section. The clerk shall collect the following fees:
- (1) Garnishment actions. The fee for commencing a garnishment action under ch. 812, including actions under s. 799.01 (1) (d) 2., is \$20, except that there is no fee for commencing a garnishment action to satisfy an order for victim restitution under s. 973.20 (1r). Of the fees received by the clerk under this subsection, the county treasurer shall pay \$12.50 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The secretary of administration shall credit \$5 of the \$12.50 to the appropriation under s. 20.680 (2) (j).

NOTE: Sub. (1) is shown as amended eff, 7-1-16 by 2015 Wis, Act 355. Prior to 7-1-16 it reads:

- (1) Garnishment actions. The fee for commencing a garnishment action under ch. 812, including actions under s. 799.01 (1) (d) 2., is \$20. Of the fees received by the clerk under this subsection, the county treasurer shall pay \$12.50 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The secretary of administration shall credit \$5 of the \$12.50 to the appropriation under s. 20.680 (2) (j).
- (2) WAGE EARNER ACTIONS. The fee for commencing wage earner amortization proceedings under s. 128.21 is \$10.
- (3) SMALL CLAIMS ACTIONS. (a) In a small claims action under ch. 799, at the time of issuance of a summons or other process in a proceeding not commenced by a summons, the plaintiff shall pay to the clerk of court a fee of \$22.

- (b) If a counterclaim or cross complaint is filed under s. 799.02 (1), the person filing the same shall pay a fee equal to the difference between the fee under s. 814.61 (1) (a) and the fee under par.
- (c) For all other services of the clerk in a small claims action, the clerk shall collect the fees prescribed in s. 814.61.
- (d) 2. Of the fees received by the clerk under par. (a), the county treasurer shall pay \$11.80 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The secretary of administration shall credit the \$11.80 to the appropriation under s. 20.680 (2) (j).
- 3. Of the fees received by the clerk under par. (b), the county treasurer shall pay \$27.20 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The secretary of administration shall credit \$10 of the \$27.20 to the appropriation under s. 20.680 (2) (j).
- (c) If any party files a demand for a jury trial in any action under ch. 799, the party demanding the jury trial shall pay a fee equal to the difference between the fee under s. 814.61 (1) (a) and the fee under par. (a), in addition to the fee under s. 814.61 (4).
- (4) MAILING FEE. For service by mail under s. 799.12, the clerk shall collect \$2 for each defendant to cover the expense of mailing. If service by certified mail return receipt requested is required, the clerk shall collect for each defendant \$2 plus the cost for the certified mailing, rounded up to the nearest dollar.

History: 1981 c. 317; 1983 a. 27; 1985 a. 29; 1987 a. 208, 399; 1989 a. 31, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27; Sup. Ct. Order No. 95–10, 195 Wis. 2d xv (1996); 2003 a. 33; 2015 a. 355.

- 814.63 Fees in forfeiture actions. (1) (b) In all forfeiture actions in circuit court, the clerk of court shall collect a fee of \$25 to be paid by the defendant when judgment is entered against the defendant.
- (c) This subsection does not apply to an action for a violation of s. 101.123 (2) or (2m), for a financial responsibility violation under s. 344.62 (2), for a violation under s. 343.51 (1m) (b), or for a safety belt use violation under s. 347.48 (2m).
- (2) Upon the disposition of a forfeiture action in circuit court for violation of a county, town, city, village, town sanitary district, or public inland lake protection and rehabilitation district ordinance, except for an action for a financial responsibility violation under s. 344.62 (2) or for a violation under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the county, town, city, village, town sanitary district, or public inland lake protection and rehabilitation district shall pay a nonrefundable fee of \$5 to the clerk of circuit court.
- (3) In addition to any forfeiture imposed, a defendant shall pay the costs, fees, and surcharges imposed under this chapter.
- (3m) (a) Except as provided in par. (d), if a defendant is required to appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the court shall impose and collect from the defendant any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood if the court finds that the defendant violated s. 23.33 (4c), 23.335 (12) (a) or (b), 30.681, 114.09, 346.63, or 350.101, or a local ordinance in conformity therewith.

NOTE: Par. (a) is shown as amended eff, 10-1-16 by 2015 Wls. Act 170. Prior to 10-1-16 it reads:

- (a) Except as provided in par. (d), if a defendant is required to appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the court shall impose and collect from the defendant any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood if the court finds that the defendant violated s. 23.33 (4e), 30.681, 114.09, 346.63, or 350.101, or a local ordinance in conformity therewith.
- (b) Except as provided in par. (d), if at the time the court finds that the defendant committed the violation, the law enforcement agency has not paid or been charged with the costs of withdrawing the defendant's blood, the court shall impose and collect the costs the law enforcement agency reasonably expects to be charged for the withdrawal, based on the current charges for this procedure.

STATE OF WISCONSIN CIRCUIT COURT OZAUKEE COUNTY For Official Use Only

In the Estate of Mary H Malinowski Notice of Hearing (Probate)

Case No.: 2013PR000084

FILED 03-09-2016 Ozaukee County, WI Mary Lou Mueller RiP

COURT ORIGINAL

This case is scheduled for: Review hearing

Date 04-06-2016	Time 08:30 am	Location Room 228, Ozaukee County Justice Center
Court Official Joseph W. Voiland		1201 S Spring Street PO Box 994 Port Washington WI 53074
Re Formal Proceedings		

All past due papers, and any other required filings, must be filed 10 business days prior to this hearing

If you require reasonable accommodations due to a disability in order to participate in the court process, please call 262-284-8370 at least 10 working days prior to the scheduled court date. Please note that the court does not provide transportation.

Ozaukee County Circuit Court Date: March 9, 2016

Distribution	Address	Service Type
Court Original		
Jane E Miller	1001 W Glen Oaks Lane Suite 242, Mequon, WI 53092	Mail Notice
Rebecca J Smith	PO Box 134, Thiensville, WI 53092	Mail Notice
Jane E Miller	1001 W. Glen Oaks La., Suite 242, Mequon, WI 53092	Mail Notice
Robert Olmr	110 East Main Street, P.O. Box 212, Port Washington, WI 53074	Mail Notice
Herman A Fillinger Jr	Okauchee, WI 53069	Mail Notice

Wisconsin Department of Justice DCI

Interview 16-3772/2

Report Date: 06/28/2016

Primary Information

Description: Interview of Judge Joseph Voiland on 6/20/2016

Occurrence From: 06/20/2016 09:05
Occurrence To: 06/20/2016 15:45

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 08/09/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address
Interview Location 633 W Wisconsin Ave Milwaukee DCI Office, Milwaukee, Wisconsin 53233, United States of America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Subject of Records	Mueller, Mary Lou (Person)	White, Female	

Property		
<u>Status</u>	<u>Quantity</u>	<u>Description</u>
	1	USB drive (Lexar 8 GB, white/green) and one CD-R, each with 41 PDF files (doc's) and one audio file.
	1	One CD-R - Contains audio file from USB drive/item #2.1 converted to wave file

Narrative begins on the following page.

09/14/2017 13:30:40 Page 1 of 35

On Friday, June 10, 2016, at approximately 9:00 a.m., Special Agent (SA) John R. Culver, Jr. met with the Honorable Joseph W. Voiland at the DCI Milwaukee Regional Office, where Judge Voiland turned over one 8 GB USB drive containing numerous documents and one audio recording to SA Culver.

While examining the documents from the aforementioned USB drive, and copy documents Judge Voiland provided to SA Culver which were not on the USB drive, Judge Voiland provided the following:

Judge Voiland stated (Chief District) Judge Randy Koschnick had received a report, either two days before or two days after June 10, 2016, from Ozaukee County Clerk of Courts Mary Lou Mueller that a judge at the Ozaukee County Courthouse was harassing a staff member (Mary Lou Mueller) at the Ozaukee County Courthouse. The complaint alleged the harassment had occurred once, during one case, while the Judge was on record.

Judge Voiland stated Judge Koschnick subsequently met with Ozaukee County (Presiding) Circuit Court Judge Paul Malloy, Clerk of Courts Mary Lou Mueller, the County Administrator, and one person from the Ozaukee County Human Resources Department. Judge Koschnick had met with Judge Voiland before and after this meeting. After the meeting, Judge Koschnick had made his preliminary opinion known via email. Judge Voiland stated the email essentially stated, "There is nothing here", in that the alleged incident did not constitute harassment.

Judge Voiland stated Judge Koschnick is going to write a decision on this meeting regarding the alleged harassment.

Judge Voiland stated on Monday, June 13, 2016, after Mueller and Judge Voiland had sent each other email messages, that in one of the messages, Judge Voiland and Mueller agreed to meet in Judge Voiland's chambers to talk. Judge Voiland stated he had advised Mueller, in this email message, that Judge Voiland was going to make a record of the meeting. When Mueller arrived in Judge Voiland's chambers, Judge Voiland took his (personal) cell phone and showed Mueller that he had started an audio recording. Mueller asked Judge Voiland if the phone was recording. Judge Voiland told her, "Yes". Mueller got up and walked out of Judge Voiland's chambers. Judge Voiland subsequently sent Mueller an email message asking her why she had walked out, and advised her he had told her in advance he was going to make a record. Mueller emailed Judge Voiland back and stated she wasn't prepared for that. Mueller then asked Judge Voiland if he had ever recorded anything else and if so, would he provide her with copies of any such recordings.

Judge Voiland stated his first contact with personnel from Wisconsin Circuit Court Access (CCAP) was a phone call Judge Voiland had made to their office (to CCAP Director, Jean Bousquet) on May 6, 2016. On May 23, 2016, Judge Voiland had gone to the CCAP office in Madison and viewed a number of files.

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Judge Voiland stated probate cases can be assigned to the Clerk of Courts, Mary Lou Mueller, which Mueller can then assign to the judges. Judge Voiland stated Mueller had assigned cases to Judge Voiland which she had falsified by back-dating the dates of the case assignments of cases she had assigned to Judge Voiland. Judge Voiland provided information (documents obtained from CCAP personnel) which indicated records in the Wisconsin Circuit Court Automation Programs (CCAP) Case Management System (for a number of cases assigned to him) had been maliciously altered, and in some cases had been destroyed. Judge Voiland stated he had first spoken with Bousquet on May 6, 2016 and had traveled to the CCAP office in Madison, WI on May 23, 2016 to view files which were believed to have been altered.

Judge Voiland stated he wanted to point out some things about Guardian Ad Litem (GAL) paperwork. Judge Voiland stated in these cases, parties in these cases will pay an up-front fee of between \$1,500 and \$3,000, be approved for a payment plan of \$50 to \$100/month, or the County pays up front and gets the money back via "tax intercept".

Documents not saved on the thumb drive

Judge Voiland provided SA Culver with two similar documents (originals) from two family Court cases (FA designation in CCAP), which were printed on gold-colored paper. SA Culver made copies of these documents and electronically attached them to this report (See Attachments Section under "color scanned documents--6pages").

The first of these documents SA Culver examined stated, "LEAVE LOOSE IN FILE, DISCARD AFTER COURT APPEARANCE ON 02-29-2016", 2013FA338, "NOTE to the Court, PETITIONER JAIME OCHOA IS BEHIND IN PAYMENT OF GAL FEES IN THE AMOUNT OF \$790.31", "RESPONDENT DANIEL MCGINNIS IS BEHIND IN PAYMENT OF GAL FEES IN THE AMOUNT OF \$790.31", Date: 2-26-2016, RE: State of Wisconsin et al vs. Daniel P. McGinnis, Case No. 2013FA000338, Monthly payment amount: (blank), Due dates: (blank), "FOR INFORMATION ONLY".

Judge Voiland provided a copy of a similar document, printed on gold-colored paper, in which a respondent was noted to be behind in mediation fees in the amount of \$100.00 (2015 FA154, In RE: the marriage of James Andrew Childers and Melissa S. Childers).

Judge Voiland stated the Clerk hands these documents to the judge in the case to address fees at the time the case is pending, at motion or status hearings. Judge Voiland stated he has directed the Clerk that this is not for Judge Voiland to do. Judge Voiland stated he does not know how these documents can be destroyed. Judge Voiland stated these documents are created in the Office of the Clerk of Courts. Judge Voiland stated this doesn't happen in his Court any longer, but that these documents/procedure were in place since Judge Voiland started his term in Ozaukee County.

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Judge Voiland stated the Court Commissioner usually presides over the status hearings. SA Culver asked Judge Voiland if the GAL or the County sends the petitioner and respondent bills for their fees. Judge Voiland stated the GAL sends the family a bill directly. Judge Voiland stated he doesn't want to, and also stated it is not his job, to sit on the Bench and tell people they are behind in paying their GAL fees.

Judge Voiland provided SA Culver with a hand-written phone message written on a piece of pink paper. "Phone message" was written in the top right corner, the message was addressed to "Judge Voiland", and stated, "Joanne Kloppenburg called asking that you call her on your private line regarding her campaign @ 608"The following was written under the word "campaign": "225.00, 8 months". The message was signed, "MaryLou", with "8:00 am" written in the bottom right corner. Judge Voiland stated he had received this message sometime in the late fall or early winter of 2015. Judge Voiland found this phone message very unusual, as he had never received a hand-written phone message before and that all others had been sent to him via e-mail, before and since receiving this message in his "inbox". Judge Voiland added that the content of the message did not make sense as he had nothing to do with Kloppenburg or her campaign, prior to the Supreme Court primary election.

Judge Voiland stated he wished to point out that "Jury Qualification Questionnaires" are being kept by the Clerk of Court for 5 days. Judge Voiland stated according to Wisconsin Statute 756.04(11)(a) these forms cannot be kept, but are left in the courtroom for the Clerk of Courts. Judge Voiland provided SA Culver with a blue half-sheet of paper bearing the following (typed), "Per Wisconsin Statute 756.04(11)(a), all jury qualification questionnaire response forms will be returned to the Ozaukee County Clerk of Courts office within 5 days after the scheduled jury trial date". SA Culver made a copy of this document.

SA Culver located 756.04(11)(a) on The Wisconsin State Legislature Website (http://docs.legis.wisconsin.gov/statutes/statutes/756/04/11):

756.04 Prospective juror lists; number; how compiled.

(11) (a) All completed juror qualification forms mailed to prospective jurors under sub. (6) (am) and supplemental information obtained under sub. (6) (cm) shall be confidential and shall be released only upon order of the court upon a showing of good cause. However, the completed juror qualification forms and supplemental information of jurors in the jury venire or jury panel when the trial is scheduled shall be made available to counsel and parties to the litigation upon request without a circuit court order. This information shall remain confidential and shall be used only for the purpose of the trial or any appeal. Counsel and parties may not retain copies of the qualification forms or supplemental information obtained under sub. (6) (am) and sub. (6) (cm).

Judge Voiland stated the Ozaukee County CJCC (Criminal Justice Collaborating Council) was recently "started back up" to get a TAD (Treatment Alternatives and Diversion) Grant. Judge Voiland provided SA Culver with a copy of the last agenda for CJCC, which was dated January

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22, 2015, for a meeting which took place in the Ozaukee County Justice Center, Room 240. Judge Voiland pointed out that the last meeting of this group had been on June 26, 2013, as noted under "II.", "Approval of June 26th, 2013 Meeting Minutes". SA Culver asked Judge Voiland how many judges would have been present at this meeting. Judge Voiland stated the only judge present at the meeting was the Chairperson, Judge Paul Malloy. Judge Voiland stated these meetings are public, and anyone can attend. Judge Voiland stated (retired Ozaukee County citizen) Paul Gantner has been involved with the County for a lot of years and likely has information about other things happening within the Ozaukee County Courthouse and still lives in Port Washington. SA Culver asked Judge Voiland who was writing the TAD Grant. Judge Voiland stated he did not know.

Judge Voiland provided SA Culver with a copy of a printout of his probate docket, listing case volumes of pending cases between July of 2015 and January of 2016. Judge Voiland stated there was a "70% spike" in January of 2016 of the number of cases assigned to him. In April of 2016, when Judge Voiland asked Clerk of Courts Mary Lou Mueller what was going on, the large increase in the number of cases stopped and the number of cases assigned to Judge Voiland "leveled off".

Judge Voiland had printed out most of the documents which were saved on the thumb drive.

The audio file saved on the thumb drive was a recorded conversation between Judge Voiland and Ozaukee County Court Commissioner Barry Boline, which took place in Judge Voiland's chambers. In a meeting with SAs Culver and Nathan Peskie on June 10, 2016, Judge Voiland had played a portion of this audio recording for SAs Culver and Peskie. Judge Voiland did not play the entire recording, but did play the portion of the recording when Commissioner Boline told Judge Voiland that Judge Paul Malloy had ordered Commissioner Boline not to follow an order which Judge Voiland had issued to Commissioner Boline (regarding a study Judge Voiland ordered Commissioner Boline to implement).

Judge Voiland presented printed copies of numerous documents to SA Culver and explained their contents to SA Culver, as follows:

Judge Voiland presented SA Culver with a PR-1834(CCAP), Order for Extension of Time (Informal and Formal Administration), for Case No. 2015PR000017, In the Estate of Janice E. Garsha, which was filed on 11/02/2015, in Ozaukee County, WI, by Mary Lou Mueller, Register in Probate, and electronically signed by Mary Lou Mueller on 11/02/2015, and commented as follows:

Judge Voiland stated, from examining this form versus the actual case file it is clear that the Clerk of Courts had changed the case designation from "Formal Administration" to "Informal Administration" on this form. Judge Voiland stated this change is not to be made without telling

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Judge Voiland. Judge Voiland stated Mueller somehow changed the check box on the form to "informal", and granted an extension (to complete the estate) until May 31, 2016.

Judge Voiland stated he had communicated with Mueller via e-mail about this case being changed to informal. Judge Voiland provided SA Culver with a copy of an email dated March 9, 2016, at 1:18 p.m., which Mary Lou Mueller sent to Judge Voiland and had cc'd to Jaclyn McCoy and Julie Fedder. The subject line of the email stated, "RE: Probate and Guardianship Docket Review". Mueller stated the following in this email:

Judge,

The following matters have been set on your calendar for Order to Show Cause herings; 2012PR134, 2014PR109, 2015PR51, and 99PR14. Orders have been sent to your dash board. Matters set for a review hearing on your calendar; 13pr84, 15PR5, 15PR17, 15PR65 and 15GN83. 2015GN74 has been followed up on their own and are set for hearing before the court commissioner. Order for dismissal has been drafted and placed in your mail box for 2015 GN63.

2015PR17 is still formal – Kim/Terry did some weird errors - but it is still formal.

Mary Lou Mueller
Ozaukee County
Clerk of Circuit Court/Register in Probate
(END OF EM)

(END OF EMAIL)

Judge Voiland stated the aforementioned Kim and Terry are Kim Granrath, who is still employed by the County, but in a different position, and Terry Wester, who works at the front counter and has done so for about the past 40 years.

SA Culver asked Judge Voiland if either Granrath or Wester could electronically sign forms for Mueller. Judge Voiland stated if either Granrath or Wester had been a Deputy Register of Probate, they would not be allowed to make decisions, but would only be allowed to electronically sign forms for Mary Lou Mueller at Mueller's direction.

Judge Voiland stated had the case remained a "formal" case, Wisconsin Statute 863.35(1) states only a judge can order an extension, and that 863.35(2) states that a register in probate can only order an extension in an "informal" case. Judge Voiland further stated, in a "formal" case a judge would have to receive a motion, hold a hearing and rule "yes" or "no" on the motion for the extension. Judge Voiland stated that it appears Mueller, who is friends with a number of attorneys, altered these records in this manner to give additional time (an extension), to the parties involved, to complete these estates.

Judge Voiland stated he had located another case where the same change from a "formal" to "informal" case (2015PR000079, In the Estate of Kenneth E. Goetschel) had been made on a Page 5

PR-1834, and provided SA Culver with a copy of this form. This form had been electronically signed by Mueller and filed by Mueller on 03/18/2016, with an extension approved (to complete the estate) until June 30, 2016.

Judge Voiland stated if Mueller, knowing she did not have the authority to do so, had changed the aforementioned probate cases from "formal" to "informal" would be in violation of Wisconsin Statute 946.12, "Misconduct in Public Office", (2) and (4).

SA Culver cut/pasted the following, from the Wisconsin State Legislature website, (https://docs.legis.wisconsin.gov/statutes/946/II/12/2):

- **946.12** *Misconduct in public office.* Any public officer or public employee who does any of the following is guilty of a Class I felony:
- (2) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity; or
- (4) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies; or

Judge Voiland stated it is unknown how many such cases exist (which were changed from formal to informal, as described above) by misconduct, and that to find such cases a line by line search would have to be done.

Judge Voiland stated, from the information he had obtained, he can't tell who did it but someone attempted to log on to his account at the computer in his chambers or at his bench while he had gone home for lunch on Friday, April 22, 2016. Judge Voiland stated he had left the building at approximately 12:00 p.m. and returned at approximately 12:45 p.m. Prior to leaving at noon, Judge Voiland had changed his password. Upon returning, Judge Voiland's account was locked out, due to several unsuccessful attempts to gain access with the wrong password. Judge Voiland determined that whoever tried to log onto his account had done so from the Ozaukee county database server either in the same County building or a different County building.

Judge Voiland provided SA Culver with three pages of email messages pertaining to Judge Voiland being locked out of his user account, due to an "intruder detection". (These documents are electronically attached to this report. See Attachments Section, under "Docs handed to SA Culver by Judge").

Judge Voiland had initially communicated via email regarding being locked-out of his user account with Randy Peterson. Judge Voiland had emailed "Randy" on 4/22/2016 at 2:52 p.m. and stated, "Thank you for helping today with the e-mail login issues. Please let me know what you can once you get a chance to talk with the security officer." On 4/22/2016 at 3:08 p.m.,

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"Randy Peterson" replied, "Your call number is 304286. I have set the priority on this to a priority of 3. This will require resolution in 5 working days. If you get locked out again, please call and we will increase the priority."

On 5/6/2016 at 4:20 p.m., Judge Voiland emailed "Randy", and stated, "Thank you Randy. Could we discuss any additional information you may have by phone? Please use the phone # 414.

On 5/10/2016 at 10:04 a.m., "Randy Peterson" replied to Judge Voiland by stating, "I spoke with the security officer on Friday and he has compiled the information but was putting it in a legible format for you. I am including him on this response. I have your cell number 414 which I understand you would prefer we use for this. Pete, can you call Judge Voiland at the Cell number listed above and review what you found with him?"

In an email from "Pete Klukowski", to Judge Voiland, dated 5/11/2016 at 11:59 a.m., Klukowski provided information regarding IP addresses/locations from which Klukowski identified Judge Voiland's account was used to access the network, dates/times when Judge Voiland's account was locked out due to intruder detection, and other IT related information. Klukowski, who works at CCAP, had sent his messages from "Pete.Klukowski@wicourts.gov". In this email message, Klukowski made reference to a spreadsheet (attachment to the email) which details the dates and times which Judge Voiland's account was used to access the network between Friday, April 15, 2016 and Monday, April 26, 2016. Klukowski described in detail the thre worksheets (tabs) contained in this spreadsheet, which include IP addresses and locations from which Judge Voiland's account had logged into the network.

On 5/11/2016 at 1:00 p.m., Klukowski sent another email from this email address, to Judge Voiland at "

". In this email message, Klukowski stated, "Hi Judge Voiland, Just after we hung up, I remembered the Intruder lockout time could be found in another log maintained on one of the Novell (Group Wise/Messenger) servers here at CCAP. Here is the date/time from one of those servers:"

The remainder of the email message contains information for three instances of user accounts locked out due to intruder detection. One lockout was for a user in Jefferson County, one for Judge Voiland's account in Ozaukee County and another for a user in Milwaukee County. The following information was typed (in bold type) for the "lockout due to intruder detection" for Judge Voiland's account: "Apr 22 12:13:09 NMAS-3.3.2.3 User account locked due to intruder detection. User: CN=jvoilan.OU=Ozaukee.OU=District 3.O=CCAP"

Judge Voiland stated he had tried to get the (building access) key card log times which would have shown the times he had exited and entered the building to go home for lunch on 4/22/2016. Judge Voiland went to the Ozaukee County Sheriff, who told him the card key logs for that day were lost. Judge Voiland stated the Sheriff had gone to his IT person to attempt to retrieve this information, and this person had told the Sheriff the data was lost. Judge Voiland stated the

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County has had a number of IT related issues, including stolen employee identifying information and also noted they had problems with their e-mail system being down last week.

Judge Voiland presented SA Culver with a JSOnline.com story about a subject (Leah Goodman) whom Judge Voiland had ordered held in jail in violation of an injunction, whom another judge (Judge Paul Malloy) had released from custody without consulting with Judge Voiland. Judge Voiland stated this was a civil case which was sealed, which does not show up in a public query of CCAP.

In elaborating on this matter, Judge Voiland stated in this case a firearms hearing was required, and Goodman was required to be present. Judge Voiland stated Goodman was "dodging service", but was eventually present in Judge Voiland's Court for this hearing. Judge Voiland stated he did not believe Goodman's testimony, and held her in custody in violation of the injunction. Judge Voiland stated the violation of the injunction is a crime. Judge Voiland stated no criminal case was opened, therefore; a criminal judge was not assigned. Judge Voiland stated he could not talk to anyone involved in this criminal case because Judge Voiland is a witness in the civil case.

Judge Voiland stated instead of a criminal arrest warrant being issued for Goodman (since a criminal case was not opened), the Clerk wrote a civil bench warrant for Goodman. Judge Voiland stated this was an unusual case, with the statutes, as the arrest warrant couldn't be entered as a criminal arrest warrant, without a criminal complaint. Judge Voiland stated in a habeas case, the next day, Goodman was released. (Goodman's attorney had filed a writ of habeas corpus, challenging the legality of Goodman's confinement, with Judge Malloy). Judge Voiland stated "five minutes later", a story appeared in the newspaper which contained Goodman's name. Judge Voiland stated Goodman's civil case was sealed and according to Wisconsin statutes, her name should not have been released to the media. Judge Voiland stated the release of this information had to have been done by someone from the Clerk's Office.

SA Culver asked Judge Voiland how this sealed information would have gotten into the newspaper. Judge Voiland stated it was done as harassment, in that it was done a day after Goodman was held in custody on the arrest warrant. Judge Voiland stated Judge Malloy told the Clerk to cancel the bench warrant in the system. Judge Voiland stated (Wisconsin Department of Justice) Assistant Attorney General (AAG) Rice made a motion that he did nothing wrong. The habeas petition was denied.

A JSOnline.com news story about the case, which Judge Voiland had provided to SA Culver, stated the following:

Ozaukee Judge Orders Release of Woman From Jail (8/27/2015, by Bruce Vielmetti)

An Ozaukee County judge ordered a woman released from jail Wednesday after finding a fellow judge had ordered her held there indefinitely without legal grounds.

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An attorney for Leah Marie Goodman filed a writ of habeas corpus with Circuit Judge Paul V. Malloy. The writ is a centuries old means of challenging the legality of someone's confinement.

The petition and court records showed that Circuit Judge Joseph Voiland had sent Goodman, 28, to fail after a hearing Tuesday at which he told her he didn't believe her sworn testimony that she did not own or have access to guns.

The hearing was a follow up in an earlier case where Voiland had issued an injunction ordering Goodman not to have contact with her daughter after the girl's father had filed a complaint alleging Goodman was abusive toward the girl. Voiland had earlier issued a civil arrest warrant at the hearing for which Goodman had not been served notice.

Court records show a Racine County sheriff's deputy tried twice to serve Goodman, who lives in Burlington, in late July but could not locate her. Voiland later declared Goodman was evading service and he considered her effectively served.

In his order granting Goodman' immediate release from the Ozaukee County Jail, Malloy noted that Voiland's order did not find Goodman in contempt, nor list conditions that, if met, would free her from any contempt.

In addition to freeing Goodman, Malloy referred the domestic injunction case that had been pending before Voiland for reassignment to another judge outside Ozaukee County.

(END OF NEWS STORY)

Judge Voiland ordered the Clerk of Court, Mary Lou Mueller to notify the father of the child in the Goodman civil case that case information, including the daughter's records had been released. Judge Voiland stated one hour after he entered this order, he received a text message, on his personal cell phone, from Judge Malloy which stated, "You are worried about one hearing? Are you getting out of practice?"

Judge Voiland provided SA Culver with a one page document which contained the aforementioned message, which Judge Voiland forwarded on, 09/25/2015 at approximately 7:04 p.m., from his personal cell phone () to his work email address (joseph.voiland@wicourts.gov). The content of the forwarded message stated, "You are worried about 1 hearing? Are you getting out of practice?" (See Attachments Section, under "Docs handed to SA Culver by Judge")

SA Culver asked Judge Voiland why Judge Malloy had sent him this text message. Judge Voiland stated it seemed Judge Malloy wanted Judge Voiland to know that Judge Malloy had seen this order and is watching it. Judge Voiland stated since Judge Voiland is a witness in the habeas case and Judge Malloy is a respondent, Judge Voiland can't talk to Judge Malloy about it.

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SA Culver asked Judge Voiland if he had received any other text messages from Judge Malloy. Judge Voiland stated he had not.

Judge Voiland stated after he had received this text message, the Ozaukee County Corporation Counsel, Rhonda Gordon, had ordered the Clerk of Courts that whatever had been released in the habeas file, which had been obtained from the sealed civil case file, be sealed. SA Culver asked Judge Voiland if the Corporation Counsel normally orders actions. Judge Voiland stated he didn't think the Corporation Counsel can direct or order elected officials to do anything, and stated he sees this as an "oddity".

Judge Voiland stated the Ozaukee County Clerk's Office had provided training to employees regarding keeping Family Court records in files, to include what information to put in notes/comments, and how to handle a divorce file. Judge Voiland stated a Clerk who works for Judge Voiland, Sue Altendorf, had informed Judge Voiland that Judge Voiland's personal divorce file was used as a template for this training. (Judge Voiland stated Altendorf is currently on long-term medical leave, but provided SA Culver with her phone number.) Judge Voiland stated this is a Waukesha County case, it is still open and will be until his 8-year old child turns 18.

SA Culver asked Judge Voiland why he believed his case was chosen as a template for this training. Judge Voiland stated this was done to embarrass him. Judge Voiland asked Chief Deputy, Clerk of Courts, Connie Mueller if she used this family file for training. Judge Voiland stated Connie Mueller lied to Judge Voiland and to Clerk of Courts Mary Lou Mueller in saying she did not use this file for training.

In an email Judge Voiland received from Clerk of Courts Mary Lou Mueller, on March 6, 2014, Judge Voiland stated Mary Lou Mueller apologized to Judge Voiland. Judge Voiland stated Judge Malloy was cc'd in this email. SA Culver examined a series of emails between Judge Voiland and Mary Lou Mueller, which Judge Voiland had provided copies of to SA Culver.

In the last email of this series, which was sent by Mary Lou Mueller to Judge Voiland on March 6, 2014 at 6:30 p.m., Mary Lou Mueller stated, "Judge, The clerk has apologized to you and has said she will not speak about your family case to the staff again. This in now an internal matter between me and my staff. Therefore, this matter is concluded between us. Thank you."

Judge Voiland stated Judge Koschnick contacted Mary Lou Mueller and basically told her that she is not to tell a judge to get lost in saying, "This matter is concluded between us". Judge Voiland contacted the Ozaukee County Human Resources department and was told this matter is between Mary Lou Mueller and Connie Mueller, with Mary Lou Mueller being Connie Mueller's direct supervisor.

Judge Voiland stated that he was not allowed to hire another clerk, to work for him. Judge Voiland stated the other two judges have their own clerks and without being allowed to hire Page 10

another clerk, Judge Voiland is required to utilize various staff when they are available. Judge Voiland was told additional staff could not be hired without terminating either Sue (Altendorf) or Kim. SA Culver examined a series of emails between Judge Voiland and Mary Lou Mueller, dated between December 30, 2013 and January 10, 2014, which addressed staffing issues.

In the last email in this series, Mary Lou Mueller sent Judge Voiland and email (with Jason Dzwinel and Judge Malloy cc'd) stating, "Thank you for the follow up request. I think it is premature to have a plan to replace Sue when you haven't even given her a chance. In all fairness, she is an experienced clerk that can be of great assistance to you, if you allow her. Since we are a governmental agency we are limited to the number of positions in this department, nor do I have the ability to add, demote, or terminate without the consent of HR and sometimes the board. We would have to provide a sufficient business case to the Public Safety Committee and Finance Committee to be able to hire another staff person to be in the wings for the Deputy Clerk 5 position for your branch without terminating Sue or Kim. So the plan is for now; let's see how Sue works out for you."

Judge Voiland stated there were several reasons which he believed were reasons why Altendorf was assigned to Judge Voiland. The first was that Altendorf had signed the Walker recall petition. Another reason Altendorf was assigned to Judge Voiland was that "they" wanted to get rid of Altendorf, and had assumed that Judge Voiland would fire her for someone new. SA Culver asked Judge Voiland how he and Altendorf got along. Judge Voiland stated Altendorf did a good job working for him. In regards to Altendorf telling Judge Voiland his family case was being used by the Clerk's office to train employees, Judge Voiland stated no one thought Altendorf would tell Judge Voiland about it.

Judge Voiland pointed out things that staff had done, which they had no authority to do. Judge Voiland provided SA Culver with copies of a series of emails between Judge Voiland and Mary Lou Mueller, between October 23, 2014 and December 10, 2014.

In the last email in this series, dated November 10, 2014 at 11:50 a.m., Judge Voiland responded to an email from Mary Lou Mueller. Judge Voiland stated, "We can talk in person, certainly. Can you bring with you copies of whatever directives staff would have used to come to the conclusion that they should make decisions without involving the court because certain attorneys told them to?"

Judge Voiland stated he had asked Mary Lou Mueller two or three weeks prior to this November 10, 2014 email, what the policy was in writing. Judge Voiland stated he had pointed out to Mary Lou Mueller that based on the Supreme Court rules, staff has no authority to adjourn a court date. Judge Voiland stated he never did obtain a response from Mary Lou Mueller as to what the policies were regarding these matters, even when they met in person in Judge Voiland's office, and that she constantly refused to explain why this was happening. Judge Voiland stated these practices keep the clerks in favor of certain attorneys, and do not allow the Judge to meet

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deadlines in hearing cases in the required time periods. Judge Voiland stated in some cases, putting court dates off would give a competitive advantage to one side in a case.

Judge Voiland stated he had lunch with Judge Koschnick and Judge Malloy to address Mary Lou Mueller's continued non-compliance with Judge Voiland's requests for records. At this meeting, Judge Koschnick told Judge Malloy to get the Clerk to comply with Judge Voiland's requests for records. Judge Voiland stated the problems with Mary Lou Mueller's failure to comply with his requests for records continued, Judge Voiland again addressed it with her, and Judge Malloy confronted Judge Voiland in Judge Voiland's chambers. Judge Voiland stated during this confrontation, Judge Malloy yelled very loudly in Judge Voiland's face regarding Judge Voiland's addressing Mueller directly with complaints.

Judge Voiland provided SA Culver with copies of several email between Judge Voiland and Judge Malloy, regarding the aforementioned incident in which Judge Malloy yelled at Judge Voiland very loudly in Judge Voiland's chambers on Friday, October 24, 2014. Judge Voiland had stated after Judge Voiland had told Mary Lou Mueller how she had given him "the run around", after she failed to provide Judge Voiland with records he had requested three days ago, Judge Malloy entered Judge Voiland's chambers and yelled extremely loudly at Judge Voiland while nearly nose to nose with Judge Voiland.

On June 10, 2016, Judge Voiland told SAs Culver and Nathan Peskie that after this meeting, he did not feel safe in his chambers and had considered having a security camera installed within.

In a 1 ½ page email dated October 31, 2014, 4:32 p.m., from Judge Voiland to Judge Malloy, Judge Voiland stated the following:

Judge Malloy:

I am following up on Friday afternoon, October 24. Given what happened, I ask that if anything I write here you disagree with, we communicate about that in writing rather than in a personal confrontation.

First off, I want you to know that I forgive what you did to me on Friday afternoon. We saw each other today and have moved on for the better. For my own safety, and to say that it simply cannot happen again, I write this to recap what happened here this past Friday afternoon, along with a couple of events that lead up to it.

We had a judges meeting on September 22 during which inappropriate (and untrue) statements were directed at me in front of staff. Because I did not wish for the matter to escalate, I did not defend myself at that time. The District Court Administrator witnessed this, and relayed his concerns to the Chief Judge.

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Three days later, staff refused to provide me with records that I requested. The refusal was not because it was inappropriate for me to have the records. Rather, staff simply didn't want me to have them. This was not the first time that staff acted in an insubordinate manner like this.

The Chief Judge, you and me then met for lunch to discuss how we could remedy the situation going forward. In the Chief's opinion, staff has been insubordinate because the environment existing at the courthouse allowed it. You agreed to fix it.

On Friday afternoon, though, you entered my chambers just before you went into a 3:30 wedding. You were yelling as loud as I have heard anyone yell before. You did not like an e-mail that the clerk forwarded to you, from me. You were standing and appeared to be upset about a number of issues. One thing you alleged, again in a raised voice, was that my kids have been spending inappropriate time at the courthouse (which simply is not true—more about that later).

I asked if you realized how loud you were yelling. You responded that you didn't think anyone was around (it was Friday afternoon). Still in a raised voice, you raised the issue of having another lunch meeting with the Chief Judge. I indicated that I would be happy to talk with you about any issues if you would ton it down when you returned from the wedding. In my opinion, whether intentionally or unintentionally, you didn't want me to follow up with the Clerk regarding the matters she and I were discussing last Thursday and Friday.

While you said you were not sure anyone was around to hear you yelling last Friday afternoon, here's the thing: I was around. I was three feet away from you. Whether anyone else could hear or not, I certainly could. And I believe other people heard.

We talked about a number of issues when you returned. We have different opinions on those issues, and I am sorry to have to say that it appears to me that some of yours are based more on gossip than on truth. That is my opinion and you may have your own. Many of the issues have to deal with dockets, and I intend to follow up separately with you about those. My hope is that we can get the facts straight, and respect that reasonable people can disagree on the issues.

The on specific issue I want to address here and now is my family-my kids. They have never been here at an inappropriate time. The last time the three of them were here was on the day of my investiture, more than a year ago. The only times they were here I was either off work, on vacation, or off the bench. When I learned that a visit from any of them at virtually any time troubled you or troubled anyone else, I let you know they would rarely ever return to visit. In any event, please let last Friday afternoon be the last time anyone goes after my family-my kids, whether in a raised voice or otherwise.

By the way, many other people's children have spent time in my chambers. For example, the public defender's daughter, the granddaughter of the former Branch III court reporter, several

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kids from the Ozaukee Children's Tour Club and Mom's Group ... I haven't heard any issue taken with any of them.

I end the same way I started, which is that I forgive what you did to me on Friday afternoon. Please do not let it happen again.

I will follow up with the Clerk of courts, by separate e-mail, regarding the matters she and I were discussing last Thursday and Friday. Because she was on vacation this week, I did not want to take her time with work related issues.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge

(END OF EMAIL)

Judge Malloy sent an email to Judge Voiland dated November 3, 2014 at 12:07 p.m., which stated the following:

Dear Joe, I am writing in response to your e-mail. I am sorry that you did not feel comfortable just talking with me about this when you were in my office last Friday afternoon. For my part I am sorry that I raised my voice with you. As you know there were two things that bothered me that Friday. First, was your response to what I thought was an appropriate e-mail from Mary Lou. In my view she was seeking input from you about scheduling and you responded that she should look in the local rules and state statutes. I did not think that response was helpful. The second issue and probably the bigger one was your comment to Chaz Rodriguez to the effect that you spent the last year doing it our way and now you are going to do it your way. You explained that not exactly what was said. I was not there and do not know what was said. However that was the information that was relayed to me As indicated to me it sounded like Sandy and I somehow do know how to do our jobs.

For my part I feel like I have tried my hardest to mediate the issues that you have had with the front office. I will continue to do that as we move forward. I think that I see both sides of the disagreements and have tried to work things out in order to keep this system moving forward efficiently. I understand that you feel that people have tried to undermine your authority. I can understand your feeling in that regard. I just have not seen it. I think we will just have to agree to respectfully disagree on that issue with Nancy Stazkowsk or complained about it. I got involved when she was here and saw your children here and was going to offer a resolution for the County Board action prohibiting children from being in County Offices during working hours. At that point I thought it was wiser to discuss issue with you rather have it aired out in a County Board meeting. With regard to how often the kids were here and the other examples you give of people having kids in the office, I am going to let it be. I think we will just need to agree

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to disagree on this issue. In concluding Joe all I want is this County's Court System to deliver a high quality product. I think we can do that as we move forward.

(END OF EMAIL)

In addressing Judge Malloy's aforementioned email (from 11/3/1016) in which Judge Malloy apologized for raising his voice to Judge Voiland, Judge Voiland stated the only time Judge Voiland's children were present in court were when Judge Voiland was sworn-in. Judge Voiland stated his son had stopped in once about two months ago between 7:00 p.m. and 8:00 p.m. after soccer practice while Judge Voiland was doing jury instructions, but never while Judge Voiland's Court was in session or while he was working. Judge Voiland stated he had seen Judge Williams' children in court as well as Judge Malloy's wife. Judge Voiland contacted the Judicial Commission and was told there is no rule against having visitors in a judge's chambers. Judge Voiland stated there was an attempted resolution to the County Board to get a rule in place stating no children were allowed at the Courthouse.

SA Culver asked Judge Voiland what Judge Malloy's history was in regards to the Ozaukee County Court system. Judge Voiland stated Judge Malloy's first job in the system was as an assistant district attorney in the 1980's, while Tom Wolfgram was the District Attorney. Later, when Wolfgram ran for Ozaukee County Circuit Court Judge, Judge Malloy was one of the people running Wolfgram's campaign, placing campaign signs out on lawns, etc.

SA Culver asked Judge Voiland what the Judicial Commission's involvement was in the Leah Goodman civil case, and if a complaint had been filed regarding that case. Judge Voiland stated there was a Judicial Commission inquiry regarding this case, but Judge Voiland had never been notified that a complaint had been filed.

Judge Voiland stated since he was elected to his current position, only one of his decisions had been reversed. Judge Voiland wished to note that a copy of this reversal was printed and placed in his inbox, the same morning it had taken place, by someone from the Clerks' office.

In a series of emails between Judge Voiland, and others, including Judge Malloy, District Administrator Michael Neimon, and Mary Lou Mueller, dated between November 3, 2014 and December 22, 2014, Judge Voiland addressed what he described as a "whisper campaign", in which false statements had been made about Judge Voiland not being available when court dates are scheduled. Judge Voiland provided SA Culver with copies of these emails, which are electronically attached to this report (See Attachments Section.)

One of these emails, dated November 24, 2014, was sent by Judge Voiland to Judge Malloy. Judge Voiland stated the following:

Judge Malloy:

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I am following up with you regarding the issue of calendaring, one of the issues I indicated I would follow up separately on.

You may have seen the issue regarding the fact that the District Attorney's Office is struggling with calendaring—under existing court calendars all three DAs may be tied up at the same time in our three court branches. The New Graphic ran the story about a week before we spoke. One measure proposed was to increase DA staffing.

In my view, we can't wait for DA staffing to be increased, because we don't know whether or not it will be. There are things we can do with calendaring, right now, to help on that front. At this time last year, I asked for the change to have input into our general court calendars. I was told I have no input, that the calendar for all three branches is a master calendar and is already established.

There are tweaks we can make to the master calendar to fix the issue of thee DAs being tied up at the same time in our three court branches. I would ask that we do so in time for the start of the 2015 calendar year.

In terms of the calendaring issue I discussed with the attorney you mentioned, that was in direct response to feedback I received from the public regarding whether, and if, anyone believed any improvements were in order. I've received feedback asking for improvements in intake scheduling, chapter 51s & 54s, juvenile cases, CHIPS cases, civil cases and criminal cases. I'm open to listening. I think there's room for improvement in the general calendar.

Finally, you mention the issue raised a year ago by Nancy Statkowski. Nancy's complaint always remained anonymous to me, although I had reason to believe Nancy had something to say. Her complaint was not based on reality; the kids were never here at any in appropriate time. I would have been happy to address that with her had she communicated with me about it.

Please let me know if you believe I have anything wrong here, or if you would like to discuss anything at all.

Thank you,

Jospeh W. Voiland Ozaukee County Circuit Court Judge

(END OF EMAIL)

The next email in this series was dated December 16, 2014, 7:02 p.m., sent by Judge Voiland to Judge Malloy, in which Judge Voiland stated the following:

Judge:

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Following up on this. Any thoughts on adjusting the master calendar to address the DA's office staffing issues? Or on any other calendar issues?

Thank you,

Jospeh W. Voiland
Ozaukee County Circuit Court Judge

(END OF EMAIL)

On December 17, 2014, at 10:23 a.m., Judge Malloy sent an email to Judge Voiland, stating the following:

Joe, it is on the to do list. It has just been a very busy month and I have not had time to really sit down and think this through. I am always interested in ways to increase our efficiency. Right now I think the big thing will be to work on going paperless. But if you want to let me know what you are thinking I should have sometime between the holidays. Thanks Paul

(END OF EMAIL)

On December 22, 2014, at 11:41 a.m., Judge Voiland sent an email to Judge Malloy, and stated the following:

Judge:

What I'm thinking is to address the needs of the District Attorney's office regarding the division of prosecutors between the three branches along with the availability of the prosecutors to law enforcement outside of the courtroom. As set up at this time, the three prosecutors may be in all three branches any number of days throughout any given month. Our intake process had something to do with this. It impacts the public's access to the courts in a number of other case types, as well. I believe the DA may have some thoughts on how this might be addressed. I can't speak for the DA, but I have observed similar concerns as stated in the New Graphic story.

By the way, thank you and Paula for the extra copy of the News Graphic page on 6th Grade Grafton Basketball. Those coaches and kids put a tremendous amount of time into the game, it's always nice to see them recognized.

Thank you,

Jospeph W. Voiland Ozaukee County Circuit Court Judge

(END OF EMAIL)

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In an email sent by Judge Malloy on December 22, 2014, at 1:19 p.m., Judge Malloy stated the following:

Mike, I got this from Joe. I am unaware of any one who has a difficult time getting into my court or any one of the other courts, except for Joe's court. His timing on this is impeccable. He always seem to do this on his way out the door and right before the holidays. I do not give his opinion in this area a lot of credence because I have never heard any one say they can not get a date in my court or Sandy's. The reason people can not get a date in his court is that he has put so many road blocks in the way i.e. he needs to approve or do not schedule without court approval. Oh by the way he is gone because he has to write a decision and there are to many interruptions here. Welcome to the real world. His reference to the New Graphic is typical of him taking one point and thinking it is a big deal when in fact it has been an issue for years. Any way I would like to let him know my thoughts on this but am bound and determined to enjoy my holidays and not get into it with him. I guess in concluding my thought is if he could just work standard hours Monday through Friday there would not be an issue. Any thoughts? Paul (END OF EMAIL)

In an email sent by Judge Voiland on December 22, 2014, at 2:23 p.m., addressed to Judge Malloy, Michael Neimon, with Judge Koschnick and Mary Lou Mueller cc'd, Judge Voiland stated the following:

Mike:

I received this from Judge Malloy while I was with today. I did take along some papers for a decision I'm writing, to work on while I waited. I didn't necessarily want to make a public record, but apparently I have to.

In any event, I believe the message may have been meant for your, as the salutation is Mike, but it went to my e-mail address apparently on accident. I'm happy to address any or all of this with you and the others I've copied on this e-mail. Please just let me know when you'd like to talk.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge

(END OF EMAIL)

Judge Voiland stated he went to Judge Koschnick and told him Judge Malloy needs to provide specific information about the aforementioned allegations that Judge Voiland is never there. Judge Voiland stated Judge Malloy did provide specific allegations. Judge Voiland stated he had spent a half of a day "shooting down" all of Judge Malloy's allegations, in email messages.

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Judge Voiland stated in an email message dated December 23, 2014, which Judge Voiland did not provide a copy of to SA Culver, Judge Voiland had provided explanations for allegations made against him on December 8, 9, 10-11, and 12 which disproved these allegations by Judge Malloy. Judge Voiland stated he had never failed to preside over a hearing he was scheduled for, in which another judge had to fill-in. Judge Voiland stated he works from home as any judge is allowed to do, and that he may work from home while on vacation from time to time.

Judge Voiland stated in regards to the December 22, 2014 email, in which Judge Malloy made allegations against Judge Voiland regarding scheduling issues, Judge Voiland wished to point out that a number of cases where Judge Malloy's calendar showed "do not schedule" during certain times. Judge Voiland showed SA Culver copies of a number of pages from Judge Malloy's docket, and pointed out the following: "Don't schedule from 1:00 p.m. to 5:00 p.m.", "on vacation", etc. Judge Voiland questioned Judge Malloy's motive for criticizing Judge Voiland's calendar procedures for blocking off certain time periods for certain types of cases, when Judge Voiland does not put "do not schedule" anywhere on Judge Voiland's docket.

In an email dated January 27, 2015, at 10:06 a.m., Judge Malloy sent a message to Michael Neimon and cc'd Judges Voiland and Koschnick, and stated the following:

Mike, I would like to correct the information in my e-mail of December 22nd, 2014. After meeting with Judge Voiland, I no longer believe my comments about his availability during working hour or his court scheduling practices are accurate. There was a significant miscommunication between Judge Voiland and I and after getting more information from his I have a better understanding of what occurred. I now believe my statements were incorrect. The fact is that he did work regular hours and his court scheduling practices were appropriate. I have apologized to him for any misunderstanding. Paul

(END OF EMAIL)

Judge Voiland provided SA Culver with a copy of two emails related to custody and placement studies.

The first email was dated June 29, 2015 at 10:04 a.m., and was sent by Judge Voiland to Judge Koschnick. In this email, Judge Voiland stated the following:

Dear Judge Koschnick:

Attached are two documents regarding an Order for a Custody and Placement Study, relating to our discussion of a week ago. The first document is an order that a Study take place, the second indicates that a Study will not be done. I believe your oversight may be appropriate under 767.405(lm)(a). I will give you a call, and hope that a short call from you to the director may bring a resolution."

(END OF EMAIL)

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The second email, date June 29, 2015, at 11:19 a.m., was sent by Judge Koschnick to Judge Voiland. The subject line stated, "Re: 767.405 Custody and Placement Studies". In this email, Judge Koschnick stated the following:

Joe-

I just spoke with Rhonda Gordon. She agrees 100% with our analysis on this issue and will take steps immediately to insure that your orders are complied with. She will suggest that her clients use the staff at Human Services for any pending cases in order to get them going promptly. She will also be working with the commissioner and other interested parties on setting up a long term solution, including a budget, protocol, etc. Please be sure to let me know if you don't see results within the next several days.

Randy

(END OF EMAIL)

Judge Voiland pointed out to SA Culver that it has been approximately one year since Judge Koschnik stated he had talked to the Ozaukee County Corporation Counsel, Rhonda Gordon, who agreed with him and said Judge Voiland's orders would be complied with, but there have been no changes made.

Judge Voiland stated initially, Human Services said they would charge money up-front by way of a deposit, that the parties involved in family cases had paid for mediations, that they had mediators to refer them to, but that there is still nothing in place in the way of Family Services and nothing in place to facilitate filing fees going toward Family Services. Judge Voiland stated there is nothing in place to say what is being charged for (Custody and Placement) Studies. Judge Voiland believed mediation may have been set at \$200 and there may have been a \$1,000 deposit for studies. Judge Voiland stated that no fund for this had ever been set up. Judge Voiland stated he found out that Family Court Services does not have a budget.

Judge Voiland provided SA Culver with a copy of an email dated December 22, 2015, at 8:38 a.m. sent by Judge Malloy to Mary Lou Mueller, and Judge Williams, with Commissioner Boline, Judge Voiland and Judge Koschnick cc'd. The subject line stated, "Re: re Judges Meeting". In this email Judge Malloy stated the following:

So far I have asked Mary Lou to put the following on the agenda: 1) appointing county bar members or lawyers who office in the county first chance at court appointments, 2) what goes into interpretor court (i.e. Spanish speaker or any one needing an interpretor), 3) continuing the currently criminal schedule that has been agreed to previously. Paul

Judge Voiland had attached the following to this email:

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A portion of an email sent by Judge Williams on 12/21/2015, at 3:40 p.m., which stated the following:

I sent in a ton of stuff for our last meeting and none of them were on the agenda so I'm resubmitting those and won't add any more.

A portion of an email sent by Judge Malloy on 12/21/2015, at 11:10 a.m., which stated the following:

Mary Lou can you look for a date for a judges meeting. I would also ask if any of the people receiving this e-mail have anything they would like to put on the agenda to let Mary Lou and I know. Thanks. Paul

(END OF EMAILS)

Judge Voiland stated Judge Williams has been giving County Bar members or lawyers with an office in the county first chance at court appointments. Judge Voiland stated Judge Williams didn't talk about this at the meeting, and just did it. Judge Voiland stated some people Judge Williams had appointed are not even minimally qualified, though most of them who have been appointed are qualified. Judge Voiland stated the people who are not qualified provide ineffective assistance. Judge Voiland cited one example where, at a trial, where an attorney appeared and thought he/she was the adversary counsel but was actually the guardian ad litem (GAL), who was supposed to find the adversary counsel, but had not read the GAL report and had not talked to the previous GAL in the case.

Judge Voiland provided SA Culver with a copy of a Court Order (2016FA15) dated March 8, 2016, which was issued by Commissioner Boline, which stated the following:

On February 16, 2016, the parties requested that this matter be referred to mediation on the issues for custody and placement. The court ordered the respondent to make a \$200 deposit for mediation on or before February 22, 2016. The respondent has failed to make the deposit as ordered.

IT IS ORDERED that the parties appear on <u>March 22, 2016 at 2:00 p.m.</u> to show cause as to why the temporary custody and placement orders entered on February 22, 2016 should not become the final orders of the court due to the respondent's failure to make the mediation deposit.

Dated this 8th day of March, 2016. BY THE COURT:

Barry J. Boline

Circuit Court Commissioner Ozaukee County Circuit Court

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(Stamped authenticated/filed on March 8, 2016 with Mary Lou Mueller, Clerk of Circuit Court/Register in Probate)

(END OF DOCMENT)

Judge Voiland stated this order, issued by Commissioner Boline, for a \$200 deposit for mediation should not have been issued, as (per statute) the first mediation is supposed to be done without a fee, and the second mediation is when a deposit must be made. Judge Voiland again noted that there is not an account for money to go into Family Court Services. Judge Voiland stated he has seen cases where involved parties get money back when they ask for it back, and cases where they don't get money back when they don't ask for it back. Judge Voiland stated money could be collected when a child in a family case is two years old and held until the child is 18 years old. SA Culver asked Judge Voiland where this money would get deposited, held, and how it is returned. Judge Voiland stated he did not know.

Judge Voiland stated there are many cases in which mediation is ordered, and that the \$200 is always collected in advance of the first mediation. Judge Voiland stated, per State statute, the first mediation is to be free of charge. Judge Voiland stated the (deposit) money is not always getting back to the people. Judge Voiland stated if money is not paid back, people get ruled against in court or held in contempt.

Judge Voiland stated these practices continue, despite his questions to the responsible parties about Family Court Services.

Judge Voiland cited another case, and gave SA Culver a copy of a screen shot of his (Ozaukee County Server) computer screen. In this case (2014PA4PJ) the Court (Judge Williams) had ordered mediation, with no record of any prior mediation in the case, and ordered a \$200 deposit be paid to the Clerk of Courts by 7/1/2016. This order was made at a motion hearing, for a motion made by the respondent in the case, which took place on 6/13/2016. The record stated, "If the Respondent does not submit the \$200 by July 1, 2016, his motion is denied."

Judge Voiland provided SA Culver with a copy of an email sent, on April 5, 2016, at 2:37 p.m., by Judge Malloy to Judge Voiland, Judge Williams, which was also cc'd to Michael Neimon. The subject line of the email stated, "Re: Need to appoint director of family court services." The email stated the following:

Joe and Sandy, I think under Sec 767.404 we need to formally appoint Barry as our Director Of family Court Services. Under 767.405 he meets the requirements. More importantly Barry has always been handling that responsibility. Through over site no paper work was completed when he was hired. I think we just need to formally approve him for the record. Assuming neither of you feel the need to discuss this our next meeting, I would propose to do this by e-mail and assuming there is a consensus to send an order to Judge Koschnik for his signature. If you feel we need to discuss this further please let me know. Thanks. Paul

(END OF EMAIL)

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In reference to this email, Judge Voiland stated Judge Malloy told Judge Voiland that Judge Voiland better have Judge Malloy's back with the County Board regarding this matter. Judge Voiland stated he assumed that if he did not, it would come at a political price. Judge Voiland stated Commissioner Boline is the Acting Director of Family Court Services. Judge Voiland stated he questioned what prompted the sudden need that Commissioner Boline be formally appointed as the Director of Family Court Services. Judge Voiland opined it could have been prompted as a result of someone possibly having read Judge Voiland's emails, as this issue just "came out of the blue"

Judge Voiland provided SA Culver with a copy of an email, dated April 21, 2016, at 2:37 p.m. which Judge Malloy sent to Judge Voiland, and had cc'd to Michael Neimon. The subject line in this email was "re E-mail from this morning". The email stated the following:

Joe can you get back to me on the e-mail from this morning. I want your thoughts on it before I do anything. I also have Barry holding off on sending any cases to mediation and/or home studies. Thanks. Paul.

(END OF EMAIL)

Judge Voiland stated, in regards to Commissioner Boline not sending cases to mediation, the State statute says he has to send cases to mediation and not doing so would constitute a violation of 946.12(1), and by Judge Malloy ordering Commissioner Boline to do this, he is in violation of 946.12(2).

SA Culver cut/pasted the following from the Wisconsin State Legislature website (https://docs.legis.wisconsin.gov/statutes/946/II/12):

- **946.12 Misconduct in public office.** Any public officer or public employee who does any of the following is guilty of a Class I felony:
- (1) Intentionally fails or refuses to perform a known mandatory, nondiscretionary, ministerial duty of the officer's or employee's office or employment within the time or in the manner required by law; or
- (2) In the officer's or employee's capacity as such officer or employee, does an act which the officer or employee knows is in excess of the officer's or employee's lawful authority or which the officer or employee knows the officer or employee is forbidden by law to do in the officer's or employee's official capacity;

Judge Voiland stated that Judge Malloy had indicated that a previous Court Commissioner may have set up funds for accounting, but Commissioner Boline had failed to perform this non-discretionary duty.

In regards to any records being altered, by the Clerk of Courts or any other staff, Judge Voiland stated these actions would constitute a violation of 946.12(4).

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SA Culver cut/pasted the following from the Wisconsin State Legislature website (https://docs.legis.wisconsin.gov/statutes/946/II/12):

946.12 Misconduct in public office. Any public officer or public employee who does any of the following is guilty of a Class I felony:

(4) In the officer's or employee's capacity as such officer or employee, makes an entry in an account or record book or return, certificate, report or statement which in a material respect the officer or employee intentionally falsifies;

In regards to the Clerk of Courts changing probate case types from "formal" to "informal", if the judge in the case discharges the personal representative, the personal representative does not get paid. So when extensions are given, the personal representatives keep getting paid. The extensions are granted by altering records, as previously described.

Judge Voiland stated Ozaukee County John Doe case 16JD2, which Judge Voiland learned, from CCAP personnel, had been "erased" after being assigned to Judge Voiland, may have been erased intentionally. Judge Voiland stated the assignment of John Doe cases rotates from judge to judge/branch to branch. If Judge Voiland was assigned 16JD2, which Judge Voiland described as a "ghost file", then the next John Doe case would be assigned to a different branch, possibly so Judge Voiland would never get any John Doe cases assigned to him. Judge Voiland stated the CCAP records showed that Connie Mueller had assigned this case to Judge Voiland, without telling him she had done so, and that she had erased it without telling him she had done so.

Judge Voiland provided SA Culver with a copy of an email, dated June 1, 2016, at 4:18 p.m. which Judge Malloy sent to Commissioner Boline, Judge Voiland, Judge Williams and had cc'd to Michael Neimon, Judge Koschnick and tmeaux@co.ozaukee.wi.us. The subject line in this email was "Re Mediation and family services". In this email, Judge Malloy stated the following:

As I indicated in earlier e-mails I am concerned about using section 767.405 stats., as the outline for the family court services issue. I do not feel comfortable with the language In that the statute imposes the responsibility on the Director to personally perform home studies or mediations. From what I have seen of the commissioner's calendar I do not believe he has the time to prepare home studies or to do mediation. I also do not know how he could do that with out having a conflict in then hearing any further proceedings involving the couple. I think the statute is written with the idea that the person doing the mediation or home study will be som one other than the Commissioner.

With that in mind I met with Tom Meaux this morning about this issue and he is fine with us doing the studies in accordance with the statute provided that the County can recoup its reasonable expenses. However the County is not looking to fund another position in order to comply with that statute. He made that perfectly clear and I concur with him. I am interested in

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how Sandy and Joe feel we can get past this problem with out compromising the effectiveness/efficiency we have with our court commissioner.

I would ask you to get back to me sometime tomorrow as we really need to get this resolved as I am aware there are now 8 mediations as well as a number of people calling for mediations. Thanks. Paul

(END OF EMAIL)

Judge Voiland stated Judge Malloy is "running interference" (by putting off these eight mediations). Judge Voiland stated he continues to order mediations, as required, and Judge Malloy continues to respond in this manner (postponing them). Judge Voiland stated he expected Commissioner Boline to follow Judge Voiland's orders for the mediations but since he is not doing so, as directed by Judge Malloy, it leaves people to think Judge Voiland is not doing his job.

Judge Voiland provided SA Culver with a copy of an email, dated June 2, 2016, at 11:38 a.m., sent from Judge Malloy to Judge Koschnick, and cc'd to Commissioner Boline, Connie Mueller, Judge Voiland, Mary Lou Mueller, and Rhonda Gordon. The subject line stated "Fwd: director of family services.order.docx- Revised". In this email, Judge Malloy stated the following:

Dear Judge Koschnick attached is the order pertaining to the appointment of Commissioner Boline as Director of family Services. If it meets with your approval I would ask you to sign it and return a copy to Mary Lou Mueller. I am providing copies of this e-mail to all of the other stake holders in the family law area. I have specifically included Ozaukee County Corporation Counsel as she has prepared the ordinance allowing the County to recoup it reasonable expense in completing the Custody studies. My hope is that will be in front of the public safety committee later in the month and be acted upon by the full County Board at its first meeting in July. Because the County has not budgeted any funds for these studies I have asked Commissioner Boline to hold off referring any matters to the department until the recoupment ordinance has been enacted. My hope is to avoid any unfunded bills that will need to be absorbed by the county.

(END OF EMAIL)

Judge Voiland stated, in regards to this email, that Judge Malloy asked Commissioner Boline to hold off on referring any matters until the recoupment ordinance is enacted and cc'd Corporation Counsel, Rhonda Gordon. Judge Voiland stated he will not give an opinion on this ordinance while it is being written, as it would be wrong to do so. Judge Voiland stated he did not know what had resurrected this issue from approximately one year ago.

Judge Voiland estimated that, even in the short-term, people make about \$15,000 to \$20,000 off of a case as a GAL. Judge Voiland stated family cases go on for years, and GAL's get up and state the facts from the studies but can't testify and thus can't be cross-examined. Judge Voiland

Page 25

stated a custody study costs \$300 but gives a lot more information to the Court than a GAL does.

Judge Voiland provided SA Culver with a copy of an email, dated June 8, 2016, 9:14 a.m., which Judge Voiland sent to Judge Malloy. The subject line stated, "Re: Family Court Services/conflict ting orders?" In this email, Judge Voiland stated the following:

Paul – we concluded our cases early this morning and if you are available there is something we may need to discuss today.

This morning the Court Commissioner stopped by to talk and indicated he is in a pickle because I ordered him to assign family court services matters and you ordered him not to assign them (e.g. mediation/studies).

I told the Commissioner that possibly that was just your own preference, rather than an order, meaning there would be no conflict. The Commissioner indicated that you did in fact order him not to assign family court services matters.

Hope we can resolve this soon as I do have cases where family court services are necessary.

I will stop by soon this morning to talk.

Thank you.

Joe Voiland
Ozaukee County Circuit Court Judge

(END OF EMAIL)

On June 8, 2016 at 9:28 a.m., Judge Malloy responded to Judge Voiland with an email that stated, "Sure come over. Paul"

Judge Voiland provided SA Culver with a copy of an "Order Regarding Fees Collected by Clerk of Courts", which Judge Voiland issued on June 15, 2016, in 2011FA000284. This order stated the following:

On February 14, 2014, the mother of the minor child first requested a legal custody and physical placement study be initiated, pursuant to statute, by the family court commissioner. No study was initiated at that time. On March 26, 2015, and again on May 26, 2015, this court ordered the initiation of a legal custody and physical placement study. At that time, the court had the mistaken belief that the county had established a fee schedule to recover its reasonable costs of providing family court services under Wis. Stat. 814.615(2).

On June 8, 2015, Ozaukee County Family Court Services wrote to the parties stating that Ozaukee County Family Court Services does not provide legal custody and physical placement Page 26

studies. Ozaukee County Family Court Services did not provide a copy of this correspondence to the court, but the parties subsequently notified the court that Ozaukee County Family Court Services refused to provide the services that the court ordered. Subsequently, the Ozaukee County Department of Human Services essentially volunteered to provide those services; without more, DHS has and had no obligation to do so. The record shows the DHS study began on or about July 8, 2015, some 18 months after the mother filed a statutory request for it to begin.

By statute, the fee for the study is \$300.00. Wis. Stat. § 815.615(1)(a)3. The record indicates that a fee of \$1,000.00 is on file. It is ORDERED, therefore, that the Clerk of Courts return the excess sum of \$700.00 to the parties, divided equally, not later than June 20, 2016. It is further ORDERED that the clerk of Courts shall identify the account in which the excess sum has been held and compute the statutory interest on the excess sum, if any, due and owing to the parties. It is further ORDERED that by June 20, 2016, the Clerk of Courts shall calculate the sum total of any fees incurred by the parties incident to any guardian ad litem investigation occurring between February 14, 2014 and July 8, 2015, and shall notify the parties and the court in writing of that sum.

Dated at Port Washington, Wisconsin, this 15th day of June, 2016.

BY THE COURT

Joseph W. Voiland Circuit Court Judge

(END OF DOCUMENT)

Judge Voiland provided SA Culver with a copy of a "Response to Order dated June 15, 2016 Regarding fees Collected by Clerk of Courts", in 2011FA000284, RE: the Paternity of H.L.F. This response, from the Clerk of Courts, Mary Lou Mueller was filed on June 17, 2016. This response also contained a two-page document showing the calculation of guardian ad litem fees.

Judge Voiland stated, and SA Culver observed on page 2 of the response document, that the total of Guardian ad Litem Fees incurred between February 14, 2014 and July 8, 2015 was \$13,089.50. Judge Voiland stated, and SA Culver observed on the same page, that these fees were paid by the Ozaukee County Clerk of Courts Office to the guardian ad litem (GAL), each party was assessed half of of the these fees and one party paid his portion of the fees in full. Judge Voiland stated the GAL's get paid \$1,500 at a time in monthly payments. The parties in the case pay \$1,500 at a time to the Clerk of Courts. After examining this matter, Judge Voiland questioned why anyone would object to a \$300 custody study by a social worker.

SA Culver asked Judge Voiland what the relationship could be between the GALs in these cases and any other involved parties. Judge Voiland opined the GAL could be friends with a lawyer on the other side of the case and they can vouch for each other from case to case, essentially as

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trade-offs. Judge Voiland stated the GAL cannot offer evidence in testimony but only can say what they think, to the judge, as "argument".

Judge Voiland provided SA Culver with a copy of an Order and Notice of Hearing (2016-GN-0032). Judge Voiland stated this case is assigned to him. Judge Voiland stated he found a "Notice of Guardianship Hearing" on his calendar, which he did not authorize to be scheduled. The hearing was scheduled for June 27, 2016, when Judge Voiland is on vacation. Judge Voiland stated this hearing date did not fall into the dates/times he had set aside on his calendar for guardianship hearings. Judge Voiland stated in this hearing, a petition is being filed. Judge Voiland stated it was likely that the hearing date was chosen by Judge Williams.

Judge Voiland provided SA Culver with a number of emails, from October 13, 2013 through October 23, 2013, between Judge Voiland and Mary Lou Mueller regarding the use of Judge Voiland's electronic signature on forms which require Judge Voiland's review or signature. Judge Voiland stated there were 3 ½ pages of delegations for electronic signatures which Mary Lou Mueller set up without Judge Voiland's authorization. Judge Voiland stated his name is "rubber stamped" with a "rubber stamp signature" which doesn't come across his "dashboard" (on his Ozaukee County computer), so he was not aware of it and didn't authorize it. In any case, Judge Voiland stated, even if he had authorized someone to use his electronic signature, it would not authorize that person to use the signature to make a decision he is authorized to make. Judge Voiland stated no one can claim they didn't know this about the authorization of the use of electronic signatures.

In an email dated October 13, 2013, at 4:48 p.m., Judge Voiland stated, "How this order was electronically signed? I did not sign it, electronically or otherwise."

In an email dated October 14, 2013, at 7:05 a.m., Mary Lou Mueller responded as follows:

Judge,

When we set up your CCAP security and designations we mirrored the other judges security and designations. The deputies that work in your courtroom are authorized to issue routine orders with your signature. In the old days, it was a rubber stamp on the prepared order, now the deputies have the ability to affix your e-signature to CCAP created documents.

In CHIPS matters, Ozaukee judges have always appointed a GAL for child. And unless the court specifically requests a certain attorney for a child, the deputies have been authorized to obtain a GAL based on availability of a small group of attorneys that do this type of work.

(The email listed the following 7 items which did not require Judge Voiland's review: GF-142A-Arrest Warrant, GF-142B-Bench Warrant, GF-144-Notice of Assignment of Judge, GF-145-Order to Cancel Warrant, GF-148-Commitment Order, GF148P-Commitment Order – Payment Plans, and GF-165-Bench Warrant – Civil.)

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(The email listed 49 items which did not require Judge Voiland's review)

This information can be found in the Case Management-Court Official section of the traditional CCAP software that the deputies use. If you would like to change the designation of any of the forms, we can to that. Let me know.

(END OF EMAIL)

In an email dated October 22, 2013 at 2:56 p.m., Judge Voiland responded to Mary Lou Mueller as follows:

Mary Lou,

I have had a chance to review this. These forms require either my signature or my review.

For any forms which the statutes authorize the Clerk of Deputy Clerk to execute, the Clerk or Deputy Clerk may sign. These are the forms that have the separate boxes to check for Judge/Clerk/Deputy Clerk. I note that I have been listed on the distribution list of these, but I have not actually received a copy of any of them. I will need a copy of each of those forms once executed.

For any forms which the statutes do not authorize the Clerk or Deputy Clerk to execute, I will need to sign.

(END OF EMAIL)

In an email dated October 23, 2013 at 11:38 a.m., Mary Lou Mueller responded to Judge Voiland as follows:

Hi Judge,

After reviewing all of the updates, help program and speaking with the CCAP help desk, it was determined that you will have to remove all of the forms from the e-signature section of the court official section, re-add them with the current designation of review for your judicial dashboard, then add the individuals that you allow that designation.

Let me know if you want assistance with that procedure.

(END OF EMAIL)

Judge Voiland stated (in 2011FA000308), someone falsified court records. Judge Voiland stated that someone told Lauri Vandenberg to do this. The records showed that Commissioner Boline had presided over a hearing which took place on November 17, 2014, in which a GAL was appointed. Judge Voiland spoke to the GAL in this case, who told him that Judge Williams had presided over this hearing and appointed the GAL. Judge Voiland stated within a few days or a Page 29

week later, the record showing the GAL appointment didn't say Judge Williams made the appointment, but that Commissioner Boline had made the appointment. Judge Voiland stated he obtained the transcript from this hearing, which showed that Judge Williams had presided over the hearing and had appointed the GAL.

Judge Voiland provided SA Culver with a series of emails between himself and Mary Lou Mueller, dated between February 26, 2016 and March 22, 2016, regarding Judge Voiland's probate cases. In the last two email messages, dated March 22, 2016, Judge Voiland stated Mueller was worried Judge Voiland had known that Mueller had just deleted a case (13PR84) after putting it on his calendar two weeks prior on March 9, 2016.

On March 22, 2016 at 3:34 p.m., Judge Voiland had sent Mary Lou Mueller and email which stated the following:

Mary Lou:

Following up on 13pr84 (Malinowski). It is the oldest of the formal probate cases. It was set for review hearing April 6, and a notice was sent stating that all past due papers were to be filed 10 business days prior to the hearing. It no longer appears on the April 6 docket. Can you please look into this and let me know what happened? It should remain on the calendar for April 6.

Thank you,

Joe Voiland Ozaukee County Circuit court Judge

(END OF EMAIL)

On March 22, 2016 at 3:37 p.m., Mary Lou Mueller responded to Judge Voiland in an email which stated the following:

Sorry Judge...it was still on my desk to do the Order to Show cause and when I went back into the case I saw that it was on the Commissioner's calendar and I thought I had made a mistake. I will send the Order to Show Cause to your dashboard and mail out today. Sorry for the inconvenience. Good catch:)

(END OF EMAIL)

Judge Voiland stated, and wrote on the copy of the first page of the aforementioned emails, that he received this email from Mary Lou Mueller minutes after it was erased, and there was no forgetting or mixing it up.

Judge Voiland provided SA Culver with copies of emails, dated between 9/10/2014 and 9/11/2014, related to arrest warrants issued in minor traffic cases. Judge Voiland stated he had ordered Court Commissioner Boline not to issue bench warrants on "10-over speeding", seatbelt Page 30

tickets, etc. Judge Voiland also told Commissioner Boline to quash these warrants remaining in the system. Judge Voiland stated this upset Commissioner Boline and Judge Malloy and that Judge Malloy told Judge Voiland to "cover for him", meaning to cover for Commissioner Boline. Judge Voiland stated Judge Koschnick told Commissioner Boline to do as ordered by Judge Voiland and cancel these warrants remaining in the system.

Judge Voiland stated it is more efficient to default these cases and get the money through the tax intercept process. Judge Voiland stated the original decision to issue warrants for these tickets was driven by the Clerk of Courts wanting to collect more forfeitures. Judge Voiland indicated the time and resources spent on processing warrant arrests through the courts outweighed the amount collected from the forfeitures through warrants.

Judge Voiland stated when Commissioner Boline had come to Judge Voiland's chambers to discuss the order Judge Malloy had given Commissioner Boline not to follow Judge Voiland's order to arrange custody placement studies, Judge Voiland had made an audio recording on Judge Voiland's personal cell phone.

Judge Voiland had saved this audio recording, along with numerous documents referenced in this report, to the USB drive Judge Voiland had turned over to SA Culver on 06/20/2016. SA Culver burned this audio recording to a CD-R in a wave file format. The duration of the wave file is 8 minutes 6 seconds. SA Culver entered the USB drive, and the CD-R as evidence in the property section of this report, as item numbers 1 and 2 respectively. SA Culver maintained exclusive custody of these items, packaged them as evidence, and as a DCI evidence custodian, subsequently secured them in DCI evidence inventory (See Property Section).

Judge Voiland stated that in this recording, Commissioner Boline told Judge Voiland that in not following Judge Malloy's order that Judge Voiland would have to answer to the County Board. Commissioner Boline clearly stated Judge Malloy had ordered him not to follow Judge Voiland's orders regarding the studies.

SA Culver obtained the following information from this audio recording (This summary does not exhaust all information contained in this recording):

In the beginning of the recording, Commissioner Boline stated he had received an order from "Paul" (Judge Malloy) not to order any custody studies until this ordinance gets drafted and that Commissioner Boline had received an email from Judge Voiland to order it. Commissioner Boline stated that they (Judges Voiland and Malloy) put him "in a bind" over this.

Commissioner Boline told Judge Voiland he would go against Judge Malloy's order not to do the study, in that Commissioner Boline would order the study. Commissioner Boline stated he would have to tell Judge Malloy he was going against Judge Malloy's order not to do the study, as he could not hide it from Judge Malloy. Judge Voiland told Commissioner Boline he was not asking Commissioner Boline to hide this from Judge Malloy. Commissioner Boline told Judge Page 31

Voiland he had the order drafted and then asked Judge Voiland why he had ordered the custody study. Judge Voiland provided specific concerns he had regarding a particular case, and stated he wanted the custody study done before the case was brought before him.

Judge Voiland told Commissioner Boline that Judge Voiland had heard some things from Judge Malloy that indicated Judge Malloy didn't want any custody studies done, but that Judge Voiland had not seen any orders issued by Judge Malloy that studies not be done. Commissioner Boline stated he had received an email from Judge Malloy which Commissioner Boline stated was an order not to order any studies until the County Board gets this ordinance passed. Commissioner Boline stated he would talk to Judge Malloy, order the study, but that the County Board would not be happy about it. Commissioner Boline stated if there was a problem with the County Board he assumed Judge Voiland would have his back. Judge Voiland asked why the County Board would be unhappy about it. Commissioner Boline stated they would be unhappy with Commissioner Boline ordering the study. Judge Voiland told Commissioner Boline Judge Voiland was ordering the study and Commissioner Boline was just complying with Judge Voiland's order and Commissioner Boline assigns out who does the study, as that is the process of the statute. Judge Voiland stated he is fine with ordering the study and answering to anybody who wants to know why he did so.

Commissioner Boline referred back to a particular case and stated if Judge Voiland ordered the custody study in this case that Commissioner Boline would not be comfortable handling this case and would certify out of it. Commissioner Boline stated he did not find the custody studies at all helpful. Judge Voiland stated he would be fine with such a decision by Commissioner Boline in any case in which he would choose to do so.

Commissioner Boline asked Judge Voiland how many custody studies Judge Voiland had ordered and asked Judge Voiland if he could provide Commissioner Boline with a list. Judge Voiland stated he didn't know and would have to get the list. Commissioner Boline expressed concerns about attorneys in cases contacting them late. Judge Voiland spoke of a case in which he ordered a study early, within 14 or 30 days, and named attorneys in the case who did nothing "for a good two months". The attorneys said they mailed it in but it didn't get anywhere. Judge Voiland stated it was a case that needed to be decided before the school year started, and that there were deadlines in the order that had been ignored.

Judge Voiland summoned "Julie" and told her to notify Commissioner Boline, and his clerk Lauri, whenever Judge Voiland does an order for a custody study and to send a hard copy of the order to Commissioner Boline when an order is sent out to the parties in the case. Judge Voiland told Julie to let "Jackie" know she needed to do this as well.

(END OF SA CULVER'S COMMENTARY ON AUDIO RECORDING)

Judge Voiland stated sometime in 2013 or early 2014, the Port Washington Police Chief (the current Chief) called Judge Voiland regarding a case in which his officers were named victims (Batter to Police Officer was charged). Judge Voiland stated this was inappropriate, and the Page 32

District Attorney took care of it and apologized. Judge Voiland stated it sounded like this Chief of Police had done this before.

Judge Voiland stated recently Deputy Clerks had emailed Judge Voiland, soliciting advice on what kind of motion to file on behalf of an attorney without telling the other half of the case. SA Culver asked Judge Voiland if this had happened in any criminal cases. Judge Voiland stated it had not, but he recalled he had emailed Mary Lou Mueller asking her why he received these messages. Judge Voiland stated Mary Lou Mueller did not respond to him regarding this matter.

Judge Voiland stated there are a number of family cases which were closed without a "final order", most of which are paternity or child support cases. Judge Voiland stated the law requires a final order, which has to have a list of 12 or 15 items addressed. Judge Voiland stated the visitation schedule or placement schedule is usually missing in these cases, which look like they were closed in 90 days. Judge Voiland stated he kept getting people back in custody hearings in cases where Commissioner Boline didn't file a final order, and the parties were arguing.

Commissioner Boline had said that was what the old Court Commissioner (2011 and prior, named Darcy) had done and asked Judge Voiland why Judge Voiland was trying to "throw him under the bus". Apparently, Darcy had closed a lot of cases without a final order. Commissioner Boline told Judge Voiland that Commissioner Boline would help throw Darcy under the bus. Commissioner Boline had said he didn't close these cases, and this was the Clerk of Courts' problem. Judge Voiland opined the Clerk of Courts could have "clicked" these cases closed.

Judge Voiland stated he had asked Commissioner Boline and Mary Lou Mueller to provide a list of cases closed without a final order, and that Commissioner Boline and Mary Lou Mueller went back and forth blaming each other. In April or May (2016) both Commissioner Boline and Mueller stated they were busy until July. Mueller said she was busy preparing for the paperless transition which starts July 1st. Judge Voiland told Commissioner Boline the Clerk of Courts likely didn't close these cases. Judge Voiland stated when these cases are closed they don't appear on the responsible Court Official's dash board.

Judge Voiland stated there is no way to properly compute the amount of child support paid without the "time split" contained in the placement study, which is one of the numerous items specified in the final order. Judge Voiland opined that Commissioner Boline likely held a short and quick hearing regarding child support judgment and paternity orders, and closed these cases on a case by case basis, basically doing the minimum to get them in and get them out. Judge Voiland stated the statutes require a lot more, as specified by the 12 or 15 items in the required final order.

Judge Voiland stated he was allowed to appoint a supplemental Court Commissioner, but a majority of the Circuit Court judges must approve the appointment. Judge Voiland stated (former) Judge Wolfgram had a supplemental Court Commissioner named Karl Scheft, but his

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term expired when Judge Wolfgram lost the election to Judge Voiland. Since Judge Voiland didn't want Scheft in this position, Judge Voiland left the position vacant. Judge Malloy told Judge Voiland to approve a supplemental Court Commissioner from a firm across the street and left the other position vacant. Then Judge Malloy appointed Scheft without telling Judge Voiland. Judge Voiland stated he didn't know if Judge Williams approved the appointment.

SA Culver asked Judge Voiland if he had any other information to provide. Judge Voiland stated he was disturbed by how all of his non-Court related mail was handled in that someone had opened every envelope he had received. Judge Voiland stated every time he received an invitation, the envelope was opened and the invitation was placed in his inbox the day of the event, or after the event. Judge Voiland stated he had never found out who had done this, but stated it would have been someone in the Clerk of Courts Office, as the Clerk of Courts Office had told Judge Voiland to stop having his personal mail sent to his work address. Judge Voiland stated someone had also opened his GAB Statement, which was clearly marked "confidential". Judge Voiland had also received a letter from the Judicial Commission, which had been opened.

Judge Voiland stated his attorney is Dan Kelly, who is running for a position of Justice of the Wisconsin State Supreme Court.

Judge Voiland stated if the facts of the investigation match the information he has provided, he would like to see someone review these matters for criminal prosecution.

The interview with Judge Voiland ended at approximately 3:45 p.m.

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LEAVE LOOSE IN FILE DISCARD AFTER COURT APPEARANCE ON 02-29-2016

2013FA338

NOTE to the Court

PETITIONER JAIME OCHOA IS BEHIND IN PAYMENT OF GAL FEES IN THE AMOUNT OF \$790.31

RESPONDENT DANIEL MCGINNIS IS BEHIND IN PAYMENT OF GAL FEES IN THE AMOUNT OF \$790.31

Date: 2-26-2016

RE: State of Wisconsin et al vs. Daniel P McGinnis

Case No. 2013FA000338

Monthly payment amount:

Due dates:

FOR INFORMATION ONLY

Ba

LEAVE LOOSE IN FILE DISCARD AFTER COURT APPEARANCE ON 12-21-2015

2015FA154

NOTE to the Court

RESPONDENT MELISSA CHILDERS IS BEHIND IN PAYMENT OF MEDIATION FEES IN THE AMOUNT OF \$100.00

Date: 12-21-2015

RE: In RE the marriage of James Andrew Childers and Melissa S Childers

Case No. 2015FA000154

Monthly payment amount:

Due dates:

FOR INFORMATION ONLY





Paul Malloy, Chairperson Kari Jacoby, Public Health Educator

AGENDA CRIMINAL JUSTICE COLLABORATING COUNCIL JANUARY 22, 2015 – 2:00 P.M. JUSTICE CENTER – ROOM 240 1201 S. SPRING STREET, PORT WASHINGTON, WI

- I. Call to Order/Proper Notice/Adoption of Agenda
- II. Approval of June 26th, 2013 Meeting Minutes
- III. Coordinator Report
 - Evidence-Based Decision Making (EBDM) Update
- IV. Financial Report
- V. CJCC Updates
 - Heroin Task Force
 - TAD program
- VI. Discussion and Possible Action Items
 - Approval of Committee Bi-Laws
 - Goal-Setting/Agenda Items for 2015
- VII. Set Future CJCC Council Meeting Dates for 2015

Print at: Sunday, June 19, 2016 10:58:59 PM

Host: User:

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-120	2	5%	2	10%
1-160	0	6%	12	9%
11-350	1	5%	3	148
1-120	3	14%	6	28%
1-540	2	14%	9	42%
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Per Wisconsin Statute 756.04 (11)(a), all jury qualification questionnaire response forms will be returned to the Ozaukee County Clerk of Courts office within 5 days after the scheduled jury trial date.

Judge Vailand,

Joanne Klappenburg called asking

that you call his on your private

that you call his on your private

line regarding her campaign @

1008
Maylor

8:000m

es 6/19/2916

Print

Subject:	Fwd: Re: CCAP Login ?
From:	Pete Klukowski (Pete.Klukowski@wicourts.gov)
To:	
Date:	Wednesday, May 11, 2016 1:00 PM
	we hung up, I remembered the Intruder lockout time could be found in another log maintained the Novell (GroupWise/Messenger) servers here at CCAP. Here is the date/time from one of
CN= Apr 22 12 CN=	OU=Jefferson.OU=District_3.O=CCAP NMAS-3.3.2.3 User account locked due to intruder detection. User: OU=Ozaukee.OU=District_3.O=CCAP 1:28:48 NMAS-3.3.2.3 User account locked due to intruder detection. User: OU=Milwaukee.OU=District_1.O=CCAP
Hi Judge Sorry for dates and	the delay in getting this information to you. Attached please find a spreadsheet that details the times which your account was used to access the network between Friday, April 15, 2016 and April 26, 2016. The Excel workbook includes three worksheets (tabs) at the bottom; RDP, GW,
a.	This shows times at which your account logged in from three separate devices. - This appears to be a Thinclient device of some sort (courtroom) and shows the est that this device was logged into the Ozaukee-RDS servers (either Ozaukee-RDS-1 or RDS-2)
b.	- This is the IP address of CCAP's VPN gateway and should correspond to the es you logged in remotely. This IP address will appear in the same column block as the thin
there is a logs. Unl RDS serve the machi	- This appears to be Drag Naturally speaking workstation, likely in your Interactive logins to this device are detailed in the second grouping of columns. In addition third block of columns associated with this same device and those columns show RDP sessions like the first block of columns, I don't think these represent true RDP sessions to the Ozaukeers but the dates/times are illustrative in that they fit with the interactive logon/logoff times of the itself. Please note that any authentication attempts to/from the FAT client device are independent of the login/authentication attempts from the thinclient or any ote access session.
the thincli	Details logins from either the Dragon/Fat client device in your chambers (ent device in the courtroom (appear as ent of these a bit unfriendly at the filename gets squished with the data/time but where you Dpoa.00X:HH:MM:SS, please note that the filename is comprised of MM (Month), DD (Date),

poa standard for post office agent and X is the increment assigned to the logs as they are rotated out after reaching a certain size. Immediately, following the time format is HH:MM:SS where HH (hour), MM (Minute) and SS (Second). For example, 0415poa.003:10:33:20 is filename 0415poa.003 and the time of login to GroupWise is 10:33:20am from device (presumably the Dragon/FAT client)

3. VPN - Simple log showing dates/times at which you logged in remotely via the VPN. These entries are grouped in pairs, i.e., each authentication attempt corresponds to two entries which generally share the same date/timestamp.

Using Wednesday, 4/20/16 as an example it appears as though the device in the courtroom logged into Ozaukee-RDS-1 at 8:34:34am and remained connected all day until 10:57:56pm that night when it was disconnected from Ozaukee-RDS-1 because that session was assumed by a remote access login at 10:57:56pm. This remote session disconnected at 11:30:29pm. The disconnect could have been intentional or happened automatically due to a 30 minute inactivity timeout that exists on all remote access sessions. On that same Wednesday, 4/20/15, the FAT client device , was logged in throughout the day. It apears to have been logged on since Saturday, 4/16/16 at 2:46:00pm and remained logged in until 5:14:14pm on Wednesday, April 20th when it was logged off. That same device appears to have logged on again, just a minute or two later at 5:16:43pm. These dates/times correspond to RDP/Terminal Server logs on that same device (see the third block of columns in the RDP worksheet). Those entries show a logoff at 5:14:17pm and a new logon at 5:17:15pm. This FAT client device was then explicitly logged off at 5:44:56pm. The GW log for April 20, 2016, shows an access from the Thinclient/courtroom device at 8:34:37am. All other GroupWise authentication attempts came from the chambers device throughout the day with the last being at 5:17:18pm which fits with the dates/times of the RDP/interactive authentication entries. Lastly, the VPN log for Wednesday, 4/20/16 shows dates/times that fit with the remote access authentication attempt seen the RDP worksheet discussed above.

Please let me know if you have any questions, concerns or would like to discuss this further. Thanks

>>> Randy Peterson 5/10/2016 10:04 AM >>>

I spoke with the security officer on Friday and he has compiled the information but was putting it in a legible format for you.

I am including him on this response. I have your cell number 414 which I understand you would prefer we use for this.

Pete, can you call Judge Voiland at the Cell number listed above and review what you found with him?

>>> Joseph Voiland 5/10/2016 9:59 AM >>> Following up on this ... would it be possible to discus any additional information you may have by phone?

Thank you.

Joe Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov >>> Joseph Voiland 5/6/2016 4:20 PM >>>

Thank you Randy. Could we discuss any additional information you may have by phone? Please use the phone # 414. given the need for confidentiality.

Thank you.

Joe Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

>>> Randy Peterson 4/22/2016 3:08 PM >>>

Your call number is 304286. I have set the priority on this to a priority of 3. This will require resolution withing 5 working days.

If you get locked out again, please call and we will increase the priority.

>>> Joseph Voiland 4/22/2016 2:52 PM >>> Randy:

Thank you for helping today with the e-mail login issues. Please let me know what you can once you get a chance to talk with the security officer.

Thank you again.

Joe Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

Attachments

• remoteAccessHist.xlsx (23.20KB)

Return-path: <
Received: from mailgate.wicourts.gov ([
by gw.wicourts.gov with ESMTP (NOT encrypted); Fri, 25 Sep 2015 19:04:13 -0500
Received: from localhost (localhost [
by mailgate.wicourts.gov (Postfix) with ESMTP id
for <joseph.voiland@wicourts.gov>; Fri, 25 Sep 2015 19:04:13 -0500 (CDT)</joseph.voiland@wicourts.gov>
X-Virus-Scanned: amavisd-new at wicourts.gov
X-Spam-Countries: US **
Received: from mailgate.wicourts.gov ([)
by localhost (mailgate.wicourts.gov [
with ESMTP id for <joseph.voiland@wicourts.gov>;</joseph.voiland@wicourts.gov>
Fri, 25 Sep 2015 19:04:08 -0500 (CDT)
Received: from mx.messaging.sprintpcs.com (smtp3a.mo.sprintpcs.com
by mailgate.wicourts.gov (Postfix) with ESMTP id
for <joseph.voiland@wicourts.gov>; Fri, 25 Sep 2015 19:04:08 -0500 (CDT)</joseph.voiland@wicourts.gov>
Received: from (Bastella FOMED in FOMED in Fome Date (Bastella FOMED in Fo
by mx.messaging.sprintpcs.com (Postfix) with ESMTP id
for <joseph.voiland@wicourts.gov>; Fri, 25 Sep 2015 19:04:07 -0500 (CDT)</joseph.voiland@wicourts.gov>
Date: Fri, 25 Sep 2015 19:04:07 -0500 (CDT)
From:
To; joseph.voiland@wicourts.gov Message-ID; <
(material)
Subject:
MIME-Version: 1.0
Content-Type: text/plain; charset=UTF-8
Content-Transfer-Encoding: 7bit

Fwd: You are worried about 1 hearing? Are you getting out of practice?





NEWS AND OPINION

Ozaukee judge releases woman fellow judge jailed without cause

By Bruce Vielmetti of the Journal Sentinel

Aug. 27, 2015

An Ozaukee County judge ordered a woman released from jail Wednesday after finding a fellow judge had ordered her held there indefinitely without legal grounds.

An attorney for Leah Marie Goodman filed a writ of habeas corpus with Circuit Judge Paul V. Malloy. The writ is a centuries old means of challenging the legality of someone's confinement.

The petition and court records showed that Circuit Judge Joseph Voiland had sent Goodman, 28, to jail after a hearing Aug. 25 at which he told her he didn't believe her sworn testimony that she did not own or have access to guns.

The hearing was a follow up in an earlier case where Voiland had issued an injunction ordering Goodman not to have contact with her daughter after the girl's father had filed a complaint alleging Goodman was abusive toward the girl. Voiland had earlier issued a civil arrest warrant at hearing for which Goodman had not been served notice.

Court records show a Racine County sheriff's deputy tried twice to serve Goodman, who lives in Burlington, in late July but could not locate her. Voiland later declared Goodman was evading service and he considered her effectively served.

In his order granting Goodman's immediate release from the Ozaukee County Jail, Malloy noted that Voiland's order did not find Goodman in contempt, nor list conditions that, if met, would free her from any contempt.

Goodman's attorney, assistant public defender Rachel Boaz of West Bend, had indicated Voiland didn't even set another hearing date to check the status of the matter, and was then out of office until Sept. 4.

In addition to freeing Goodman, Malloy referred the domestic injunction case that had been pending before Voiland for reassignment to another judge outside Ozaukee County.

Voiland defeated longtime judge Thomas Wolfgram in 2013 after a campaign focused on the fact Wolfgram had signed a 2011 petition in support of a recall election for Gov. Scott Walker. The next year, Voiland withdrew his support for a former law firm colleague who was running for judge in Milwaukee County, who had also signed the recall petition, after conservatives criticized that support.

A message to Voiland's chambers was not immediately returned Thursday.



About Bruce Vielmetti

Bruce Vielmetti writes about legal affairs.

🂆 @ProofHearsay 🛮 🌌 bvielmetti@journalsent...

🔊 414-224-2187

Joseph Voiland - Re: Judges Meeting Agenda for 2/24

From:

MaryLou Mueller

To:

Joseph Voiland

Date:

3/6/2014 6:30 PM

Subject: Re: Judges Meeting Agenda for 2/24

CC:

Paul Malloy

Judge,

Thank you,

The clerk has apologized to you and has said she will not speak about your family case to the staff again. This is now an internal matter between me and my staff. Therefore, this matter is concluded between us.

Mary Lou Mueller

Ozaukee County

Clerk of Circuit Court / Register in Probate PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: 262-284-8409 or 262-238-8409 Fax: 262-284-8491 or 262-238-8491 MaryLou.Mueller@wicourts.gov

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On Thursday, March 06, 2014 at 4:40 PM, Joseph Voiland wrote:

Mary Lou:

Following up on this as there has been no response received. Are you able to let me know, please?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Joseph Voiland 3/4/2014 12:32 PM >>> Mary Lou:

Thank you for asking. By status, I mean this ...

Friday I had asked if depending on what you found out, what might be the next step. At that time you indicated that you had conflicting stories from two of your clerks, and since the stories were conflicting, there was no next step. Then, however, you had the two clerks come into chambers and we learned that things weren't as you were told. You indicated the issue would be addressed on Monday. So, can you let me know how the issue has been addressed? What do you believe the next step is?

Please let me know if you would like any more information from me, or if you believe I have misunderstood anything here.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> MaryLou Mueller 3/4/2014 12:22 PM >>> Judge,

What do you mean by status?

Alary Lou Alueller Ozaukee County

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On Tuesday, March 04, 2014 at 12:05 PM, Joseph Voiland wrote:

Mary Lou:

Thank you for letting me know this. If you had the opportunity to address this on Monday or since then, are you able to let me know the status?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Mary Lou Mueller <marylou.mueller@wicourts.gov> 3/1/2014 12:58 PM >>> Judge,

Thank you for taking the time to meet with us regarding this event. It's important that we have a good working environment for all of our justice partners at the courthouse. As I told you on Friday before you left, I was very disappointed that things weren't as I was told. The issue will be addressed on Monday. Mary Lou

----- Original message -----

From: Joseph Voiland < Joseph. Voiland@wicourts.gov>

Date: 02/28/2014 5:12 PM (GMT-06:00)

To: MaryLou Mueller < MaryLou. Mueller @wicourts.gov>

Cc: Paul Malloy <Paul.Malloy@wicourts.gov> Subject: Re: Judges Meeting Agenda for 2/24

MaryLou:

Thank you for meeting again about this. When we last talked, to be clear, we concluded that this happened, how it happened, and that it won't happen again. What do you make of the fact that you first were told by your staff that this really did not happen, and when we met this afternoon we learned that it actually did?

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Joseph Voiland 02/28/14 12:12 PM >>>

Following up having talked yesterday, would like to know what you were able to find out on how my personal family law matter was determined to be useful to the Clerk of Courts

meeting and depending on what you found out, what might be the next step.

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> Joseph Voiland 2/25/2014 3:10 PM >>> Is there a certain time either of you would like?

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Joseph Voiland 2/25/2014 11:44 AM >>> MaryLou:

Thank you for your e-mail. Whenever you have time this afternoon, I am here.

Thank you, Joseph W. Voiland Ozaukee County Circuit Court Judge ioseph.voiland@wicourts.gov

262.

>>> MaryLou Mueller 2/25/2014 9:03 AM >>> Judge,

When you and Judge Malloy have a free minute why don't we sit down and explore further what it is that you are looking for. I have your "Improvement Opportunity" slip on this very same topic and I think that the three of us could make a plan to address any deficiencies in the communication process for the Judge's Meetings.

Mary Lou Mueller Ozaukee County

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On Monday, February 24, 2014 at 5:52 PM, Joseph Voiland wrote:

In future months, will the Clerk of Courts be willing or able to provide further information about agenda items? I didn't receive any real response to the inquiry.

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Joseph Voiland 02/24/14 11:27 AM >>>

There aren't any items that I want placed on the agenda. I was wondering if there is any additional information on any of the items that were placed on the agenda and what led them to be placed there. There are 3 or 4 of the items that I wonder what they are -- Items Nos. 1, 2, 4 and 6 I wondered what they are and how they came up.

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> Paul Malloy 2/24/2014 9:21 AM >>>

Joe, if you have an item that you want placed on the agenda you can ask Connie or Mary Lou. They usually put together an agenda of items that they feel we need to discuss as a group. Other items are done on a regular basis like rep rots or meetings with Adam or probation and parole people.Paul

>>> Joseph Voiland 2/22/2014 6:06 PM >>>

Connie:

Thank you for sending the agenda. If you have any information regarding any of the agenda items -- what is on the table for discussion with regard to each/what led them to be placed on the agenda -- could you forward it on?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Connie Mueller 02/21/14 3:30 PM >>>

This is your reminder that we have our monthly meeting on Monday, February 24th from 12-1 pm. Attached is the agenda. Lunch will be provided.

Have a great weekend! Connie

Connie Mueller Chief Deputy, Clerk of Courts 1201 S. Spring Street Port Washington, WI 53074 (262) 284/238-8410 Connie.Mueller@WICOURTS.GOV

Joseph Voiland - Re: Branch 2 Judicial Assistant

From:

MaryLou Mueller

To:

Joseph Voiland

Date:

1/10/2014 11:27 AM

Subject: Re: Branch 2 Judicial Assistant

CC:

Jason Dzwinel; Paul Malloy

Thank you for the follow up request.

I think it is premature to have a plan to replace Sue when you haven't even given her a chance. In all fairness, she is an experienced clerk that can be of great assistance to you, if you allow her. Since we are a governmental agency we are limited to the number of positions in this department, nor do I have the ability to add, demote, or terminate without the consent of HR and sometimes the board.

We would have to provide a sufficient business case to the Public Safety Committee and Finance Committee to be able to hire another staff person to be in the wings for the Deputy Clerk 5 position for your branch without terminating Sue or Kim.

So the plan is for now; let's see how Sue works out for you.

Ozaukee County

Clerk of Circuit Court / Register in Probate

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1201 S Spring Street

Port Washington, WI 53074

Mary Lou Mueller

Phone: 262-284-8409 or 262-238-8409 Fax: <u>262-284-8491</u> or <u>262-238-8491</u> MaryLou.Mueller@wicourts.gov

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On Friday, January 10, 2014 at 9:28 AM, Joseph Voiland wrote:

MaryLou:

Following up, can you please let me know a proposed time frame we have for this? Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Joseph Voiland 12/30/2013 4:36 PM >>>

MaryLou:

I am ok with Sue assisting in Branch 2, or some combination of Sue and Kim, until the Branch 2 Deputy Clerk position is filled. I understand that you are focused on filling the Deputy Register in Probate position first, after which we will move on to fill the Deputy Clerk position. The new Deputy Clerk will learn your offices procedures rather than start straight in the Branch. Can you please let me know the time frame we have for this?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

>>> Joseph Voiland 12/30/2013 11:49 AM >>>

Thank you for letting me know, and yes I would like to discuss how the position for Branch 2 Judicial Assistant (Assistants ?) will be filled, and when. Can you let me know when you are available to talk about that?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> MaryLou Mueller 12/30/2013 10:06 AM >>> Judge,

I have sent your request to Sue Altendorf. We are making arrangements now for her to be situated back in the Branch 2 suite. Kim Granrath will continue to be your clerk in the courtroom until Sue receives medical clearance. Connie will be assigning additional desk work to Sue to fill up her time as needed. Kim will be at the desk in the courtroom until Sue is able to attend to those duties.

Let me know if this is a problem or if you have concerns.

Mary Lou Mucller Ozaukee County

Clerk of Circuit Court / Register in Probate PO Box 994 1201 S Spring Street Port Washington, WI 53074 Phone: 262-284-8409 or 262-238-8409

Fax: 262-284-8491 or 262-238-8491 MaryLou.Mueller@wicourts.gov http://www.co.ozaukee.wi.us/clerkcourts/

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On Monday, December 30, 2013 at 9:03 AM, Joseph Voiland wrote:

MaryLou:

I am sending this e-mail to you as Kim is not in and it's not clear who to send things to in her absence. We have a request for an adjournment in 12CV224 for a January 3, 9:00 am status conference. The request is granted and it should be reset for a time during the last week of February.

Are you able to let the attorneys know today?

Also, there was an earlier appearance in 12CV224 made by Attorney Richard Porter for the FDIC, although his notice of appearance does not really identify the basis of which role the FDIC has. He has not yet been added to the service list. Is it possible to add him to the service list?

Finally, who may I send requests to get cases calendered to? I have a number of old cases that I have been trying to get calendered, which remain unscheduled. Can you let me know?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.volland@wicourts.gov

Joseph Voiland - Re: Branch II Calendar

From:

Joseph Voiland

To:

Mueller, MaryLou

Date:

11/10/2014 11:50 AM

Subject: Re: Branch II Calendar

We can talk in person, certainly. Can you bring with you copies of whatever directives staff would have used to come to the conclusion that they should make decisions without involving the court because certain attorneys told them to?

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> MaryLou Mueller 11/10/2014 11:41 AM >>> Judge,

Sorry, I took your email as you wanted to talk face to face. I would prefer talking face to face, so when you have time come see me or let me know when you are available and I will come to you. Okay?

Mary Lou Mueller Ozaukee County

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On Monday, November 10, 2014 at 11:32 AM, Joseph Voiland wrote:

Mary Lou:

Following up on this. When we spoke on October 23, I had reason to be concerned with the information you passed along to me about this. I still do.

The first concern is that I was told a staff member believed she had to make a certain decision without

involving the court because certain attorneys told her to. Is there a directive -- written or otherwise -- from your office to staff instructing them to do this, or not to do this? If there is, what is the basis of the directive?

The second concern is that, while staff believed the request was timely, staff nevertheless rushed it through rather than take the time to notify the court prior to removing the date from the court calendar. If the request was timely, why was there a need to short circuit the process and go around the court?

Underlying these concerns is that this is the latest in a long line of actions by staff exercising authority that neither they, and in some cases the court, have under the statutes and supreme court rules. Those rules are the starting point, and I would ask that you ensure that staff follows them.

Please let me know when I may expect to hear back from you.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov
262.

>>> Joseph Voiland 10/31/2014 4:40 PM >>>

>>> Joseph Volland 10/31/2014 4:40 PM >>>
Mary Lou:

As you have been on vacation this past week, I did not want to take your vacation time with this, so I waited until the end of the week to follow up. When you return, you and I should follow up together.

I am concerned that staff appears to believe that either they or certain attorneys have the authority to make decisions in place of the court. I am concerned, as well, at the extent to which this has gone on, and the length of time for which it has gone on.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov
262

>>> Joseph Voiland 10/24/2014 3:04 PM >>> Mary Lou:

Thank you for your e-mail. As a follow up, I am not asking for a verbatim recount of anything. I think you know that. I am also asking that we directly address the issues, and not obfuscate them.

In terms of your indication that staff did this because "An officer of the court represented to her it wasn't in the best interest of the court to hold the hearing," this is irrelevant to anything. It is outside staff's authority, and outside the authority of the parties, to make the decision.

In terms of your indication here that "staff did let you know about it by routing the confirming letter to the

branch, the next day" -- that is off the mark. Of course I learned of it after the fact, which is why I have sought to address it.

In terms of how I would like to proceed in the future, I would like staff to follow the statutes and the supreme court rules. Staff does not have any authority to apply the law to the facts in any case, and has no authority to make decisions relating to a case. By saying that staff made a decision because "an officer of the court represented to her it wasn't in the best interest of the court to hold the hearing," you're really just saying she made a decision she had no authority to make. Specifically with respect to adjournments, the rules expressly prohibit staff from even suggesting an adjournment; staff has no authority to grant one.

In terms of a suggestion for putting together something in writing, my own suggestion is the supreme court rules would be a good place to start. Please let me know if there is any other way that you think I can help.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov
262.

>>> MaryLou Mueller 10/24/2014 1:56 PM >>> Judge,

Sorry for the delay with getting this out to you. And by the way, I thought I was clerking for you, not Judge Malloy today!

Just a couple of points of clarification:

When I said yes to all clerks know your 5 & 10 day rule, I was only partially correct. I sent out the attached email regarding ex parte communication. I have not sent out an email giving specific direction regarding other possible scenarios. While you and I have emailed back and forth regarding what I believe your policy is and you responded with clarification in August, I have not gone beyond verbally instructing the management staff to your specific requirements as I believe them to be. Therefore, lets put together something in writing to share with the staff that ensures the calendaring for your branch meets your requirements.

I have a very bad memory for verbatim conversation. I apologize I can not give a word for word of the conversation. However, I do believe it was not done with malice or contempt. She explained she was operating under an understanding (from my verbal conversation) that there was an exception for joint requests and it was entered before five days. She was surprised when looking at the case that it wasn't five days before the hearing. This staff member dockets and handles many different court matters in many branches without incident. An officer of the court represented to her it wasn't in the best interest of the court to hold the hearing as it wasn't yet clear the hearing would be required in the end. Sue was on vacation that day and she was assisting with the over flow for those clerks assigned to Branch 2 (who are still in the training stages) and was using her best judgment. The staff did let you know about it by routing the confirming letter to the branch, the next day.

Again, I apologize for not properly training the staff on the 5 & 10 day rule for your branch. This incident provides insight that further written communication is required to ensure your calendar is controlled by you

and not the Clerk's office. Please provide me with the information you would like specifically shared with the clerks and I will be happy to do so. Although I will be out of the office next week, I am available via email.

Mary Lou:

Thank you again for the information. Can you confirm exactly what the deputy clerk told you that she did? Yesterday when we spoke, you indicated that she calculated that there are 5 business days from Wednesday of this week to Friday of this same week. Based on this, she decided to remove a set hearing from the Branch II calendar without letting me know anything about it. She was not assigned to clerk for Branch II the day she made these determinations. You also indicated that she did not exchange any e-mail with any of the parties or attorneys about this. Instead, everything was done either in person or over the phone. You don't have any e-mails from her about this. Will you please confirm all of this in writing this morning? I then may have some follow up.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

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Phone: 262-284-8409 or 262-238-8409 Fax: 262-284-8491 or 262-238-8491 MaryLou.Mueller@wicourts.gov

http://www.co.ozaukee.wi.us/clerkcourts/

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MaryLou Mueller 10/23/14 5:23 PM >>> Judge,

I apologize for the actions of this office and accept responsibility for them. I have reviewed the 10 and 5 day rules with the deputy clerk that rescheduled the matter without the Court's knowledge or consent. I did stop by your office today multiple times to discuss this, but you have been very busy with your jury trial and rightfully so.

After 5:00 pm today while the jury was deliberating we discussed the matter and you informed me that you will let me know if you would like the parties called to be present for tomorrow's hearing. Which works well because I will be your clerk for the day. See you tomorrow.

Mary Lou Mueller Ozaukee County

Clerk of Circuit Court / Register in Probate

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: <u>262-284-8409</u> or <u>262-238-8409</u> Fax: <u>262-284-8491</u> or <u>262-238-8491</u> MaryLou, Mueller @wicourts.gov

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On Thursday, October 23, 2014 at 12:14 PM, Joseph Voiland wrote:

Thank you for your response. Yes, the time periods are not being followed. Last minute change in case 14FA00197, State v. Millicovsky, without the court's involvement. This is contrary to the statutes and the supreme court rules.

Can you let me know how you suggest this be handled?

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> MaryLou Mueller 10/23/2014 11:15 AM >>> Judge.

Yes, the staff has been instructed to follow the 5 and 10 day time periods. Has something occurred to cause your inquiry? Perhaps there has been a misunderstanding that needs reinforcement of the rule or is re-training required? If so, please provide details so I can provide for the proper response for the staff member(s) in question.

Μ

Ozaukee County

Clerk of Circuit Court / Register in Probate

Mary Lou Mueller

PO Box 994

1201 S Spring Street
Port Washington, WI 53074
Phone: 262-284-8409 or 262-238-8409
Fax: 262-284-8491 or 262-238-8491
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Joseph Voiland - Friday afternoon, Oct. 24

From:

Joseph Voiland

To:

Malloy, Paul

Date:

10/31/2014 4:32 PM

Subject: Friday afternoon, Oct. 24

Judge Malloy:

I am following up on Friday afternoon, October 24. Given what happened, I ask that if anything I write here you disagree with, we communicate about that in writing rather than in a personal confrontation.

First off, I want you to know that I forgive what you did to me on Friday afternoon. We saw each other today and have moved on for the better. For my own safety, and to say that it simply cannot happen again, I write this to recap what happened here this past Friday afternoon, along with a couple of events that lead up to it.

We had a judges meeting on September 22 during which inappropriate (and untrue) statements were directed at me in front of staff. Because I did not wish for the matter to escalate, I did not defend myself at that time. The District Court Administrator witnessed this, and relayed his concerns to the Chief Judge.

Three days later, staff refused to provide me with records that I requested. The refusal was not because it was inappropriate for me to have the records. Rather, staff simply didn't want me to have them. This was not the first time that staff acted in an insubordinate manner like this.

The Chief Judge, you and me then met for lunch to discuss how we could remedy the situation going forward. In the Chief's opinion, staff has been insubordinate because the environment existing at the courthouse allowed it. You agreed to fix it.

On Friday afternoon, though, you entered my chambers just before you went into a 3:30 wedding. You were yelling as loud as I have heard anyone yell before. You did not like an e-mail that the clerk forwarded to you, from me. You were standing and appeared to be upset about a number of issues. One thing you alleged, again in a raised voice, was that my kids have been spending inappropriate time at the courthouse (which simply is not true -- more about that later).

I asked if you realized how loud you were yelling. You responded that you didn't think anyone was around (it was Friday afternoon). Still in a raised voice, you raised the issue of having another lunch meeting with the Chief Judge. I indicated that I would be happy to talk with you about any issues if you would tone it down when you returned from the wedding. In my opinion, whether intentionally or unintentionally, you didn't want me to follow up with the Clerk regarding the matters she and I were discussing last Thursday and Friday.

While you said you were not sure anyone was around to hear you yelling last Friday afternoon, here's the thing: I was around. I was three feet away from you. Whether anyone else could hear or not, I certainly could. And I believe other people heard.

We talked about a number of issues when you returned. We have different opinions on those issues, and I am sorry to have to say that it appears to me that some of yours are based more on gossip than on truth. That is my opinion and you may have your own. Many of the issues have to deal with dockets, and I intend to follow up separately with you about those. My hope is that we can get the facts straight, and respect that reasonable

people can disagree on the issues.

The one specific issue I want to address here and now is my family-my kids. They have never been here at an inappropriate time. The last time the three of them were here was on the day of my investiture, more than a year ago. The only times they were here I was either off work, on vacation, or off the bench. When I learned that a visit from any of them at virtually any time troubled you or troubled anyone else, I let you know they would rarely ever return to visit. In any event, please let last Friday afternoon be the last time anyone goes after my family-my kids, whether in a raised voice or otherwise.

By the way, many other people's children have spent time in my chambers. For example, the public defender's daughter, the granddaughter of the former Branch III court reporter, several kids from the Ozaukee Children's Tour Club and Mom's Group ... I haven't heard any issue taken with any of them.

I end the same way I started, which is that I forgive what you did to me on Friday afternoon. Please do not let it happen again.

I will follow up with the Clerk of Courts, by separate e-mail, regarding the matters she and I were discussing last Thursday and Friday. Because she was on vacation this week, I did not want to take her time with work related issues.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

262.

Joseph Voiland - Re Friday the 24th.

From:

Paul Malloy

To:

Joseph Voiland

Date:

11/3/2014 12:07 PM

Subject: Re Friday the 24th.

Dear Joe, I am writing in response to your e-mail. I am sorry that you did not feel comfortable just talking with me about this when you were in my office last Friday afternoon. For my part I am sorry that I raised my voice with you. As you know there were two things that bothered me that Friday. First, was your response to what I thought was an appropriate e-mail from Mary Lou. In my view she was seeking input from you about scheduling and you responded that she should look in the local rules and state statutes. I did not think that response was helpful. The second issue and probably the bigger one was your comment to Chaz Rodriguez to the effect that you spent the last year doing it our way and now you are going to do it your way. You explained that not exactly what was said. I was not there and do not know what was said. However that was the information that was relayed to me As indicated to me it sounded like Sandy and I somehow do know how to do our jobs.

For my part I feel like I have tried my hardest to meditate the issues that you have had with the front office. I will continue to do that as we move forward. I think that I see both sides of the disagreements and have tried to work things out in order to keep this system moving forward efficiently. I understand that you feel that people have tried to undermine your authority. I can understand your feeling in that regard. I just have not seen it. I think we will just have to agree to respectfully disagree on that issue.

On the issue of your kids being present during work hours, you need to understand that I never raised that issue with Nancy Stazkowsk or complained about it. I got involved when she was here and saw your children here and was going to offer a resolution for County Board action prohibiting children from being in County Offices during working hours. At that point I thought it was wiser to discuss issue with you rather have it aired out in a County Board meeting. With regard to how often the kids were here and the other examples you give of people having kids in the office, I am going let it be. I think we will just need to agree to disagree on this issue.

In concluding Joe all I want is this County's Court System to deliver a high quality product. I think we can do that as we move forward.

Joseph Voiland - Re: follow up regarding calendaring and Oct. 24 discussion

From:

Joseph Voiland

To:

Malloy, Paul; Neimon, Michael

Date:

12/22/2014 2:23 PM

Subject: Re: follow up regarding calendaring and Oct. 24 discussion

CC:

Koschnick, Randy; Mueller, MaryLou

Mike:

between 1:00 - 2:00 today. I did take I received this from Judge Malloy while I was along some papers for a decision I'm writing, to work on while I waited. I didn't necessarily want to make a public record, but apparently I have to.

In any event, I believe the message may have been meant for you, as the saluation is Mike, but it went to my email address apparently on accident. I'm happy to address any or all of this with you and the others I've copied on this e-mail. Please just let me know when you'd like to talk.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov 262.

>>> Paul Malloy 12/22/2014 1:19 PM >>>

Mike, I got this from Joe. I am unaware of any one who has a difficult time getting into my court or any one of the other courts, except for Joe's court.. His timing on this is impeccable. He always seems to do this on his way out the door and right before the holidays. I do not give his opinion in this area a lot credence because I have never heard any one say they can not get a date in my court or Sandy's. The reason people can not get a date in his court is that he has put so many road blocks in the way i.e. he needs to approve or do not schedule without court approval. Oh by the way he is gone because he has to write a decision and there are to many interruptions here. Welcome to the real world. His reference to the New Graphic is typical of him taking one point and thinking it is a big deal when in fact it has been an issue for years. Any way I would like to let him know my thoughts on this but am bound and determined to enjoy my holidays and not get into it with him. I guess in concluding my thought is if he could just work standard hours Monday through Friday there would not be an issue. Any thoughts?Paul

>>> Joseph Voiland 12/22/2014 11:41 AM >>> Judge:

What I'm thinking is to address the needs of the District Attorney's office regarding the division of prosecutors between the three branches along with the availability of the prosecutors to law enforcement outside of the courtroom. As set up at this time, the three prosecutors may be in all three branches any number of days throughout any given month. Our intake process has something to do with this. It impacts the public's access to the courts in a number of other case types, as well. I believe the DA may have some thoughts on how

this might be addressed. I can't speak for the DA, but I have observed similar concerns as stated in the News Graphic story.

By the way, thank you and Paula for the extra copy of the News Graphic page on 6th Grade Grafton Basketball. Those coaches and kids put a tremendous amount of time into the game, it's always nice to see them recognized.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

262.

>>> Paul Malloy 12/17/2014 10:23 AM >>>

Joe, it is on the to do list. it has just been a very busy month and I have not had time to really sit down and think this through. i am always interested in ways to increase our efficiency. right now I think the big thing will be to work on going paperless. But if you want to let me know what you are thinking I should have sometime between the holidays. Thanks Paul

>>> Joseph Voiland 12/16/2014 7:02 PM >>>

Judge:

Following up on this. Any thoughts on adjusting the master calendar to address the DA's office staffing issues? Or on any other calendar issues?

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov
262.

>>> Joseph Voiland 11/24/14 4:28 PM >>> Judge Malloy:

I am following up with you regarding the issue of calendaring, one of the issues I indicated I would follow up separately on.

You may have seen the issue regarding the fact that the District Attorney's Office is struggling with calendaring - under existing court calendars all three DAs may be tied up at the same time in our three court branches. The News Graphic ran the story about a week before we spoke. One measure proposed was to increase DA staffing.

In my view, we can't wait for DA staffing to be increased, because we don't know whether or not it will be. There are things we can do with calendaring, right now, to help on that front. At this time last year, I asked for the chance to have input into our general court calendars. I was told I have no input, that the calendar for all three branches is a master calendar and is already established.

There are tweaks we can make to the master calendar to fix the issue of three DAs being tied up at the same time in our three court branches. I would ask that we do so in time for the start of the 2015 calendar year.

In terms of the calendaring issue I discussed with the attorney you mentioned, that was in direct response to feedback I received from the public regarding whether, and if, anyone believed any improvements were in order. I've received feedback asking for improvements in intake scheduling, chapter 51s & 54s, juvenille cases, CHIPS cases, civil cases and criminal cases. I'm open to listening. I think there's room for improvement in the general calendar.

Finally, you mention the issue raised a year ago by Nancy Statkowski. Nancy's complaint always remained anonymous to me, although I had reason to believe Nancy had something to say. Her complaint was not based on reality; the kids were never here at any inappropriate time. I would have been happy to address that with her had she communicated with me about it.

Please let me know if you believe I have anything wrong here, or if you would like to discuss anything at all.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

262.

>>> Paul Malloy 11/3/2014 12:07 PM >>>

Dear Joe, I am writing in response to your e-mail. I am sorry that you did not feel comfortable just talking with me about this when you were in my office last Friday afternoon. For my part I am sorry that I raised my voice with you. As you know there were two things that bothered me that Friday. First, was your response to what I thought was an appropriate e-mail from Mary Lou. In my view she was seeking input from you about scheduling and you responded that she should look in the local rules and state statutes. I did not think that response was helpful. The second issue and probably the bigger one was your comment to Chaz Rodriguez to the effect that you spent the last year doing it our way and now you are going to do it your way. You explained that not exactly what was said. I was not there and do not know what was said. However that was the information that was relayed to me As indicated to me it sounded like Sandy and I somehow do know how to do our jobs.

For my part I feel like I have tried my hardest to meditate the issues that you have had with the front office. I will continue to do that as we move forward. I think that I see both sides of the disagreements and have tried to work things out in order to keep this system moving forward efficiently. I understand that you feel that people have tried to undermine your authority. I can understand your feeling in that regard. I just have not seen it. I think we will just have to agree to respectfully disagree on that issue.

On the issue of your kids being present during work hours, you need to understand that I never raised that issue with Nancy Stazkowsk or complained about it. I got involved when she was here and saw your children here and was going to offer a resolution for County Board action prohibiting children from being in County Offices during working hours. At that point I thought it was wiser to discuss issue with you rather have it aired out in a County Board meeting. With regard to how often the kids were here and the other examples you give of people having kids in the office, I am going let it be. I think we will just need to agree to disagree on this issue.

In concluding Joe all I want is this County's Court System to deliver a high quality product. I think we can do that as we move forward.

>>> Joseph Voiland 10/31/2014 4:32 PM >>> Judge Malloy:

I am following up on Friday afternoon, October 24. Given what happened, I ask that if anything I write here you disagree with, we communicate about that in writing rather than in a personal confrontation.

First off, I want you to know that I forgive what you did to me on Friday afternoon. We saw each other today and have moved on for the better. For my own safety, and to say that it simply cannot happen again, I write this to recap what happened here this past Friday afternoon, along with a couple of events that lead up to it.

We had a judges meeting on September 22 during which inappropriate (and untrue) statements were directed at me in front of staff. Because I did not wish for the matter to escalate, I did not defend myself at that time. The District Court Administrator witnessed this, and relayed his concerns to the Chief Judge.

Three days later, staff refused to provide me with records that I requested. The refusal was not because it was inappropriate for me to have the records. Rather, staff simply didn't want me to have them. This was not the first time that staff acted in an insubordinate manner like this.

The Chief Judge, you and me then met for lunch to discuss how we could remedy the situation going forward. In the Chief's opinion, staff has been insubordinate because the environment existing at the courthouse allowed it. You agreed to fix it.

On Friday afternoon, though, you entered my chambers just before you went into a 3:30 wedding. You were yelling as loud as I have heard anyone yell before. You did not like an e-mail that the clerk forwarded to you, from me. You were standing and appeared to be upset about a number of issues. One thing you alleged, again in a raised voice, was that my kids have been spending inappropriate time at the courthouse (which simply is not true -- more about that later).

I asked if you realized how loud you were yelling. You responded that you didn't think anyone was around (it was Friday afternoon). Still in a raised voice, you raised the issue of having another lunch meeting with the Chief Judge. I indicated that I would be happy to talk with you about any issues if you would tone it down when you returned from the wedding. In my opinion, whether intentionally or unintentionally, you didn't want me to follow up with the Clerk regarding the matters she and I were discussing last Thursday and Friday.

While you said you were not sure anyone was around to hear you yelling last Friday afternoon, here's the thing: I was around. I was three feet away from you. Whether anyone else could hear or not, I certainly could. And I believe other people heard.

We talked about a number of issues when you returned. We have different opinions on those issues, and I am sorry to have to say that it appears to me that some of yours are based more on gossip than on truth. That is my opinion and you may have your own. Many of the issues have to deal with dockets, and I intend to follow up separately with you about those. My hope is that we can get the facts straight, and respect that reasonable people can disagree on the issues.

The one specific issue I want to address here and now is my family-my kids. They have never been here at an inappropriate time. The last time the three of them were here was on the day of my investiture, more than a year ago. The only times they were here I was either off work, on vacation, or off the bench. When I learned that a visit from any of them at virtually any time troubled you or troubled anyone else, I let you know they would rarely ever return to visit. In any event, please let last Friday afternoon be the last time anyone goes after my family-my kids, whether in a raised voice or otherwise.

By the way, many other people's children have spent time in my chambers. For example, the public defender's daughter, the granddaughter of the former Branch III court reporter, several kids from the Ozaukee Children's Tour Club and Mom's Group ... I haven't heard any issue taken with any of them.

I end the same way I started, which is that I forgive what you did to me on Friday afternoon. Please do not let it happen again.

I will follow up with the Clerk of Courts, by separate e-mail, regarding the matters she and I were discussing last Thursday and Friday. Because she was on vacation this week, I did not want to take her time with work related issues.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov
262

Joseph Voiland - Re Correcting prior e-mail

From:

Paul Malloy

To:

Michael Neimon

Date:

1/27/2015 10:06 AM

Subject: Re Correcting prior e-mail

CC:

Joseph Voiland; Randy Koschnick

Mike, I would like to correct the information in my e-mail of December 22nd. 2014. After meeting with Judge Voiland, I no longer believe my comments about his availability during working hour or his court scheduling practices are accurate. There was a significant miscommunication between Judge Voiland and I and after getting more information from him I have a better understanding of what occurred. I now believe my statements were incorrect. The fact is that he did work regular hours and his court scheduling practices were appropriate. I have apologized to him for any misunderstanding. Paul

Joseph Voiland - Re: Ozaukee 767.405 Custody and Placement Studies

Randy Koschnick From:

Joseph Voiland To:

6/29/2015 11:19 AM Date:

Subject: Re: Ozaukee 767.405 Custody and Placement Studies

Joe-

I just spoke with Rhonda Gordon. She agrees 100% with our analysis on this issue and will take steps immediately to insure that your orders are complied with. She will suggest that her clients use the staff at Human Services for any pending cases in order to get them going promptly. She will also be working with the commissioner and other interested parties on setting up a long term solution, including a budget, protocol, etc.

Please be sure to let me know if you don't see results within the next several days.

Randy

>>> Joseph Voiland 6/29/2015 10:04 AM >>> Dear Judge Koschnick:

Attached are two documents regarding an Order for a Custody and Placement Study, relating to our discussion of a week ago. The first document is an order that a Study take place, the second document indicates that a Study will not be done. I believe your oversight may be appropriate under 767.405(1m)(a). I will give you a call, and hope that a short call from you to the director may bring a resolution.

Thank you,

Joe Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

Joseph Voiland - Re: re Judges Meeting

From:

Paul Malloy

To:

MaryLou Mueller; Sandy Williams

Date:

12/22/2015 8:38 AM

Subject: Re: re Judges Meeting

CC:

Barry Boline; Joseph Voiland; Randy Koschnick

So far I have asked Mary Lou to put the following on the agenda: 1) appointing county bar members or lawyers who office in the county first chance at court appointments,2) what goes into interpretor court (i.e. Spanish speaker or any one needing an interpretor), 3) continuing the currently criminal schedule that has been agreed to previously. Paul

>>> Sandy Williams 12/21/2015 3:40 PM >>>

I sent in a ton of stuff for our last meeting and none of them were on the agenda so I'm resubmitting those and won't add any more

>>> Paul Malloy 12/21/2015 11:10 AM >>>

Mary Lou can you look for a date for a judges meeting. I would also ask if any of the people receiving this e-mail have anything they would like to put on the agenda to let Mary Lou and I know. Thanks. Paul

STATE OF WISCONSIN	: CIRCUIT COURT :	OZAUKEE	COUNTY
			Authenticated/Filed Dzaukee County Circuit
STATE OF WISCONSIN, KRYSTAL H. SHEBESTA,			MAR - 8 2016
Petitioners,			Mary Lou Mueller Clerk of Circuit Court/ Register in Probate
and	Case No.:	2016 FA 15	
RYAN W. WILDING,			
Respondent.			

On February 16, 2016, the parties requested that this matter be referred to mediation on the issues of custody and placement. The court ordered the respondent to make a \$200 deposit for mediation on or before February 22, 2016. The respondent has failed to make the deposit as ordered.

ORDER

IT IS ORDERED that the parties appear on March 22, 2016 at 2:00 p.m. to show cause as to why the temporary custody and placement orders entered on February 22, 2016 should not become the final orders of the court due to the respondent's failure to make the mediation deposit.

Dated this 8th day of March, 2016.

BY THE COURT:

Barry J. Boline

Circuit Court Commissioner Ozaukee County Circuit Court

FILTER: All	Filing Documents Judgments Motions & Briefs Orders	
Date	Event-	Court Official Court Reporter
06-13-2016	Order to appear Order to Appear	Sandy A Willams
06-13-2016	Motion hearing Petitioner Morgan C Zimmermann in court. Respondent Curtis D Sanders in court. Attorney Rik I Kluessendorf in court for Petitioner State of Wisconsin. Statement by Respondent as to motion. Response by Petitioner. Attorney Kluessendorf advises of current order. Discussion regarding previous visitation. Statement by Attorney Kluessendorf regarding motion. Response by Respondent. Discussion as to current support order. Statement by Respondent as to education. Statement by Attorney Kluessendorf as to previous commitment of Respondent. Discussion as to mediation. Court orders mediation. Respondent to deposit the \$200 with the Ozaukee County Clerk of Courts by July 1, 2016. If the Respondent does not submit the \$200 by July 1, 2016, his motion is denied. Court addresses the Respondent as employment, arrears and child support. Order to Appear prepared and submitted to the court for signature. Matter adjourned to July 18, 2016 at 11:30 am.	Sandy A Williams Electronic Court Reporting
06-06-2016	Change of address notification - Curtis D Sanders ADDRESS INFO for Curtis D Sanders Current: Milwaukee. WI 53224-6818 United States (Effective: 06-06-2016) Prior: 1201 S. Spring Street, c/o Ozaukee County Jail, Port Washington, WI 53074 United States	
06-03-2016	Affidavit of mailing Affidavit of mailing	
05-24-2016	Affidavít of mailing Affidavít of <u>Malling</u>	
05-24-2016	Affidavit of mailing <u>Affidavit of Mailing</u>	
05-24-2016	Check/Disbursement - \$1,907:37 Child Support purge amount from Curtis D Sanders, Case No. 4514FA000004PJ: WI SCTF	
05-23-2016	Deposit received - \$1,907.37 16R 007153 CHild support purge amount received on behalf of Curtis D. Sanders	

16R 007153 CHild support purge amount received on behalf of Curtis D. Sanders

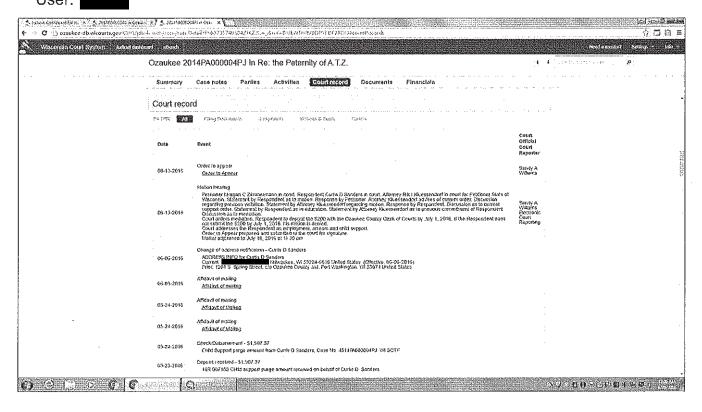






Print at: Monday, June 20, 2016 12:20:19 AM

Host: User:



Joseph Voiland - Re: Need to appoint director of family court services

From:

Paul Malloy

To:

Joseph Voiland; Sandy Williams

Date:

4/5/2016 2:37 PM

Subject: Re: Need to appoint director of family court services

CC:

Michael Neimon

Joe and Sandy, I think under Sec 767.404 we need to formally appoint Barry as our Director Of family Court Services. Under 767.405 he meets the requirements. More importantly Barry has always been handling that responsibility. Through over site no paper work was completed when he was hired. I think we just need to formally approve him for the record. Assuming neither of you feel the need to discuss this our next meeting, I would propose to do this by e-mail and assuming there is a consensus to send an order to Judge Koschnik for his signature. If you feel we need to discuss this further please let me know. Thanks, Paul

Joseph Voiland - re E-mail from this morning.

From:

Paul Malloy

To:

Joseph Voiland

Date:

4/21/2016 2:37 PM

Subject: re E-mail from this morning.

CC:

Michael Neimon

Joe can you get back to me on the e-mail from this morning. I want your thoughts on it before I do anything. I also have Barry holding off on sending any cases to mediation and /or home studies. Thanks. Paul

Joseph Voiland - Re Mediation and family services

From:

Paul Malloy

To:

Barry Boline; Joseph Voiland; Sandy Williams

Date:

6/1/2016 4:18 PM

Subject: Re Mediation and family services

CC:

Michael Neimon; Randy Koschnick; tmeaux@co.ozaukee.wi.us

As I indicated in earlier e-mails I am concerned about using section 767.405 stats., as the outline for the family court services issue. I do not feel comfortable with the language. In that the statute imposes the responsibility on the Director to personally perform home studies or mediations. From what I have seen of the commissioner's calendar I do not believe he has the time to prepare home studies or to do mediation. I also do not know how he could do that with out having a conflict in then hearing any further proceedings involving the couple. I think the statute is written with the idea that the person doing the meditation or home study will be some one other than the Commissioner.

With that in mind I met with Tom Meaux this morning about this issue and he is fine with us doing the studies in accordance with the statute provided that the County can recoup its reasonable expenses. However the County is not looking to fund another position in order to comply with that statute. He made that perfectly clear and I concur with him. I am interested in how Sandy and Joe feel we can get past this problem with out compromising the effectiveness/ efficiency we have with our court commissioner.

I would ask you to get back to me sometime tomorrow as we really need to get this resolved as I am aware there are now 8 meditations as well as a number of people calling for mediations Thanks. Paul.

Joseph Voiland - Fwd: director of family services.order.docx - Revised

From:

Paul Malloy

To:

Randy Koschnick

Date:

6/2/2016 11:38 AM

Subject:

Fwd: director of family services.order.docx - Revised

CC:

Barry Boline; Connie Mueller; Joseph Voiland; MaryLou Mueller; Rhond...

Attachments: director of family services.order.docx; Connie Mueller.vcf

Dear Judge Koschnick attached is the order pertaining to the appointment of Commissioner Boline as Director of family Services. If it meets with your approval I would ask you to sign it and return a copy to Mary Lou Mueller. I am providing copies of this e-mail to all of the other stake holders in the family law area. I have specifically included Ozaukee County Corporation Counsel as she has prepared the ordinance allowing the County to recoup it reasonable expense in completing the Custody studies. My hope is that will be in front of the public safety committee later in the month and be acted upon by the full County Board at its first meeting in July. Because the County has not budgeted any funds for these studies I have asked Commissioner Boline to hold off referring any matters to the department until the recoupment ordinance has been enacted. My hope is to avoid any unfunded bills that will need to be absorbed by the county
>>> Connie Mueller 6/2/2016 11:00 AM >>>

Connie Mueller
Chief Deputy, Clerk of Courts
1201 S. Spring Street
Port Washington, WI 53074
(262) 284/238-8410
Connie.Mueller@WICOURTS.GOV

Joseph Voiland - Re: Family Court Services / conflicting orders?

From:

Paul Malloy

To:

Joseph Voiland

Date:

6/8/2016 9:28 AM

Subject: Re: Family Court Services / conflicting orders?

Sure come over, Paul

>>> Joseph Voiland 6/8/2016 9:14 AM >>>

Paul -- we concluded our cases early this morning and if you are available there is something we may need to discuss today.

This morning the Court Commissioner stopped by to talk and indicated he is in a pickle because I ordered him to assign family court services matters and you ordered him not to assign them (e.g. mediation/studies).

I told the Commissioner that possibly that was just your own preference, rather than an order, meaning there would be no conflict. The Commissioner indicated that you did in fact order him not to assign family court services matters.

Hope we can resolve this soon as I do have cases where family court services are necessary.

I will stop by soon this morning to talk.

Thank you.

Joe Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

>>> Paul Malloy 6/8/2016 8:54 AM >>> Randy, I agree the meeting is not necessary. Paul >>> Joseph Voiland 6/7/2016 9:01 PM >>> I agree with this, including that it makes further meetings unnecessary.

COUNTY

In RE: the Paternity of H.L.F.

Response to Order dated June 15, 2016 Regarding fees Collected by Clerk of Courts

Case No. 2011FA000284

For Official Use
For Official Use
Filed
Ozaukee County
Circuit Court
June 17, 2016
Mary Lou Mueller
Register in
Probate

Ozaukee County Clerk of Courts hereby responds to Honorable Joseph W. Voiland's June 15, 2016, order regarding fees Collected by the Clerk of Courts for a legal custody and physical placement study:

- 1. On June 20, 2016, the Ozaukee County Finance Department will issue a separate batch of checks to comply with the Court's order directing the Clerk of Circuit Court to reimburse funds deposited by the parties for a legal custody and physical placement study that exceed the \$300.00 fee required by statute for a legal custody and physical placement study plus any statutory interest.
- 2. Separate checks in the amount of \$350 each will be issued to each party.
- 3. The parties deposited their court ordered deposit with Ozaukee County Department of Human Services. The Department of Human Services held the deposits in their Ozaukee County account number
- 4. The sum total of fees by the parties incident to any guardian ad litem investigation occurring between February 14, 2014 and July 8, 2015 for the above-mentioned matter will be filed separately from this response.
- 5. Parties and their attorneys are notified in writing by copy of this response.

Distribution:

Original -

Copies -

Court Alisha Balsitis Kevin M Flood

Meg Colleen O"Marro, GAL Kirsten Louise Hildebrand

Peter L Ramirez

Rik I Kluessendorf, Child Support

Rhonda Gorden, Ozaukee Co. Corporation

Counsel

Mary Lou Mueller Clerk of Circuit Courts

Many Fand Muselew

June 17, 2016

STATE OF WI	SCONSIN, CIRCUIT COURT, <u>OZAUK</u>	EE COUNTY	For Official Use
In RE: the Pa	aternity of H.L.F.	Calculation of Guardian ad Litem Fees	Authenticated/Filed Ozaukee County Circuit JUN 17 2016
		Case No. 2011FA000284	Mary Lou Mueller Clerk of Circuit Court/ Register in Probate
Guardian ad	litem fees incurred between Fe	bruary 14, 2014 and July 8, 2015 - (calculated as
ordered in th	e Order Regarding Fees Collec	ted by Clerk of Courts dated June 1	5, 2016
05/23/2014	Petition for Approval and Paym For services rendered A \$1,361.50	nent of Fees opril 12, 2014 to May 21, 2014	
06/13/2014	Order for Payment of GAL Fee	s (based on above petition)	\$1,361.50
07/21/2014	Petition for Approval and Paym For services rendered N \$1,918.00	nent of Fees May 22, 2014 to July 17, 2014	
08/08/2014	Order for Payment of GAL Fee	es (based on above petition)	\$1,918.00
09/29/2014	Petition for Approval and Paym For services rendered J \$1,480.50	nent of Fees uly 19, 2014 to September 25, 2014	1
10/09/2014	Petition for Approval and Payn For services rendered J \$2,611.00 (includes pre	uly 19, 2014 to October 7, 2014	
10/20/2014	Order for Payment of Fees (ba	sed on 9/29/2014 Petition)	\$1,480.50
12/01/2014	Petition For Approval and Paye For services rendered 0 \$994.00	ment of Fees October 7, 2014 to November 26, 20)14
12/01/2014	Amended Petition for Approva For services rendered \$ \$1,130.50	l and Payment of Fees September 26, 2014 to October 7, 2	014
12/19/2014	Order for Payment of Fees (ba	sed on 12/01/2014 Amended Petiti	on) \$1,130.50
12/19/2014	Order for Payment of Fees (ba	sed on 12/01/2014 Petition)	\$ 994.00
02/10/2015	Amended Petition for Approva For services rendered N \$1,368.50	l and Payment of Fees November 27, 2014 to February 6, 2	2015

03/09/2015 Order for Payment of Fees (based on above petition)

\$1,368.50

Case No. 20 Calculation	11FA284 of Guardian ad Litem Fees	Page 2
03/30/2015	Petition for Approval and Payment of Fees For services rendered February 6, 2015 to March 26, 2015 \$2,953.50	
04/20/2015	Order for Payment of Fees (based on above petition)	\$2,953.50
05/14/2015	Petition for Approval and Payment of Fees For services rendered March 27, 2015 to May 8, 2015 \$1,585.50	
06/08/2015	Order for Payment of Fees (based on above petition)	\$1,585.50
08/28/2015	Petition for Approval and Payment of Fees For services rendered May 13, 2015 to August 25, 2015 \$591.50 Total \$297.50 – Portion through July 8, 2015	
09/18/2015	Order for Payment of Fees (based on above petition) Portion through July 8, 2015	\$ 297.50
	Total of Guardian ad Litem Fees incurred between February 14, 2014 and July 8, 2015	\$13,089.50

These fees were paid by the Ozaukee County Clerk of Courts Office to the guardian ad litem.

Each party has been assessed one half of these fees.

Kevin Flood has paid his portion in full.

Alisha Balsitis is currently on a payment plan for her portion. The balance she owes for her portion of these fees at this time is \$3,280.65.

Submitted by Mary Lou Mueller, Clerk of Court Calculated by CariAnne Mihalko, Controller

Alisha L. Balsitis CC:

Kirsten Louise Hildebrand (electronic)

Meg Colleen O'Marro

Kevin M Flood

Peter L Ramirez (electronic) Rik I Kluessendorf

Rhonda K Gorden

STATE OF WISCONSIN

CIRCUIT COURT

OZAUKEE COUNTY

State v. Kevin M. Flood

Authenticated/Filed
Ozaukee County Circuit

Case No: 2011-FA-284

JUN 1 5 2016

Mary Lou Mueller Clerk of Circuit Court/ Register in Probate

ORDER REGARDING FEES COLLECTED BY CLERK OF COURTS

On February 14, 2014, the mother of the minor child first requested a legal custody and physical placement study be initiated, pursuant to statute, by the family court commissioner. No study was initiated at that time. On March 26, 2015, and again on May 26, 2015, this court ordered the initiation of a legal custody and physical placement study. At that time, the court had the mistaken belief that the county had established a fee schedule to recover its reasonable costs of providing family court services under Wis. Stat. 814.615(2).

On June 8, 2015, Ozaukee County Family Court Services wrote to the parties stating that Ozaukee County Family Court Services does not provide legal custody and physical placement studies. Ozaukee County Family Court Services did not provide a copy of this correspondence to the court, but the parties subsequently notified the court that Ozaukee County Family Court Services refused to provide the services that the court ordered. Subsequently, the Ozaukee County Department of Human Services essentially volunteered to provide those services; without more, DHS has and had no obligation to do so. The record shows the DHS study began on or about July 8, 2015, some 18 months after the mother filed a statutory request for it to begin.

By statute, the fee for the study is \$300.00. Wis. Stat. § 814.615(1)(a)3. The record indicates that a fee of \$1,000.00 is on file. It is ORDERED, therefore, that the Clerk of Courts return the excess sum of \$700.00 to the parties, divided equally, not later than June 20, 2016. It is further ORDERED that the Clerk of Courts shall identify the account in which the excess sum has been held and compute the statutory interest on the excess sum, if any, due and owing to the parties. It is further ORDERED that by June 20, 2016, the Clerk of Courts shall calculate the sum total of any fees incurred by the parties incident to any guardian ad litem investigation occurring between February 14, 2014 and July 8, 2015, and shall notify the parties and the court in writing of that sum.

Dated at Port Washington, Wisconsin, this <u>15</u> day of <u>1</u>

JUN

, 2016.

BY THE COURT

Joseph W Voiland Circuit Court Judge

Authenticated/Filed **Gzatkee County Circuit** STATE OF WISCONSIN, CIRCUIT COURT, OZAUKEE COUNTY ☐ Amended JUN 1 3 2016 IN THE MATTER OF Order and Notice of Hearing DOROTHY R. SIELAFF Mary Lou Mueller Clerk of Circuit Court/ Register in Probate 11/24/1927 Case No. 2016-GN-0032 Date of Birth A petition was filed by [Name] Ozaukee County Dept. of Human Services requesting: temporary quardian of person. estate. permanent guardian of estate. person. standby guardian of estate. person. estate. successor guardian of person. protective placement. protective services. I involuntary administration of psychotropic medication. For guardianship, the court is satisfied as to compliance with §54.34, Wisconsin Statutes. THE COURT ORDERS: 1. The petition be heard before Circuit Court Judge Joseph W. Voiland Court Official, on [Date] June 27, 2016 _, at [Time] <u>1:00 p.m.</u> or when scheduled thereafter at [Location] Ozaukee County Justice Center, 1201 S. Spring Street, ROOM 228, Port Washington, WI 2. A copy of this order and the petition shall be served upon the individual and guardian, if any, and delivered to all interested persons and all others entitled to notice. 3. A copy of the physician or psychologists report shall be filed with the court and provided by the petitioner to the guardian ad litem and the attorney for the proposed ward or ward at least 96 hours before the time of the hearing. 4. For protective placement, if the individual is developmentally disabled and is in or may be placed in a nursing or intermediate care facility, a copy of this order and the petition shall be served upon the appropriate board or designated agency. The board or agency shall submit to the court within 120 days of this order a plan for home of community-based care in the most integrated setting appropriate to the needs of the individual. 5. The individual, if able to attend, shall appear in person at the hearing, unless attendance is waived by the guardian ad litem and waiver is certified in writing to the court. 6. For protective placement or protective services, a copy of the comprehensive evaluation and any independent comprehensive evaluation shall be provided at least 96 hours in advance of the hearing to the individual's guardian, agent under activated health care power of attorney, guardian ad litem, and to the individual or individual's attorney. NOTICE: If this is a Temporary Guardianship proceeding, the individual is notified of the right to an attorney and the right to petition for reconsideration or modification of the temporary guardianship. If you require reasonable accommodations to participate in the court process due to a disability, please call 262-284-8409 at least 10 days prior to the scheduled court date. Please note that the court does not provide transportation.

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Page 2 of 2

Case No. 2016-GN-0032

THIS IS A FINAL ORDER FOR PURPOSES OF APPEAL IF SIGNED BY A GIRCUIT COURT JUDGE.					
Please check with attornexact time and date.	ney/petitioner below for	BY THE COURT			
Name of Attorney/Petitioner		Circuit Court Ludge Circuit Court Commissioner			
Rhonda K. Gorden, Corporation Counsel		Joseph III. Ipiland			
Address		Name Printed or Typed			
Ozaukee County Justice Center		10-13-16			
1201 S. Spring Street, Port Wash	ington, WI 53074	Date			
Telephone Number	Bar Number				
262-284-8300	1024368				

IN THE MATTER OF: DOROTHY R. SIELAFF

NOTICE OF HEARING: June 27, 2016

Please note:

If this matter is not contested, it will be heard before Circuit Court Commissioner Barry J. Boline.

If this matter is contested, it will be heard before Circuit Court Judge Joseph W. Voiland.

Joseph Voiland - Re: Delegations & Forms

From:

MaryLou Mueller Joseph Voiland

To: Date:

10/23/2013 11:38 AM

Subject: Re: Delegations & Forms

Hi Judge,

After reviewing all of the updates, help program and speaking with CCAP help desk, it was determined that you will have to remove all of the forms from the e-signature section of the court official section, re-add them with the current designation of review for your judicial dashboard, then add the individuals that you allow that designation.

Let me know if you want assistance with that procedure.

Mary Lou Mueller Ozaukee County

Clerk of Circuit Court / Register in Probate

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: 262-284-8409 or 262-238-8409 Fax: 262-284-8491 or 262-238-8491 MaryLou Mueller@wicourts.gov

http://www.co.ozaukee.wi.us/clerkcourts/

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On Tuesday, October 22, 2013 at 2:56 PM, Joseph Voiland wrote:

MaryLou:

I have had a chance to review this. These forms require either my signature or my review.

For any forms which the statutes authorize the Clerk or Deputy Clerk to execute, the Clerk or Deputy Clerk may sign. These are the forms that have the separate boxes to check for Judge/Clerk/Deputy Clerk. I note that I have been listed on the distribution list for these, but I have not actually received a copy of any of them. I will need a copy of each of those forms once executed.

For any forms which the statutes do not authorize the Clerk or Deputy Clerk to execute, I will need to sign.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> MaryLou Mueller 10/14/2013 7:05 AM >>> Judge,

When we set up your CCAP security and designations we mirrored the other judges security and designations. The deputies that work in your courtroom are authorized to issue routine orders with your signature. In the old days, it was a rubber stamp on the prepared order, now the deputies have the ability to affix your e-signature to CCAP created documents.

In CHIPS matters, Ozaukee judges have always appointed a GAL for child. And unless the court specifically requests a certain attorney for a child, the deputies have been authorized to obtain a GAL based on availability of a small group of attorneys that do this type of work.

These forms require your review:

GF-142A	Arrest Warrant	My Review Required
GF-142B	Bench Warrant	My Review Required
GF-144	Notice of Assignment of Judge	My Review Required
GF-145	Order to Cancel Warrant	My Review Required
GF-148	Commitment Order	My Review Required
GF-148P	Commitment Order - Payment Plans	My Review Required
GF-165	Bench Warrant - Civil	My Review Required

These forms do not:

Delegated CR-209 Judgment of Dismissal/Acquittal

eSignature/No Review

Delegated

CR-212 Judgment of Conviction eSignature/No Review

Delegated CR-214 Judgment Deferred Under 961.47

eSignature/No Review

Delegated CR-230 Judgment of Bail/Bond Forfeiture

eSignature/No Review

Delegated

CR-244 Order for Presentence Investigation Report (PSI) eSignature/No Review

Delegated CR-252 Order Modifying Court-Imposed Conditions of Ext. Supervision

eSignature/No Review

CR-256 Order Concerning Sentence Modification - Geriatric/Terminal Delegated

	eSignature/No Review
CR-260 Order Concerning Sentence Adjustment	Delegated eSignature/No Review
CR-267 Order on petition to Expunge Court Record or Conviction	Delegated eSignature/No Review
CV-	Delegated
404 Injunction (Domestic Abuse)	eSignature/No Review
CV-	Delegated
407 Injunction (Harassment)	eSignature/No Review
CV-	Delegated
408 Order Extending Time for Hearing	eSignature/No Review
CV-	Delegated
409 Dismissal Order (Injunction)	eSignature/No Review
CV-	Delegated
414 Injunction (Child Abuse)	eSignature/No Review
CV-	Delegated
418 Dismissal Order	eSignature/No Review
GF-105 Order to Garnishee / Release of Garnishee	Delegated eSignature/No Review
GF-120 Order for Change of Venue	Delegated eSignature/No Review
GF-131 Order Appointing Guardian ad Litem or Attorney	Delegated eSignature/No Review
GF-	Delegated
168S Application for Specific Judicial Assignment	eSignature/No Review
GF-171 Judgment for Unpaid Fines, Forfeitures and Other Finar	ncial Delegated
Obligations	eSignature/No Review
GF-176 Court Order for Intoxicated Driver Assessment and Driv	ver Delegated eSignature/No Review
GF-190 Order to Produce/Transport	Delegated eSignature/No Review
GN-	Delegated
3460 Notice of Overdue Inventory	eSignature/No Review
GN-	Delegated
Notice of Overdue Report or Annual Account	eSignature/No Review
GN-	Delegated
3540 Order to Show Cause (Guardian/Conservator)	eSignature/No Review
GN- Summary Hearing Findings and Order Continuing Prote4120 Placement	ective Delegated eSignature/No Review
GN-	Delegated
4130 Findings and Order Terminating Protective Placement	eSignature/No Review

JC- 1692	Injunction (Child Abuse)	Delegated eSignature/No Review
JD- 1732	Order for Examination or Assessment	Delegated eSignature/No Review
JD- 1747	Dispositional Order - Civil Law/Ordinance Violation	Delegated eSignature/No Review
JD- 1786	Order for Revision of Dispositional Order	Delegated eSignature/No Review
JD- 1787	Order for Extension of Dispositional Order or Consent Decree (In Home Placement Only)	Delegated eSignature/No Review
JD- 1788	Order for Extension of Dispositional Order or Consent Decree (Out of Home Placement Only)	Delegated eSignature/No Review
JD- 1789	Order for Change of Placement (In-Home to Out-of-Home Placement Only)	Delegated eSignature/No Review
JD- 1790	Order for Change of Placement - Out of Home to Out of Home	Delegated eSignature/No Review
JD- 17 91	Permanency Hearing Order	Delegated eSignature/No Review
JD- 1792	Order for Change in Placement - Out-of-Home to In-Home	Delegated eSignature/No Review
JD- 1793	Order for Change in Placement (In Home to In Home Placement Only)	Delegated eSignature/No Review
PR- 1824	Notice of Overdue Inventory	Delegated eSignature/No Review
PR- 1826	Notice of Summary Procedures Deadline	Delegated eSignature/No Review
PR- 1832	Notice of Estate Administration Deadlines	Delegated eSignature/No Review
PR- 1834	Order for Extension of Time	Delegated eSignature/No Review
PR- 1916	Order Discontinuing Administration	Delegated eSignature/No Review
PR- 1917	Order to Show Cause (Probate)	Delegated eSignature/No Review
SC-502	Judgment/Notice of Entry of Judgment	Delegated eSignature/No Review
SC-506	Order for financial disclosure and financial disclosure statement	Delegated eSignature/No Review
SC-512	Writ of Restitution - Eviction	Delegated eSignature/No Review
SC-514	Writ of Replevin	Delegated

TR-307 Default Judgment

eSignature/No Review Delegated eSignature/No Review

This information can be found in the Case Management-Court Official section of the traditional CCAP software that the deputies use. If you would like to change the designation of any of the forms, we can do that. Let me know.

Mary Lou Mueller Ozaukee County

Clerk of Circuit Court / Register in Probate

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: <u>262-284-8409</u> or <u>262-238-8409</u> Fax: <u>262-284-8491</u> or <u>262-238-8491</u> <u>MaryLou.Mueller@wicourts.gov</u>

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On Sunday, October 13, 2013 at 4:48 PM, Joseph Voiland wrote:

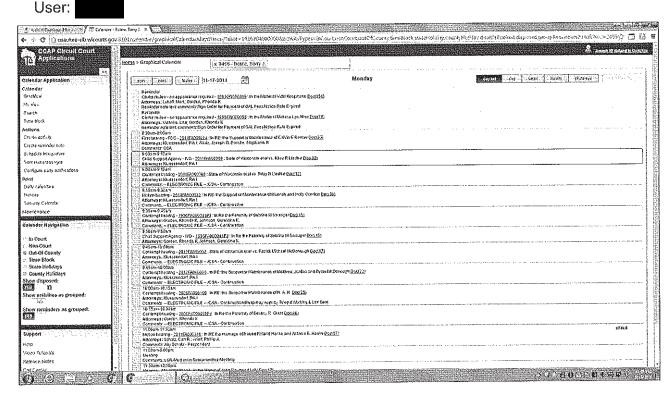
how this order was electronically signed? I did not sign it, electronically or otherwise.

Thank you,

Joseph W. Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov
262.

Print at: Sunday, June 19, 2016 11:46:06 PM

Host:



Joseph Voiland - Re: traffic case warrants

From:

Joseph Voiland

To:

Boline, Barry

Date:

9/11/2014 3:24 PM

Subject: Re: traffic case warrants

CC:

Malloy, Paul

Barry:

Judge Malloy and I had a chance to talk.

Are you able to identify the other warrants in Branch II State Traffic cases that are of the type in 14TR2590 (Hervey-Peters)? There is no judgment against the defendant in that case and no notice regarding ability to pay (345,47), so nothing to form the basis of the warrant.

Once identified, those other warrants should be canceled.

Please let me know if you believe we are missing anything or would otherwise like to talk.

Thank you,

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> Joseph Voiland 9/10/2014 2:47 PM >>>

Sure, stop by when you can. Paul and I believe there may be a memo from Corp Counsel to the Clerk of Courts. A warrant in a traffic case can certainly be issued, but I don't believe of the type that we saw today.

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

262.

>>> Barry Boline 9/10/2014 2:38 PM >>>

I would guess there are several per the discussion at the last judges meeting. We should talk.

>>> Joseph Voiland 9/10/2014 2:35 PM >>>

I had a return on warrant today for Ms. Hervey Peters. The warrant refers to section 785.04 of the statutes as the basis. 785.04 allows a remedial or punitive sanction upon (1) motion by "a person aggrieved"; (2) complaint by the district attorney; or (3) conduct "in the actual presence of the court." Because there was no identified person aggrieved, no complaint by the district attorney, and no conduct in the actual presence of the court, I quashed the warrant. The ADA agreed. The PD was present initially, but indicated she could not represent Hervey-Peters

as no charges were pending.

Are there other such warrants out there in cases assigned to Branch II?

Joseph W. Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

Joseph Voiland - warrants

From:

Joseph Voiland

To:

Koschnick, Randy

Date:

9/22/2014 1:31 PM

Subject: warrants

Ozaukee File 2014TR2590, State v. Hervey-Peters

Will you let me know if you see anything inappropriate in the minutes from 9-10-2014?

Joseph W. Voiland Ozaukee County Circuit Court Judge ioseph.voiland@wicourts.gov 262.

>>> Paul Malloy 9/12/2014 10:40 AM >>>

I just want to touch base with every one regarding the traffic warrants on OAR/OAS and OWI (noncriminal).I apologize for not committing this new practice to writing earlier. That has resulted in some confusion in this area. Moving forward individuals who are issued a citation for one of the three violations set forth above and who fail to appear on their return date will be deemed to have plead no contest pursuant to statute. The default judgment will be entered and the bond amount or other amount deemed appropriate by the commissioner will be imposed. The defendant will be given 20/30/60 days as deemed appropriate by the commissioner. If the defendant fails to pay within the time granted a warrant will be forwarded to the responsible judge and will be entered electronically by the assigned judge.. The warrant will be bondable. I think this is consistent with the practiced previously followed involving the suspension of driving privileges as opposed to a warrant. Barry and I talked last night and he had arranged to withdraw the warrants that were issued upon non appearance. Individuals subject to those warrants will be given adjourned initial appearances and if they fail to appear on that date they will be processed in accord with the policy set forth above. It is my understanding that Barry has discussed this with Adam Gerol and he is fine in proceeding in this manner.

I hope this clarifies this new procedure. I would note that in talking with Mary Lou she indicated that the use of warrants under the original procedure followed this week would have resulted in significant increase in people paying their forfeitures. Hopefully this will continue under the new protocol. After all that is what prompted our decision to change our practice.

I also spoke with Connie and she will have this as an agenda item at next week meeting in case we need to do any follow up. If any of you have any questions before then please feel free to contact me. In addition, this may be something that we should review sometime in the spring to see if it affective in addressing our non-payment issue. Paul

>>> Barry Boline 9/12/2014 9:38 AM >>>

Per the conversation I had with Judge Malloy yesterday evening, all warrants I issued on pre-judgment traffic cases that have not been returned have been canceled, and new adjourned initial appearance dates have been issued for all those affected. If defendants appear at the adjourned date, they may enter pleas. If they do not appear, I will, pursuant to statute, enter default judgments and give them time to pay. If they do not pay, I will refer the matters to the appropriate branch for enforcement by issuance of warrants.

Barry J. Boline Circuit Court Commissioner Ozaukee County barry.boline@wicourts.gov Joseph Voiland - I am looking for some thoughts on entering an order that would stop a local resident from filing an endless number of actions without filing fees and /or service fees. This came up today because the sheriff and the clerk of courts are concerned about the s

From:

Paul Malloy

To:

Barry Boline; Joseph Voiland; Michael Neimon; Randy Koschnick; Sandy...

Date:

5/3/2016 10:35 AM

Subject: I am looking for some thoughts on entering an order that would stop a local resident from filing an

endless number of actions without filing fees and /or service fees. This came up today because the

sheriff and the clerk of courts are concerned about the s

CC:

JJohnson@co.ozaukee.wis.us

I am looking for some thoughts on entering an order that would stop a local resident from filing an endless number of actions without filing fees and /or service fees. This came up today because the sheriff and the clerk of courts are concerned about the service and filing fees that are being waived. Since late 2015 he has filed 3 John Does, a writ of mandamus and one small claims actions involving a former girl friend, and I believe a large claim against Fed Ex. In addition, each John Doe and the mandamus action required judicial time to prepare a response. Have any of you ever entered an order requiring filing from repeat filers to be screened before they are excepted. I would mention that I am named in one of his John does so I would another Judge to do the screening. Thanks for any thoughts.

Joseph Voiland - Re: Probate and Guardianship Docket Review

From:

MaryLou Mueller

To:

Joseph Voiland

Date:

3/9/2016 1:18 PM

Subject: Re: Probate and Guardianship Docket Review

CC:

Jaclyn McCoy; Julie Fedder

Judge,

The following matters have been set on your calendar for Order to Show Cause Hearings; 2012PR134, 2014PR109, 2015PR51, and 99PR14. Orders have been sent to your dash board. Matters set for a review hearing on your calendar; 13pr84, 15PR5, 15PR17, 15PR65 and 15GN83. 2015GN74 has been followed up on their own and are set for hearing before the court commissioner. Order for dismissal has been drafted and placed in your mail box for 2015GN63.

2015PR17 is still formal - Kim/Terry did some weird errors - but it is still formal.

Alary Lou Aluebler Ozaukee County

Clerk of Circuit Court / Register in Probate

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: 262-284-8409 or 262-238-8409 Fax: 262-284-8491 or 262-238-8491 MaryLou.Mueller@wicourts.gov

http://www.co.ozaukee.wi.us/clerkcourts/

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>>> Joseph Voiland 3/9/2016 11:59 AM >>>

Following up on this. For hearings to be held April 6, notices will need to go out this week to allow time to comply. Please let me know if that is not possible.

Thank you,

Joe Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

>>> Joseph Voiland 2/26/2016 2:42 PM >>> Mary Lou:

I have reviewed the general docket for probate and for guardianships.

I am asking for your input on some of these matters, and to set certain matters for hearing. Please check in with the parties, if you would like, prior to sending the hearing notice.

2013PR000084 In the Estate of Mary H Malinowski Please set for a review hearing April 6 at 8:30 am

2015PR000017 In the Estate of Janice E. Garsha

Is this back to informal? There is a suggestion in the record it is, but it is designated formal. What remains to be done and when?

2015PR000005 In the Estate of Barbara A Schiessle

Looks like there were a # of deadlines that passed without a satisfying record event. If that's the case, please set for review hearing April 6 at 8:30 am.

2015PR000065 In the Estate of Wellington Lewis Lash II

Anything left to be done? If yes, please set for review hearing April 6 at 8:45 am.

2012PR000134 In the Estate of James A Zech

Was extended to December 31 to close. Looks like nothing was done. If that's correct, please set for dismissal calendar April 6 at 9:00.

2014PR000109 In the Estate of Deborah J Heffner

Same as above. Was extended to December 31 to close. Looks like nothing was done. If that's correct, please set for dismissal calendar April 6 at 9:15.

2015PR000051 In the Estate of Ronald L. Casper

Same as above. Deadlines were in October. Looks like nothing was done. If that's correct, please set for dismissal calendar April 6 at 9:30.

1999PR000014 In the Estate of Marvin Prochnow

Nothing is calendared. Is there anything remaining to do in court on this case?

2015GN000083 In the Matter of David Jon Ciezki

Foreign GN filed in December, does not appear to have been scheduled or acted upon. Anything to be scheduled?

2015GN000074 In the Matter of Katherine E. Socha

Foreign GN filed in November, does not appear to have been scheduled or acted upon. Anything to be scheduled?

2015GN000063 In the Matter of Treanna A Ungewitter

Abandoned by petitioner without objection. Please prepare order of dismissal and close.

On the notice for each case scheduled, please include the following: "All past due papers, and any other required filings, must be filed 10 business days prior to this hearing."

I realize this may take some time to review and complete. Please also take some time to review the probate docket in order to identify any other probate cases on file that need any action to be taken prior to rotating the probate docket this summer. Please send me a list of those cases and what needs to be done on each of them. We will calendar them for April to be sure there is time to complete anything that remains so that the docket is in the best order possible at the time of rotation.

Make sense?

Thank you again,

Joe Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

Minutes after II was etable energy. It up.

Joseph Voiland - Re: Probate and Guardianship Docket Review

From:

MaryLou Mueller

To:

Joseph Voiland

Date:

3/22/2016 3:37 PM

Subject: Re: Probate and Guardianship Docket Review

Sorry Judge...it was still on my desk to do the Order to Show cause and when I went back into the case I saw that it was on the Commissioner's calendar and I thought I had made a mistake. I will send the Order to Show Cause to your dashboard and mail out today. Sorry for the inconvenience. Good catch:)

Mary Lou Mueller Ozaukee County

Clerk of Circuit Court / Register in Probate

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: 262-284-8409 or 262-238-8409 Fax: 262-284-8491 or 262-238-8491 MaryLou.Mueller@wicourts.gov

http://www.co.ozaukee.wi.us/clerkcourts/

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>>> Joseph Voiland 3/22/2016 3:34 PM >>> Mary Lou:

Following up on 13pr84 (Malinowski). It is the oldest of the formal probate cases. It was set for review hearing April 6, and a notice was sent stating that all past due papers were to be filed 10 business days prior to the hearing. It no longer appears on the April 6 docket. Can you please look into this and let me know what happened? It should remain on the calendar for April 6.

Thank you.

Joe Voiland Ozaukee County Circuit Court Judge joseph.voiland@wicourts.gov

>>> MaryLou Mueller 3/9/2016 1:18 PM >>> Judge,

The following matters have been set on your calendar for Order to Show Cause Hearings; 2012PR134, 2014PR109, 2015PR51, and 99PR14. Orders have been sent to your dash board. Matters set for a review hearing on your calendar; 13pr84, 15PR5, 15PR17, 15PR65 and 15GN83. 2015GN74 has been followed up on their own and are set for hearing before the court commissioner. Order for dismissal has been drafted and placed in your mail box for 2015GN63.

2015PR17 is still formal - Kim/Terry did some weird errors - but it is still formal.

Mary Lou Mueller

Ozaukee County

Clerk of Circuit Court / Register in Probate

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone: 262-284-8409 or 262-238-8409 Fax: 262-284-8491 or 262-238-8491 MaryLou,Mueller@wicourts.gov

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>>> Joseph Voiland 3/9/2016 11:59 AM >>>

Following up on this. For hearings to be held April 6, notices will need to go out this week to allow time to comply. Please let me know if that is not possible.

Thank you,

Joe Voiland
Ozaukee County Circuit Court Judge
ioseph.voiland@wicourts.gov

>>> Joseph Voiland 2/26/2016 2:42 PM >>> Mary Lou:

I have reviewed the general docket for probate and for guardianships.

I am asking for your input on some of these matters, and to set certain matters for hearing. Please check in with the parties, if you would like, prior to sending the hearing notice.

2013PR000084 In the Estate of Mary H Malinowski Please set for a review hearing April 6 at 8:30 am

2015PR000017 In the Estate of Janice E. Garsha Is this back to informal? There is a suggestion in the record it is, but it is designated formal. What

remains to be done and when?

2015PR000005 In the Estate of Barbara A Schiessle

Looks like there were a # of deadlines that passed without a satisfying record event. If that's the case, please set for review hearing April 6 at 8:30 am.

2015PR000065 In the Estate of Wellington Lewis Lash II

Anything left to be done? If yes, please set for review hearing April 6 at 8:45 am.

2012PR000134 in the Estate of James A Zech

Was extended to December 31 to close. Looks like nothing was done. If that's correct, please set for dismissal calendar April 6 at 9:00.

2014PR000109 In the Estate of Deborah J Heffner

Same as above. Was extended to December 31 to close. Looks like nothing was done. If that's correct, please set for dismissal calendar April 6 at 9:15.

2015PR000051 In the Estate of Ronald L. Casper

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2015GN000074 In the Matter of Katherine E. Socha

Foreign GN filed in November, does not appear to have been scheduled or acted upon. Anything to be scheduled?

2015GN000063 In the Matter of Treanna A Ungewitter

Abandoned by petitioner without objection. Please prepare order of dismissal and close.

On the notice for each case scheduled, please include the following: "All past due papers, and any other required filings, must be filed 10 business days prior to this hearing."

I realize this may take some time to review and complete. Please also take some time to review the probate docket in order to identify any other probate cases on file that need any action to be taken prior to rotating the probate docket this summer. Please send me a list of those cases and what needs to be done on each of them. We will calendar them for April to be sure there is time to complete anything that remains so that the docket is in the best order possible at the time of rotation.

Make sense?

Thank you again,

Joe Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

STATE OF	WISCONSIN,	CIRCUIT	COURT	DZALIKEE
OIMIL OI	AAIOOOIAOIIA,	CHICOTH	COUNTY	ULMUNLL

COUNTY

For Official Use
For Official Use
Filed
Ozaukee County
Circuit Court
June 17, 2016
Mary Lou Mueller
Register in

Probate

In RE: the Paternity of H.L.F.

Response to Order dated June 15, 2016 Regarding fees Collected by Clerk of Courts

Case No. 2011FA000284

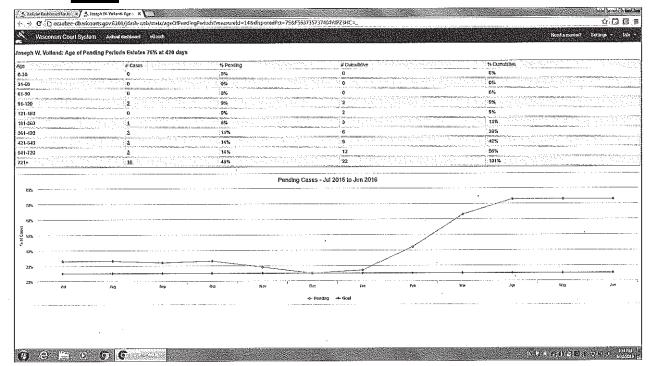
Hay Far Smeller

STATE OF WISCONSIN	CIRCUIT COURT	OZAUKEE COUNTY
		Amended
In the Estate of Kenneth E. G	oetschel	Order for Extension of Time X Informal Administration Formal Administration
		Case No. 2015PR000079

In the Estate of Janice E. Garsha Order for Extension of Time Informal Administration Formal Administration Case No. 2015PR000017
Extension of Time ☑ Informal Administration ☐ Formal Administration
Case No. 2015PR000017

Print at: Saturday, June 18, 2016 7:14:02 PM

Host: User:





Circuit Court of Ozaukee County

Barry J. Boline

Court Commissioner
OZAUKEE COUNTY JUSTICE CENTER
1201 S. SPRING STREET
P.O. BOX 994
PORT WASHINGTON WI 53074

Lauri A. Vanden Berg Judicial Deputy Clerk

Authenticated/Filed
Ozaukee County Circuit

JUN - 8 2015

Mary Lou Mueller Clerk of Circuit Court/ Register in Probate

June 8, 2015

Peter L. Ramirez Von Briesen & Roper S.C. 411 E. Wisconsin Avenue Milwaukee, WI 53202

Kristen L. Hildebrand Hildebrand Law Firm L.L.C. 7545 N. Port Washington Road Milwaukee, WI 53217

Meg C. O'Marro O'Marro Law Office L.L.C. W175 N11117 Stonewood Drive, Suite 203A Germantown, WI 53022

Re: Case Number 2011FA284

Attorney Peter L. Ramirez contacted the office of the undersigned on Thursday, May 28, 2015. Ms. Klitzke contacted the office of the undersigned on Wednesday, May 27, 2015.

The Ozaukee County family court services office does not provide legal custody and physical placement studies. Ozaukee County does not have a cooperative agreement to establish such an office that provides legal custody and physical placement studies. The Director of Family Court Services does not have a contract with any person or public or private entity to provide legal custody and physical placement studies.

Very Truly Yours,

Barry J. Boline

CIRCUIT COURT
FAMILY COURT BRANCH

FILED
05-22-2015
Ozaukee County, WI
OZAUK FE COUNTY
Mary Lou Mueller CoCC

STATE OF WISCONSIN

In re the paternity of HF.

STATE OF WISCONSIN,

Petitioner,

and

ALISHA L. BALSITIS,

Co-Petitioner,

V.

Case No. 2011FA00284

KEVIN M. FLOOD,

Respondent.

ORDER ARISING FROM THE APRIL 28, 2015 HEARING

On April 28, 2015, the Court held a hearing on Respondent's Motion and Order To Show Cause for contempt against Co-Petitioner Alisha Balsitis ("Ms. Klitzke"). Present for the hearing were the following: Ms. Klitzke by her attorneys Hildebrand Law Firm, LLC by Kirsten Hildebrand; Kevin Flood ("Mr. Flood") by his attorneys von Briesen & Roper, s.c. by Peter L. Ramirez; and Guardian ad Litem Meg O'Marro on behalf of the best interests of the minor child.

The Court after having reviewed affidavits and other legal memoranda filed by the parties, heard testimony from the parties and arguments of counsel makes the following ORDER:

1. The co-petitioner Ms. Klitzke is in contempt of court for failing to abide by the March 26, 2015 Order relating to the visitation/placement periods that were awarded to

Respondent Mr. Flood on three dates.

2. As a sanction for her failure to abide by the court order, Mr. Flood is entitled to an

additional nine (9) hours of placement time to be used as he wishes.

3. As an additional sanction for Mr. Flood having to seek this relief, Ms. Klitzke shall pay

to the law firm of von Briesen & Roper, s.c. \$5024.00 as fees for the Court's for her

contempt.

Dated this day of May, 2015.

BY THE COURT:

Honorable Joseph W. Voiland Circuit Court Judge Ozaukee County, Wisconsin

Document prepared by:
Peter L Ramirez, Esq.
von Briesen & Roper, s.c.
411 E. Wisconsin Ave. Suite 1000
Milwaukee, WI 53202

Tel: (414) 287-1428 Fax: (414) 238-6689

Email: pramirez@vonbriesen.com

25399106_1.DOCX

CIRCUIT COURT FAMILY COURT BRANCH

OZAUKEE COUNTY

In re the paternity of H

KEVIN MCCUTCHEON FLOOD

Petitioner,

Authenticated/Filed Case No: 11 FA-000284 Ozaukee County Circuit

-and-

ALISHA LEIGH BALSITIS

Respondent.

Mary Lou Mueller Clerk of Circuit Court/ Rogister in Probate

NOTICE OF MOTION AND MOTION FOR CUSTODY STUDY

To: Kevin McCutcheon Flod c/o Attorney Peter L. Ramirez Von Briesen & Roper, S.C. 411 E. Wisconsin Avenue, Suite 1000 Milwaukee, WI 53202-4409

PLEASE TAKE NOTICE that the above-name Respondent, Alisha Balsitis, by her attorney, Kirsten L. Hildebrand of Hildebrand Law Firm, LLC, will move the court, before the Honorable Commissioner Boline presiding, on the 20 day of 4/ay, 2014, at 9:30 has soon thereafter as counsel can be heard and move for an order holding that a custody study be ordered in the above-captioned matter.

The primary issue of this litigation is the physical placement of the minor child. Specifically, the Petitioner has moved out of state and therefore the Respondent continues to have full time placement. The petitioner is making several allegations regarding contact in his Notice of Hearing and Motion to Enforce Placement Order, dated January 6, 2014, specifically matters related to the access to the minor child, and the performance of parental duties and responsibilities relating to the child. Therefore, it is in the best interest of all parties, including the child, that a legal custody and placement study be conducted in accordance with Wis. Stat. Sect. 767.11(14) so that these matters can be evaluated properly.

Dated this 13th day of February, 2014

Hildebrand

State Bar No. 1027009 Attorney for Petitioner

This document was drafted by: Hildebrand Law Firm 7545 N. Port Washington Road Milwaukee, WI 53217 Telephone: 414-409-7122 Fax: 414-409-7123

klhildebrand@sbcglobal.net

Flood - Balsitis

Case No: 11FA284

ORDER OF REFERRAL FOR CUSTODY AND PLACEMENT STUDY

Pursuant to Wis. Stat. § 767.405(2)(a) and 767.405(14)(a), the parties are ORDERED to contact the Director of Family Court Services for the purposes of securing a Legal Custody and Physical Placement Study. The report on the study shall include the information required by section 767.405(14)(a), including all factors relating to the best interest of the child with respect to custody and physical placement determinations set forth in section 767.41(5). This order supplements the March 26, 2015 order that a Legal Custody and Physical Placement Study shall take place. On or before June 15, 2015 the parties each shall make a deposit of \$500.00 towards the cost of the study.

Dated at Port Washington, Wisconsin, this 26 day of May, 2015.

Authenticated/Filed Ozaukee County Circuit

MAY 2 6 2015

Mary Lou Mueller Clerk of Circuit Court/ Register in Probate $_{-}$ \downarrow /

THE COURT:

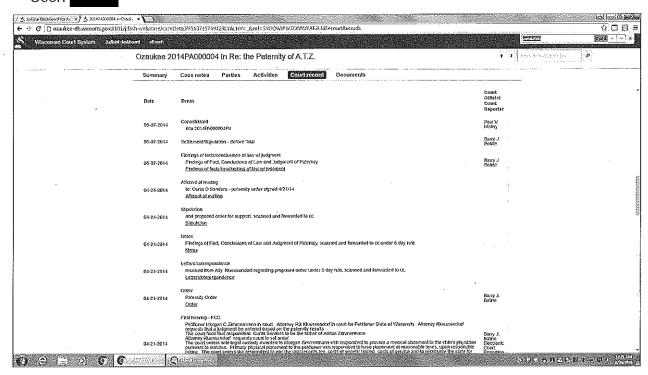
Joseph W. Voiland Circuit Court Judge Print at: Wednesday, February 24, 2016 3:57:30 PM Host:

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Ozaukee :	2011FA000284 State of Wisc	onsin et al vs. Kevin M Flood				¥ 50. \$ 557	e la constante districtio	P	
Sumnary	Case notes Parties Activ	villes Court record Documents The	ancials:	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
	interest on Judgments	2011FA000284	Yotal	\$50.00					
		:	10/41	32000					
	Receipt	15R 88665 from Peter & Flood for \$500.00 on 07-0							
	Description	Case		Amount					
	Custody study fee trust	2011FA000284		500.00					
			Total	\$500.00					
	Receipt	16R 010602 from Alisha Klitzke for \$50.00 on 08-2	1-2015						
	Description	Case		Amount					
	Guardian ad Litem Fee	2011FA000224		\$50.00					
	loterest on Judgments	2011FA000224		\$0.00					
			Tetal	\$50.00					
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	Description	Case		Amount					
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			Tolal	\$50.00					
	Receipt	16R 011856 from Alisha Kritzke for \$50.00 on 09-2	1-2016						
	Description	Case		Amount					
	Guardian ad Lifem Fee	2011FADG0284		\$50.00					
	Interest on Judgments	2011FA005234		\$9.00					0.
			Total	\$50.00					
	Receipt	16R 011866 from Alisha Klitzke for \$50.00 on 09-2	1-2016	CONTRACTOR OF THE STATE OF THE				NONE STATE OF THE	TO SOME PROPERTY CASE
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Print at: Monday, June 20, 2016 12:21:04 AM

Host: User:



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take of Wis	consin et al vs.	Kevin M Flood		Print	able Version (120)
zaukee Co	unty Case Num	ber 2011FA000284			
ourt Record E	vents				
					What is RSS?
Date	Event		Court Official	Court Reporter	
01-30-2016	Notice onal Text:				
		t to the Department of Rever	nue collections program - sent to Ke	vin Flood	
01-30-2016	Notice of Certification	1			•
	onal Text: Flood's past due Guardi	an ad Litem debt has been ce	rtified to WI DOR tax intercept prog	gram,	
01-30-2016	Judgment for unpaid	fine/forfeiture/other		-	
	Amo u \$ 295				
Additi	onal Text;	.,,,			
	Flood's past due Guardi	an ad Litem debt			
01-25-2016	Interim financial sum	nary to child supt agency	Voiland, Joseph W.		
01-22-2016	Prop. order				
88	onal Text;				
Ргоро	sed Interim Financial Su	mmary to Child Support Age	ncy, Scanned/Forwarded to Branch 2	clerk.	
01-22-2016	Received documents				
01-22-2016	Order		Voiland, Joseph W.		
01-13-2016	Letters/corresponder	nce			
	Additional Text: from Atty. Hildebrand				
mort .					
01-13-2016	Prop. order		Voiland, Joseph W.		
01-13-2016	Stipulation				
01-13-2016	Notes				
	onal Text:	, H.J.,		E	50-0
The parties report they have an agreement on all issues that were set for trial on 1-13-16 therefore trial is removed from the calendar. Child support calculation to be resolved. Counsel to file stipulation. If unable to resolve child support issue, counsel to schedule an initial hearing on the child support issue with the court commissioner. Clerk JM advised counsel regarding same.			counsel to		
01-12-2016	Mediation agreement				
01-12-2016	Letters/corresponder	ice			
	onal Text:				
receiv	ed from Atty. Ramirez r	egarding orders			
12-08-2015	Order		Voiland, Joseph W.		
68	onal Text:				
Prepre	sed-order filed-by/Attor	nev Hildelmand regarding 41;	/17//15 hearing		

15. 1	11-23-2015. Prop. order Voiland, Joseph WAdditional Text:
	Proposed order filed by Attorney Hildebrand regarding 11/17/15 hearing.
16 1	11-23-2015 Objection Additional Text:
	Filed by Attorney Hildebrand regarding proposed order from 11/17/15 hearing.
17 1	11-19-2015 Letters/correspondence
	Additional Text: from Atty. Ramirez regarding proposed order under 5 day rule.
18 1	11-19-2015 Prop. order Voiland, Joseph W.
-	Additional Text: under 5 day rule
Ī9 1	11-17-2015 Notice of hearing
	Additional Text: Court trial at 01-13-2016 08:30 am
20 1	11-17-2015 Status conference Voiland, Joseph W. Klein, Anjanette
	Additional Text: Petitioner Alisha I. Klitzke (Balsitis) in court with Attorney Kirsten Louise Hildebrand. Attorney Meg Colleen O'Marro in court for Child H. L. F. Attorney Peter I. Ramirez in court for Respondent Kevin M Flood. Atty Ramirez addresses request for petitioner to attend therapy and placement modification. Atty Hildebrand addresses placement modification request and requests court to follow study recommendations. Atty O'Marro makes recommendation for shared placement. Atty Ramirez requests attorney fees. Court breaks for final hearing to be scheduled. 2:27 pm/Court resumes with same appearances. Final hearing scheduled. Atty Ramirez addresses placement for Thanksgiving. Response by Atty Hildebrand. Court sets temporary placement order. Court finds Atty Ramirez's request for placement modification was not filed timely. Court, on own motion, modifies placement schedule. Court orders parties to mediation. At the request of parties, mediator Judge Charles Kahn, to be completed on or before December 18, 2015. If parties mutually agree to change, parties may do so. Atty Ramirez to prepare order. Court trial scheduled for January 13, 2016 at 08:30 am.
21 1 -	11-05-2015 Request Additional Text: Request for Modification of Placement and for Ms. Balsitis to Commence Therapy Forthwith Pending the Trial of All Issues Before the Court
22 1	11-05-2015 Letters/correspondence
Ē	Additional Text: From Attorney Ramírez
23 1	10-26-2015 Notice of hearing
	Additional Text: Status conference at 11-17-2015 01:30 pm
24 1	10-21-2015 Report
	Additional Text: Family Custody and Placement Study. Scanned/Forwarded to Branch 2.
25 1	10-21-2015 Letters/correspondence Additional Text: Scanned/Forwarded to Branch 2.
26 1	10-21-2015 Notes Additional Text:
	Per court directive, no custody study is on file. A court hearing will be scheduled once the study is filed.
27 1 -	10-14-2015 Letters/correspondence Additional Text: From Attorney O'Marro requesting a hearing. Scanned/Forwarded to Branch 2.
- <u>- </u>	0:14:2015 Received documents

Letters/correspondence Additional Text: To Kevin Flood/Alisha Balsitis regarding recoupment of GAL fees. 09-22-2015 Notice Additional Text: of Intent to Refer Debt to the Department of Revenue - sent to Kevin Flood 09-22-2015 Notice of Certification Additional Text: Kevin Flood's past due GAL fee debt has been certified to WI DOR tax intercept program. Judgment for unpaid fine/forfeiture/other 09-22-2015 Amount \$ 792.75 Additional Text: Kevin Flood's past due GAL fees 09-22-2015 Notes Additional Text: Check request sent to finance department for payment of GAL fees - \$591.50 - Atty. O'Marro. Order for payment of GAL fees 09-18-2015 Boline, Barry J. Amount \$ 591.50 08-28-2015 Prop, order for payment of GAL fees Amount \$ 591.50 Additional Text: held under 10 day rule 08-28-2015 Petition Amount \$591.50 Additional Text: For Approval and Payment of Attorney Fees (GAL) 08-28-2015 Received documents 07-24-2015 Check/Disbursement Amount \$500.00 Additional Text: Payment from Kevin Flood for custody study forwarded to Dept, of Human Services. Voiland, Joseph W. 07-16-2015 Order Voiland, Joseph W. 07-14-2015 Telephone conference Additional Text: (off record) Telephone conference held off the record with all counsel present. The custody study has begun and will be complete within 90 days. Matter will be set for clerk's review at this time. 07-13-2015 Notes Check request sent to finance department for payment of mediation services - \$405.00 - Atty, Podell. 07-08-2015 Custody study Fee paid.

1,000,000	onal Text: 08665 Peter 5 Flood	
02003764		
07-06-2015	Invoice/Statement	
	Amount	
2.7.60	\$ 0,00	
36,690,00	onal Text: diation Services	
07-06-2015	Received documents	
07-06-2015	Termination of mediation	
	onal Text:	
	ed and forwarded to CC for review.	
07-02-2015	Order	Boline, Barry J.
07-01-2015	Notice of hearing	
	onal Text:	
Telepl	none conference at 07-14-2015 03:00 pm	
07-01-2015	Telephone conference	Voiland, Joseph W.
100000000000000000000000000000000000000	onal Text:	
(off re be ma	cord) Conference call between court and couns lled. Telephone conference scheduled for July	sel of record. Matter set for another telephone conference in July, notices w 14, 2015 at 03:00 pm.
06-23-2015	Notice of hearing	
Additi	onal Text:	
Telepl	one conference at 07-01-2015 08:30 am	
06-23-2015	Letters/correspondence	
A STATE OF THE PARTY OF THE PAR	onal Text;	
From	Attorney Ramirez to Judge	
06-17-2015	Letters/correspondence	
Additi	onal Text:	
Revise	d from Attorney Hildebrand regarding the cou	rt ordered study.
06-17-2015	Letters/correspondence	
Additi	onal Text:	
From	Attorney Hildebrand regarding court ordered st	tudy.
06-16-2015	Letters/correspondence	
	onal Text:	1. N. V.
To Alis	ha Balsitsis/Kevin Flood regarding recoupment	of GAL fees.
06-16-2015	Notes	*
	onal Text:	Strate and Control of the Strame
Check	request sent to finance department for payme	nt of GAL fees - \$1,585.50 - Atty. O'Marro.
06-09-2015	Letters/correspondence	
	onal Text:	
From	Attorney Ramirez regarding the ordered studie	s. Branch notified.
06-08-2015	Order for payment of GAL fees	Boline, Barry J.
	Amount	
	\$ 1585.50	

8 05-28-7015	Eetters/correspondence	
Addition	nal Text:	
Atty Ran	nirez files in follow-up of order on custody & placeme	ent study - forwarded to C.C.
	Memorandum	
Addition Legal Mo	nat Text: emorandum Opposing Sanction of Attorney's Fees	
0 05-26-2015 (Addition		
100	torney Hildebrand	
05-26-2015	Order	Voiland, Joseph W.
Addition		
of Refer	ral for Custody and Placement Study	
2 05-22-2015	Affidavit	
3 05-22-2015	Prop. order	Voiland, Joseph W.
8	Letters/correspondence	
Addition		
From At	torney Ramirez	
5 05-14-2015 I	Prop. order for payment of GAL fees	
30 30 30	Amount \$ 1585.50	
Addition		
ŠĪ.	der 10 day rule	
6 05-14-2015	Petition	
	Amount	
	\$ 1585.50	
Addition for Appr	nal Text: roval and Payment of Attorney Fees (GAL)	
7 05-14-2015 1	Received documents	
%	Letters/correspondence	
Addition From At	nal Text: torney Ramirez, Branch clerk notified.	
05-13-2015 Addition	Letters/correspondence	
	torney Hildebrand. Branch clerk notified.	
	Affidavit	
Addition		
8	t of Alisha Klitzke	
05-11-2015	Letters/correspondence	
2 05-08-2015 I	Notes	
Addition	nal Text:	
Court st	ay of Order from 3/30/2015 is released per review he	earing on 4/28/15.
3 05-07-2015 I	Letters/correspondence	
Addition	nal Text:	
=From At	torney Ramirez	

05-01-2015	AFFidavit
Addit	onal Text:
Affida	vit of Kevin M. Flood
05-01-2015	Motion
Addit	onal Text:
Motio	n to Lift the Stay of Court's March 30, 2015, Order
05-01-2015	Letters/correspondence
	onal Text:
	Attorney Ramirez. Branch clerk notified.
04-30-2015	Letters/correspondence
	onal Text:
	sha Balsitis/Kevin Flood regarding recoupment of GAL fees.
TO Att.	sna basicis/Reviii / tood regarding recoupment of GAC rees.
04-30-2015	Notes
Additi	onal Text:
Check	request sent to finance department for payment of GAL fes - \$2,953.50 - Atty. O'Marro.
04-29-2015	Prop. Order Denied Voiland, Joseph W.
Additi	onal Text:
Docur on be	nent: Proposed Order - Proposed Order Filed by: Kirsten Louise Hildebrand Reason: Objection by guardian ad litem, objectional for proposed Order Filed by: Kirsten Louise Hildebrand Reason: Objection by guardian ad litem, objectional Formation of Proposed Order Filed by: Objection Order Filed By: O
04-28-2015	Exhibit list
04-28-2015	Review hearing Voiland, Joseph W. Klein, Anjanette
	onal Text:
Petitio	oner Alisha L. Balsitis in court with attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with attorney Pet ez. Attorney Meg Colleen O'Marro in court for Child H. L. F., Atty Ramirez calls Kevin Flood, sworn & testified. Cross exam by
Attv F	lildebrand. Cross exam by Atty Omarro, Redirect. Discussion as to further witness'. Recess for lunch. Recalled, appearances
same.	Atty Ramirez calls Alisha Balsitis adversely. Cross exam by Atty Hildebrand. Cross exam by GAL Omarro. Redirect. Court ns witness. No further testimony. All exhibits moved into evidence. Final argument by Atty Ramirez. Final argument by Atty
Hildel	orand. Court makes findings of contempt against petitioner. Court withholds on sanctions. Parties to start Family Steps by
5/8/1	5. Court's order stayed until Mr Flood contacts Family Steps. Verification to be sent to court.
04-28-2015	Exhibit
04-28-2015	Letters/correspondence
04-27-2015	Notice of motion, motion
Additi	onal Text:
Notice	of Motion and Motion to Strike Supplemental Affidavit of Kevin Flood
04-27-2015	Letters/correspondence
04-24-2015	Affidavit
	onal Text:
Supple	emental Affidavit of Kevin M. Flood in Support of Respondent's Order to Show Cause for Contempt
04-24-2015	Affidavit of service
	Amount
	\$ 0.00
Additi	onal Text:
	Klitzke - Served
04-24-2015	Letters/correspondence
04-23-2015	Affidavit
	onal Text:
Affida	vit-of-Kristen-L-Hildebrand in Support-of-Notice of Motion-to-Adjourn Evidentiary-Hearing for the Purpose of Mediation

	Additional Text:			
Affidavit of Alisha Klitzke				
04-23-2015	Memorandum			
	tional Text:			
Men	orandum of Law in Support of Co-Petitioner's Apri	l 21, 2015 Request for Court Signature of the Mediation Agreement		
04-23-2015	Letters/correspondence	7-14-14-14-14-14-14-14-14-14-14-14-14-14-		
04-22-2015	Memorandum			
	Additional Text:			
Co-P	etitioner's Memorandum of Law Opposing Contem	pt		
04-22-2015	Letters/correspondence			
04-22-2015	Received documents			
04-22-2015	Report of GAL			
	tional Text:			
Guar	dian ad Litem Pretrial Report			
04-22-2015	Letters/correspondence			
	tional Text:			
Fron	Attorney Ramirez			
04-22-2015	Exhibit list			
	cional Text:			
Resp	ondent's Trial Exhibits			
04-22-2015	Report			
	cional Text:			
Resp	ondent's Pretrial Report			
04-22-2015	Exhibit list			
	tional Text;	- 1		
Co-P	etitioner's (Alisha Balsitis) Exhibit List			
04-22-2015	Letters/correspondence			
Addi	cional Text:			
From	Attorney Hildebrand			
04-22-2015	Witness list - plaintiff			
	cional Text;			
Co-P	etitioner's (Alisha Balsitis) Pretrial Report & Witnes	s List		
04-22-2015	Report			
Addi	cional Text:			
Co-P	etitioner's (Alisha Balsitis) Expert Report			
04-21-2015	Stipulation and Order	Voiland, Joseph W.		
	tional Text:			
	ation Agreement Regarding Temporary Order			
04-21-2015	Prop. order	Voiland, Joseph W.		
04-21-2015	Letters/correspondence	Volland, Joseph W.		
04-20-2015	Letters/correspondence			
	ional Text:			

/13/20			Events for 2011 AU00284 in Ozaukee County
	With a	tached copy of Mediation Agreement ResTen	porary Order
108	04-20-2015	Order for payment of GAL fees Amount \$ 2953.50	Boline, Barry J.
60	04-17-2015	Received documents	
10	04-17-2015 Additi	Letters/correspondence	
		ection by Atty O'Marro to remove 4/16 hearin	g with CC.
111	04-15-2015 Addition	Notes onal Text: int to request and response of counsel, the Standard from the count calendar.	otus Hearing scheduled for April 16, 2015 before Commissioner Boline is
112	04-14-2015		Voiland, Joseph W.
	04-14-2015	Letters/correspondence	volulia, sosaph ve.
		onal Text:	
	From A	Attorney Ramirez, Branch 2's clerk notified.	
114	04-13-2015	Letters/correspondence	
		onal Text:	- biG - J
	From A	Attorney Ramirez, Court Commissioner's clerk	nouried.
15	04-08-2015	Prop. order to show cause	Voiland, Joseph W.
116	04-08-2015	Notice of motion, motion	
17	04-08-2015	Letters/correspondence	
18	04-08-2015	Letters/correspondence	
119 1		Affidavit onal Text; in Flood in Support of OTSC (w/exhibits)	
20	04-07-2015	Affidavit	
21	04-07-2015	Prop. order to show cause	Voiland, Joseph W.
22		Letters/correspondence onal Text: Attorney Ramirez, Scanned/Forwarded to Bran	ch 2.
23	04-03-2015	Received documents	
24	04-03-2015	Other papers	
25	04-03-2015	Other papers	
26		Letters/correspondence onal Text: attorney Ramirez.	
27	03-31-2015	Letters/correspondence	
128	03-30-2015	Prop. order for payment of GAL fees Amount	1
4		\$ 2953.50	
	THE RESIDENCE OF THE PARTY OF T		

		onal Text: nder 10 day rule.
29	03-30-2015	Petition
	+	Amount
	i arana	\$ 2953,50
		onal Text: proval and Payment of Attorney Fees (GAL)
è	тог тър	noval and regiment of recording feet (entry
30	03-30-2015	Received documents
31	03-30-2015	Temporary order Voiland, Joseph W.
32	03-30-2015	Received documents
33	03-30-2015	Prop. temporary order
		onal Text:
	From D	te Novo Hearings held on March 17, 23 and 26 - held under five day rule
34	03-30-2015	Letters/correspondence
	Additio	onal Text:
	From F	ildebrand Law Firm stating the order has been reviewed and is requesting proposed order be held under five day rule
35	03-30-2015	Prop. temporary order
		onal Text:
	Submil	ted by Attorney Ramirez, under the 5 day rule. Scanned/Forwarded to Branch 2.
36	03-30-2015	Other papers .
37	03-30-2015	Other papers
38	03-30-2015	Case Converted to Electronic Filing
39	03-26-2015	Exhibit list
	Additio	nal Text:
	Note: 8	xhibits 13 to 16 marked but not received; returned to Attorney Hildebrand
40	03-26-2015	Order Voiland, Joseph W.
	Additio	onal Text:
	Pre He	aring Order copies given to parties in courtroom
41	03-26-2015	Hearing De Novo Voiland, Joseph W. Klein, Anjanette
		onal Text;
	Petitio Pamire	ner Alisha L Balsitis in court with attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with attorney Peter L z. Attorney Meg Colleen O'Marro in court for Child H. L. F., Dr Roherty recalled to stand, sworn & testified. Cross examination
	by Atto	rney Ramírez, Cross examination by Attorney Omarro, Redirect, Attorney Hildebrand calls Aleisha Klitzke (Balsitis) sworn &
	testifie by Atto	d. Cross examination by Attorney Ramirez. Cross examination by Attorney Omarro. Redirect. Witness excused. Final requests imperson that requests in the second seco
	Attorn	ey Ramirez to submit Order for court's signature under the 5 day rule. Court orders counsel to use 'electronic filing'.
42	03-25-2015	Letters/correspondence
	Additio	nal Text:
	Atty Hi	ldebrand advising of earlier time availability for hearing on 3/26. Scanned & forwarded to B2.
43	03-23-2015	Exhibit list
		nal Text:
	Contin	uation of De Novo Hearing (Note: exhbits 5 - 12 returned to Atty Hildebrand marked but not received.)
44	03-23-2015	Notes
		nal Text:
	Court	rders Exhibit 2 confidential.

40.15 Hearing De Novo

olland, Joseph W. Klein, Anjanett

Additional Text:

Petitioner Alisha L Balsitis in court with attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with attorney Peter L Ramirez. Attorney Meg Colleen O'Marro in court for Child H. L. F., Dr Charles Lodl sworn & testified. Examination continues. Cross examination of witness by Attorney Hildebrand. Cross examination of witness by GAL, Omarro. Redirect by Attorney Ramirez. Kevin Flood sworn & testified. No cross by Attorney Hildebrand or Omarro. 12:22pm Recess for lunch. Recalled, appearances same. Attorney Hildebrand calls Dr Gerald Roherty sworn & testified. Witness' taken out of order. Attorney Hildebrand calls Erin Perez telephonically, counselor, sworn & testified. Cross examination of witness by Attorney Ramirez. Cross examination by Attorney Omarro. Redirect. Recess. Recalled, appearances same. Attorney Hildebrand calls Det. Jeffrey Vahsholtz sworn & testified. Cross examination by Attorney Ramirez. Cross examination by Attorney Omarro. Redirect. Attorney Hildebrand calls L.L., day care teacher. Cross examination by Attorney Ramirez. Cross examination by Attorney Omarro. Redirect. Recross by Attorney Ramirez. Dr Roherty recalled with continued examination. Testimony stopped for day. Statements by the Court as to qualifications of witness'. Continued hearing 3/26/15 at 9;30am. (5:15pm)

46 03-20-2015 Prop. order

Additional Text:

Execution of the Proposed Order Arising Out of the February 23, 2015 Hearing which was filed on March 12, 2015 has been denied by the court.

47 03-20-2015 Findings and order

Boline, Barry J.

Additional Text:

Findings and Order Arising from February 23, 2015 Hearing

48 03-18-2015 Notes

Additional Text:

Scanned Exhibit 1, forwarded to Br 2 per SA instructions

149 03-18-2015 Letters/correspondence

Additional Text:

To Alisha Balsitis/Kevin Flood regarding recoupment of GAL fees.

50 03-18-2015 Notes

Additional Text:

Check request sent to finance department for payment of GAL fees - \$1,368.50 - Atty. O'Marro.

51 03-18-2015 Notice of Certification

Additional Text:

Alisha Balsitis' past due GAL debt has been certified to WI DOR tax intercept program.

152 03-18-2015

Judgment for unpaid fine/forfeiture/other

Amount

\$ 1942.25

Additional Text:

Alisha Balsitis' past due GAL fees.

153 03-17-2015 Exhibit list

Additional Text:

Exhibit 2 - CD -Interview of HF by mother (NOT SCANNED or COPIED) CONFIDENTIAL

154 03-17-2015 Notice of hearing

Additional Text:

De Novo Review on March 23, 2015 at 08:30 am.

55 03-17-2015 Notice of hearing

Additional Text:

Evidentiary hearing on April 28, 2015 at 08:30 am.

56 03-17-2015 Hearing De Novo

Volland, Joseph W.

Klein, Anjanette

Additional Text:

Petitioner Alisha L. Balsitis in court with attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with attorney Peter L Ramirez. Attorney Meg Colleen O'Marro in court for Child H. L. F., Atty Ramirez calls Dr. Charles Lodl sworn & testified. Recess. Recalled, appearances same. Examination continues of Dr Lodl. Testimony stopped for the day. Court adjourns for further hearing. Continued Hearing De Novo scheduled for March 23, 2015 at 08:30 am. Evidentiary Hearing scheduled for April 28, 2015 through May 1, 2015 at 08:30 amreach day. Court will do written order regarding witness! and be mailed to parties.

157 03-17-2015 Letters/correspondence Additional Text: From Attorney Hildebrand, Scanned/Forwarded to CC. 158 03-16-2015 Affidavit Additional Text: of Kirsten Hildebrand; Scanned and forwarded to Br. 2 159 03-16-2015 Memorandum Additional Text: of Law in Opposition of Respondent's Request for De Novo Hearing; Scanned and forwarded to Br. 2 160 03-16-2015 Letters/correspondence Additional Text: From Attorney Hildebrand requesting motion be dismissed; Scanned and forwarded to Br. 2 161 03-12-2015 Prop. order Additional Text: Scanned/Forwarded to CC. 162 03-12-2015 Letters/correspondence Additional Text: From Attorney Ramirez, Scanned/Forwarded to CC. 163 03-12-2015 Received documents 164 03-12-2015 Notes Additional Text: Hearing De Novo for 3/17/15 at 2pm remains on the calendar, per direction of the Court. 165 03-12-2015 Letters/correspondence Additional Text: Atty Hildebrand requesting adj of Hearing DeNovo set for 3/17 - scanned & forwarded to B2. 166 03-10-2015 Received documents 167 03-10-2015 Letters/correspondence Additional Text: Letter from Attorney Ramirez with objection to Attorney Hildebrand's adjournment request of De Novo review hearing on 03/17/2015. Scanned and forwarded to Branch 2 for review. 168 03-09-2015 Letters/correspondence Additional Text: From Attorney O'Marro in regards to recent activity regarding the pending actions. Scanned/Forwarded to Branch 2. 69 03-09-2015 Received documents Order for payment of GAL fees Boline, Barry J. 170 03-09-2015 Amount \$1368.50 171 03-06-2015 Prop. findings and order Additional Text: Submitted by Attorney O'Marro, under the 5 day rule. Scanned/Forwarded to CC. 172 03-06-2015 Received documents 173 03-04-2015 Letters/correspondence Additional Text:

r From Attorney Raminez requesting De Novo Review hearing he scheduled

174 03-03-2015 Notes

Additional Text:

De Novo date set by Court.

175 02-25-2015 Request for De Novo Hearing

176 02-25-2015 Affidavit

Additional Text:

of Peter L. Ramirez in Support of Respondents Request for a De Novo Hearing to Reinstate Respondents Placement While Parties Await an Evidentiary Hearing. Scanned and forwarded to Branch 2 for review.

177 02-25-2015 Notes

Additional Text:

Respondent's Request for De Novo Hearing of Commissioner Boline's Decision Denying Respondents Motion to Reinstate Placement Pending the Evidentiary Hearing. Scanned and forwarded to Branch 2 for review and court date.

178 02-25-2015 Letters/correspondence

Additional Text:

Letter from Attorney Ramirez, Scanned and forwarded to Branch 2 for review.

179 02-23-2015 Order for mediation

Boline, Barry J.

Additional Text:

Attorney Peggy Podell - Mediator

180 02-23-2015 Request for mediation

Additional Text:

Scanned/Forwarded to CC.

181 02-23-2015 Change of address notification

Event Party

Balsitis, Alisha L

Additional Text:

ADDRESS INFO for Alisha L Balsitis Current: 1691 Highland Dr., Grafton, WI 53024 United States (Effective: 02-23-2015) Prior: W55N190 Woodmere Ct. Apt. 3, Cedarburg, WI 53012 United States

182 02-23-2015 Mediation fee paid

Amount

\$ 200.00

Additional Text:

15R 002521 paid by Alisha Balsitis-Klitzke

183 02-23-2015 Hearing

Boline, Barry J.

Electronic Court Reporting

Additional Text:

Petitioner Alisha L Balsitis in court with Attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with Attorney Peter L Ramirez. Attorney Meg C, O'Marro-Felli in court for Child H, L, F., Attorney Rik I Kluessendorf in court for Petitioner State of Wisconsin. Court addresses mediation. Attorney Hildebrand to complete a Request for Court Ordered Mediation and submit with the deposit to the Clerk of Courts office. Evidentiary Hearing adjourned for completion of mediation. Court addresses payment for GAL fees. Court orders Alisha Balsitis to deposit her entire tax refund with the Clerk of Courts office for past GAL fees. Court orders Kevin Flood to pay the entire GAL fees he owes within 30 days. Attorney O'Marro requests that the court enter an order for the child to have placement with her father. Court denies request. Motion by Attorney Ramirez to compel. Court denies motion. Status hearing scheduled for April 16, 2015 at 1:30 am.

184 02-20-2015 Affidavit

Additional Text:

Affidavit of Peter L. Ramirez

185 02-20-2015 Motion

Additional Text:

Respondent's Motion to Reinstate Placement and to Set a Schedule in the Event the Evidentiary Hearing is Adjourned. Scanned/Forwarded to CC.

Voiland, Joseph W. Order 187 02-17-2015 Additional Text: Arising out of 2/6/15 Hearing (modified by the Court) 188 02-17-2015 Affidavit Additional Text: Affidavit of Peter L. Ramirez 189 02-17-2015 Notice of motion, motion Additional Text: Respondent Kevin M. Flood's Notice of Motion and Motion to Compel Production of Recording 190 02-17-2015 Received documents Boline, Barry J. 191 02-16-2015 Order to Seal Document 192 02-16-2015 Letters/correspondence Additional Text: Letter from Attorney Hildebrand. Scanned and Forwarded to Branch 2 for review. 193 02-13-2015 Received documents Boline, Barry J. 194 02-13-2015 Report Boline, Barry J. 195 02-13-2015 Other papers Additional Text: Hospital Records Certification 196 02-13-2015 Notice of hearing Additional Text: Hearing on February 23, 2015 at 08:30 am. 197 02-12-2015 Prop. order Additional Text: Scanned/Forwarded to CC. 198 02-12-2015 Affidavit Affidavit of Kirsten L. Hildebrand in Support of Motion to Adjourn Evidentiary Hearing for the Purpose of Mediation. 199 02-12-2015 Notice of motion, motion Additional Text: Petitioner's Notice of Motion and Motion to Adjourn Evidentiary Hearing for the Purpose of Mediation. Letters/correspondence 200 02-12-2015 Additional Text: From Attorney Hildebrand. Scanned/Forwarded to CC. 201 02-11-2015 Letters/correspondence Additional Text: Letter from Attorney Ramirez with objection to Attorney Hildebrand's Proposed Order drafted after the 02/06/2015 hearing. Scanned and forwarded to Branch 2 for review. 202 02-10-2015 Prop. order for payment of GAL fees Amount \$ 1368.50 Additional Text: held under 10 day rule.

Amount

\$ 1368.50

Additional Text:

203_02=10=2045____Petition-___

Amended - for Approval and Payment of Attorney Fees (GAL)

204 02-10-2015 Received documents

205 02-10-2015 Letters/correspondence

Additional Text:

From Attorney Hildebrand, Scanned/Forwarded to CC.

206 02-10-2015 Letters/correspondence

Additional Text:

From Attorney Ramirez, Scanned/Forwarded to CC.

207 02-10-2015 Objection

Additional Text:

Objection by Attorney O'Marro. Scanned/Forwarded to CC.

208 02-10-2015 Letters/correspondence

Additional Text:

Atty Hildenbrand's objection to Atty Ramirez's correspondence and proposed order - scanned & forwarded to B2.

209 02-10-2015 Received documents

210 02-10-2015 Letters/correspondence

Additional Text:

Atty Ramirez response to Atty Hildebrand's recent letter - scanned & forwarded to B2.

211 02-09-2015 Letters/correspondence

Additional Text:

From Attorney Ramirez to Commissioner Boline. Scanned/Forwarded to CC.

212 02-09-2015 Letters/correspondence

Additional Text:

received from Atty. Ramirez objecting to proposed order from Atty. Hildebrand, Scanned and forwarded to Br. 2

213 02-09-2015 Prop. order

Additional Text:

arising out of the February 6, 2015 hearing from Atty. Ramirez, Scanned and forwarded to Br. 2

214 02-09-2015 Received documents

215 02-09-2015 Prop. order

Additional Text:

proposed order arising out of the February 6, 2015 de novo hearing by Atty. Hildebrand, Scanned and forwarded to Br. 2

216 02-06-2015 Hearing De Novo

Voiland, Joseph W.

Klein, Anjanette

Additional Text:

Attorney Rik I Kluessendorf in court for Petitioner State of Wisconsin. Petitioner Alisha L Balsitis in court with attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with attorney Peter L Ramirez. Attorney Meg C. O'Marro-Felli in court for Child H. L. F., Statements by counsel as to mediation. Court orders mediation and parties are referred to family court commissioner for referral to mediator.

217 01-23-2015 Notes

Additional Text:

Court denies Atty Ramirez's request to appear by telephone. Personal appearance is required. Clerk left message with Atty Ramirez.

218 01-22-2015 Letters/correspondence

Additional Text

From Attorney Peter Ramirez requesting to appear by telephone for hearing on Feb 6, 2015; Scanned and forwarded to Br. 2

219 01-19-2015 Findings and order

Boline, Barry J.

Additional Text:

Findings and Order Arising out of the December 19, 2014 Hearing

220 01-19-2015 Notes

Additional Text:

Execution of the Proposed Findings and Order Arising out of the December 19, 2014 Hearing which was filed on January 2, 2015 has been denied by the court.

221 01-19-2015 Notes

Additional Text:

Execution of the Proposed Findings and Order Arising out of the December 19, 2014 Hearing which was filed on December 26, 2014 has been denied by the court.

222 01-14-2015 Letters/correspondence

Additional Text:

Atty Hildebrand confirms de novo hearing set for 2/6/15 at 1:30 pm

223 01-14-2015 Notice of hearing

Additional Text:

Hearing De Novo on February 6, 2015 at 01:30 pm.

224 01-13-2015 Letters/correspondence

Additional Text:

received from Atty. Hildebrand requesting a date for a de novo hearing, Scanned and forwarded to Br. 2

225 01-08-2015 Prop. findings and order

Additional Text:

Proposed Findings and Order Arising Out of the December 19, 2014 Hearing, submitted by Attorney Ramirez. Scanned/Forwarded to CC.

226 01-08-2015 Letters/correspondence

Additional Text:

From Attorney Ramirez

227 01-08-2015 Received documents

228 01-07-2015 Notice of motion, motion

Additional Text:

for DeNovo Hearing

229 01-07-2015 Received documents

230 01-07-2015 Affidavit in support of motion

Additional Text:

Affidavit of Kirsten L. Hildebrand in support of notice of motion and motion for de novo hearing, Scanned and forwarded to Br. 2

231 01-07-2015 Notes

Additional Text:

proposed notice of motion and motion for de novo hearing and/or notice of motion and motion to order mediation, needs date, Scanned and forwarded to Br. 2

232 01-02-2015 Affidavit of mailing

233 01-02-2015 Letters/correspondence

Additional Text:

Letter from Attorney Hildebrand with objections to the Guardian Ad Litem's Proposed Order along with a Proposed Findings and Order Arising out of the 12/19/2014 Hearing. Scanned and forwarded to CC

234-01-02-2045 Prop-findings and order Additional Text: Scanned and forwarded to CC for review. 235 12-29-2014 Notes Additional Text: re-sent To Kevin Flood regarding recoupment of GAL fees to new address Change of address notification 236 12-29-2014 **Event Party** Flood, Kevin M Additional Text: Mount Calvary, WI 53057 United States ADDRESS INFO for Kevin M Flood PROVIDED BY USPS Current: Eden, WI 53019 United States (Effective: 12-29-2014) Prior: 237 12-29-2014 Return of unclaimed/undelivered mail service Additional Text: To Kevin Flood regarding recoupment of GAL fees. 238 12-26-2014 Prop. order Additional Text: Proposed Findings and Order Arising Out of the 12/19/2014 Hearing, submitted under the 5 day rule. Scanned and forwarded to CC Letters/correspondence 239 12-26-2014 Additional Text: Letter from Attorney O'Marro with Proposed Findings and Order Arising Out of the 12/19/2014 Hearing, submitted under the 5 day rule. Scanned and fowarded to CC 240 12-22-2014 Affidavit of mailing Additional Text: Alisha L Balsitis Attorney Kirsten L Hildebrand Kevin M Flood Attorney Peter L Ramirez 241 12-19-2014 Boline, Barry J. Order Additional Text: Order on Hearing From December 4, 2014 Boline, Barry J. 242 12-19-2014 Stipulation and Order Additional Text: Stipulation and Order to Change: Child Support 243 12-19-2014 Received documents 244 12-19-2014 Report of GAL 245 12-19-2014 Letters/correspondence Additional Text: To Alisha Balsitis/Kevin Flood regarding recoupment of GAL fees. 246 12-19-2014 Notes Additional Text: Check request sent to finance department for payment of GAL fees - \$2,124.50 - Atty. O'Marro. Boline, Barry J. Order for payment of GAL fees 247 12-19-2014 Amount \$ 994,00 For services provided October 7, 2014 through November 26, 2014. Boline, Barry J. Order for payment of GAL fees 248 12-19-2014 Amount

7,1130

Additional Text:

AMENDED - For services provided from September 26, 2014 to October 7, 2014

249 12-19-2014 Status conference

Boline, Barry J.

Electronic Court Reporting

Additional Text:

Petitioner Alisha L Balsitis in court with Attorney Kirsten Louise Hildebrand and Attorney Derek Daron, Respondent Kevin M Flood in court with Attorney Peter L. Ramirez. Attorney Meg C. O'Marro-Felli in court for Child H. L. F.. Attorney Rik I Kluessendorf in court for Petitioner State of Wisconsin. Court addresses counsel. Recess called. Counsel met in chambers with Commissioner Boline. 10:45 am/Case recalled with the same appearances. Requests by Attorney Hildebrand. Response by counsel. Orders rendered by the court. Evidentiary Hearing adjourned to February 23, 2015 at 8:30 am. Attorney O'Marro to prepare order and submit under the 5 day rule.

250 12-18-2014 Letters/correspondence

Additional Text:

Letter from Attorney O'Marro regarding State Bar Membership status with copy of 2015 State Bar Membership Card

251 12-18-2014 Stipulation and prop. order to amend judgment

Additional Text:

Proposed Stipulation and Order to Change Child Support filed by CSA. Scanned and forwarded to CC

252 12-18-2014 Other papers

253 12-18-2014 Received documents

254 12-18-2014 Memorandum

Additional Text:

Memorandum of Law

255 12-18-2014 Letters/correspondence

Additional Text:

Letter from Attorney Ramirez regarding copy of Respondent's Memorandum of Law

256 12-17-2014 Received documents

257 12-17-2014 Letters/correspondence

Additional Text:

Letter from Attorney Ramirez regarding the two-day contest hearing scheduled on 12/18/2014 at 8:30 am

258 12-16-2014 Received documents

259 12-16-2014 Letters/correspondence

Additional Text:

Letter from Attorney Hildebrand regarding Guardian Ad Litem's Proposed Order

260 12-15-2014 Motion

Additional Text:

for Reconsideration of Courts Decision on December 4, 2014 to Not Expand Respondent Kevin Flood Placement Time

261 12-15-2014 Proposed parenting plan - respondent

262 12-15-2014 Letters/correspondence

Additional Text

Letter from Attorney Peter L. Ramirez regarding Proposed Parenting Plan

263 12-15-2014 Letters/correspondence

Additional Text:

Atty Hildebrand filing legal basis for admissibility of testimony of a witness - scanned & forwarded to CC.

264 12-15-2014 Received documents

265 12-15-2014 Prop. order

266 12 15 2014. Lethers/comespondence

Additional Text:

w/proposed order from hearing on 12/4 filed by Atty O'Marro - scanned & held under the five day rule

267 12-08-2014 Received documents

268 12-05-2014 Examining psychologist's report

Additional Text:

Scanned & forwarded to CC.

269 12-04-2014 Final pre-trial

Boline, Barry J.

Electronic Court Reporting

Additional Text:

Respondent Kevin M Flood in court with Attorney Peter L. Ramirez, Petitioner Alisha L. Balsitis in court with Attorney Kirsten Louise Hildebrand, Attorney Rik Kluessendorf in court for Petitioner State of Wisconsin. Attorney Meg C. O'Marro-Felli in court for Child H. L. F. Parties address motion to exclude limit doctor's testimony. Court denies motion to exclude testimony. Parties address motion for supervised placement. Atty Hildebrand addresses motion for mediation. Court denies motion for parties to attend mediation. Court denies motion to extend placement. Court will grant motion to allow Ms. Perez to testify. Parties address motion to suspend placement. Court denies request. Parties agree matter will need more than two days. Court breaks for parties to discuss continuation of hearing. 12:40 pm/Court resumes with same appearances. Matter to proceed on December 18-19, 2014 with continuance scheduled for February 25-27, 2015 with each day starting at 8:30 am. Court clarifies schedule at the request of Atty Hildebrand: Atty Ramirez will address petition for enforcement and motion for modified placement in December. Atty Hildebrand's motion to suspend placement will be heard in February. Atty O'Marro to prepare order for this hearing.

270 12-03-2014 Received documents

271 12-03-2014 Letters/correspondence

Additional Text:

received from Atty. Hildebrand, Scanned and Forwarded to cc.

272 12-01-2014 Prop. order for payment of GAL fees

Amount

\$ 994.00

Additional Text:

held under 10 day rule.

273 12-01-2014 Petition

Amount

\$ 994.00

Additional Text:

for Approval and Payment of Attorney Fees (GAL)

274 12-01-2014 Received documents

275 12-01-2014 Prop. order for payment of GAL fees

Amount

\$1130.50

Additional Text:

AMENDED - held under 10 day rule.

276 12-01-2014 Amended petition

Amount

\$ 0.00

Additional Text:

and Order for Approval and Payment of Attorney Fees by Atty. Meg O'Marro

277 12-01-2014 Received documents

278 11-24-2014 Letters/correspondence

Additional Text:

from Atty, Gregory M. Hildebrand regarding mediation. Scanned/forwarded to the Court Commissioner,

279 11-21-2014 Notice of hearing

Addiblocal stage

Final status/scheduling conference on December 4, 2014 at 11:00 am.

280 11-20-2014 Received documents

281 11-20-2014 Letters/correspondence

Additional Text:

from Atty. Peter Ramierez requesting a hearing be scheduled due to cancellation of mediation. Scanned/forwarded to the Court Commissioner.

282 11-14-2014 Prop. Order Denied

Additional Text:

Proposed Order for Guardian ad Litem Fees

283 11-03-2014 Letters/correspondence

Additional Text:

from Atty. Kirsten L. Hildebrand in regard to Respondent's Counsel's October 31, 2014 letter. Scanned/forwarded to the Court Commissioner.

284 10-31-2014 Letters/correspondence

Additional Text:

from Atty, Peter L. Ramirez regarding Mr. Flood's visitation rights, Scanned/forwarded to Court Commissioner.

285 10-31-2014 Received documents

286 10-31-2014 Report

Additional Text:

Child Protective Service Report; scanned and forwarded to CC

287 10-31-2014 Letters/correspondence

Additional Text:

From Atty Hildebrand; scanned and forwarded to CC

288 10-31-2014 Objection

Additional Text:

From Atty Hildebrand re proposed order for 10-07-14 hearing; scanned and forwarded to CC

289 10-28-2014 Prop. order

Additional Text:

Proposed Order Regarding Respondents Placement. Scanned and forwarded to CC for review.

290 10-28-2014 Letters/correspondence

Additional Text:

Letter from Attorney Ramirez.

291 10-28-2014 Received documents

292 10-27-2014 Letters/correspondence

Additional Text:

To Alisha Balsitis/Kevin Flood regarding recoupment of GAL fees.

293 10-27-2014 Notes

Additional Text:

Check request sent to finance department for payment of GAL fees - \$1,480.50 - Atty. O'Marro.

294 10-24-2014 Telephone scheduling conference

Boline, Barry J.

Electronic Court Reporting

Additional Text:

Attorney Kirsten Louise Hildebrand appears by telephone for Petitioner Alisha L Balsitis. Attorney Peter L. Ramirez appears by telephone for Respondent Kevin M Flood, Attorney Meg C. O'Marro-Felli appears by telephone for Child H. L. F., Attorney O'Marro-Felli advises the court of present issues. Response by Attorney Hildebrand. Response by Attorney Ramirez. Request for emergency rellef is denied.

Amount \$ 1480,50 296 10-13-2014 Received documents 297 10-09-2014 Prop. order for payment of GAL fees Amount \$ 2611.00 Additional Text: held under 10 day rule. 298 10-09-2014 Petition Amount \$ 2611.00 Additional Text: for Approval and Payment of Attorney Fees (GAL) - (includes hours from previous petition) Received documents 299 10-09-2014 300 10-09-2014 Letters/correspondence Additional Text: From Atty Hildebrand confirming change of hearing date from 10-10-14 to 12-18-14 301 10-08-2014 Letters/correspondence Additional Text: Atty Hildebrand confirming hearing on 10/10 is rescheduled to 12/18 and 12/19 Received documents 302 10-08-2014 Affidavit 303 10-08-2014 Additional Text: w/attached Exhibits A-F 304 10-08-2014 Brief 305 10-08-2014 Notice of motion, motion Additional Text: GAL's motion to deny petitioner's motion to exclude additional expert testimony of Dr. Lodl - scanned & all docs forwarded to CC 306 10-07-2014 Telephone conference Boline, Barry J. Electronic Court Reporting Additional Text: Court held telephone conference call with Attorney Attorney Kirsten Louise Hildebrand and Attorney Peter L. Ramirez in court on record. Attorney Hildebrand advises the court that they would like to adjourn the Evidentiary Hearing scheduled for October 9, 2014 and pursue mediation prior to the hearing. Evidentiary Hearing adjourned to December 18, 2014 and December 19, 2014. Court orders counsel to confirm dates for Evidentiary Hearing with Attorney O'Marro. Counsel to contact the court after mediation to schedule a status date to review mediation and address Attorney Hildebrand's motion. 307 10-06-2014 Received documents 308 10-06-2014 Letters/correspondence Additional Text: From Atty Ramirez; scanned and forwarded to CC 309 10-02-2014 Notice of motion, motion Additional Text: Notice of Motion and Motion to Exclude Additional Expert Testimony of Dr. Charles Lodl, Scanned and forwarded to CC for review. 310 10-02-2014 Letters/correspondence Additional Text: Letter from Attorney Hildebrand. Scanned and forwarded to CC for review.

CC.
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itioner Alisha L Balsitis in court with Attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with Attorney Pete L. Ramirez, Attorney Meg C. O'Marro-Felli in court for Child H. L. F., Attorney Rik Kluessendorf in court for Petitioner State of Wisconsin. Attorney O'Marro advises the court as to current status. Discussion by counsel. Court sets scheduling order. Attorney Meg O'Marro to prepare order and submit under the 5 day rule. Evidentiary Hearing scheduled for October 9, 2014 at 8:30 am. 29 08-25-2014 Letters/correspondence Additional Text: From Atty. Ramirez to the Court Commissioner - Scanned and forwarded to CC. Received documents 30 08-25-2014 31 08-25-2014 Affidavit in support of motion Additional Text: Affidavit of Attorney Kirsten Hildebrand in support of motion to change August 26, 2014 scheduling conference date, Scanned and forwarded to cc. 32 08-25-2014 Motion Additional Text: to Change the August 26, 2014 Scheduling Conference Date, Scanned and forwarded to cc. 33 08-20-2014 Letters/correspondence Additional Text: From Hildebrand Law Firm; forwarded to scanning to be forwarded to CC 34 08-13-2014 Notes Additional Text: Check request sent to finance department for payment of GAL fees - \$1,918.00 - Atty. O'Marro. 35 08-08-2014 Boline, Barry J. Order for payment of GAL fees Amount \$1918.00 36 08-04-2014 Letters/correspondence Additional Text: Letter from Attorney Hildebrand. Scanned and forwarded to CC for review. Boline, Barry J. 37 08-01-2014 Findings and order Additional Text: Findings and Order Arising Out of the July 17, 2014 Hearing Received documents 38 07-31-2014 39 07-31-2014 Letters/correspondence Confirmation of change of hearing received from Attorney O'Marro on 8/26/14 from 1:30 p.m. to 1:00 p.m. 40 07-30-2014 Notes Additional Text: Attorney O'Marro to contact counsel regarding changing the Scheduling ConFerence from 1:30 pm to 1:00 on August 26, 2014. 41 07-29-2014 Received documents 42 07-29-2014 Letters/correspondence Additional Text: received from Atty. O'Marro requesting rescheduling of 8/26/14 hearing, Scanned and forwarded to cc. 43 07-21-2014 Prop. order Additional Text: for payment of Guardian ad Litem fees held under 10 day rule. 44 07-21-2014 Petition Amount

	 10 /	\$\$1918,00
-	Additiona	
f	for Appro	oval and Payment of Attorney Fees (GAL)
45	07-21-2014 R	teceived documents
46	07-21-2014 P	Prop. findings and order
ř	Addition	al Text: ut of the July 17, 2014 hearing, filed by Attorney O'Marro under five day rule. Scanned and forwarded to CC for review.
	arising of	ac or the July 17, 2014 hearing, filed by According O Mario under five day fule. Scalined and forwarded to CC101 review.
47		etters/correspondence
	Addition:	al Text: om Attorney O'Marro. Scanned and forwarded to CC for review.
	Leccel III	THE ACCOUNTED OF MISTON, Scanned and Forwarded to Certain Fevrew.
§ 48		exhibit Boline, Barry J.
	Addition:	al Text: 1 & 2 located in Exhibit Room on Shelf
1	EXIIDIES	· · ·
49	07-17-2014 S	Etipulation for temporary order Boline, Barry J.
50	07-17-2014 E	ixhibit list
Ī	Addition	
	Exhibits S	pealed
<u>.</u> 51	07-17-2014 C	Order Boline, Barry J.
	Addition: Order to	
	Order co	269I
- 352	. 07-17-2014 N	Motion hearing Boline, Barry J. Electronic Court Reporting
	Addition	al Text: er Alisha I. Balsitis in court with Attorney Kirsten Louise Hildebrand. Respondent Kevin M Flood in court with Attorney Peter
	I. Ramire	ez. Attorney Meg C. O'Marro-Felli in court for Child H. L. F., Attorney Ramirez requests sequestration of witnesses. No n. Court orders witnesses to exit the courtroom. Alisha L Balsitis testifies under examination of Attorney Hildebrand. Exhibit
ŀ	#1 marke	ad. Objection by Attorney Ramirez, Objection sustained, Exhibit #2 marked, Exhibit #3 marked, Objection by Attorney
	Attorney	Objection sustained. Cross examination by Attorney Ramirez. Recess called. Case reconvenes with the same appearances. Hildebrand advises that a stipulation has been reached to suspend proceedings pending evaluations. Discussion as to
	evaluatio	ons. Scheduling conference set for August 26, 2014 at 1:30 pm.
53	07-16-2014 N	Notice of motion, motion
Ī	Addition	
-	Guardian Evaluatio	Ad Litem Notice of Motion and Motion for Suspension of Placement with Kevin Flood and Orders for Psychological ons
54	07-16-2014 A	Affidavit
	Addition	
ŗ	of Kevin I	M. Flood, Scanned and forwarded to cc.
- 155	07-16-2014 N	Notice of motion, motion
-	Addition	Name of the control o
	Respond	ent Father's Notice of motion and motion for mental examination of co-petitioner mother, Scanned and forwarded to cc.
56		etters/correspondence
	Addition	
	received	from Atty. Ramirez, Scanned and forwarded to cc.
57		etters/correspondence
	Addition	
	Amended	d letter from M. Rodriguez, Scanned and forwarded to cc.
50	07-16-2014 A	Affidavit in support of motion
38	Addition	

	16 Court Record Events for 2011F-AU00284 in Ozaukee County
	Affidavik in supporcof/Guardian ad litem's motion for suspension of placement and orders for psychological evaluations, Scanned and forwarded to cc.
	07-16-2014 Notes
59	Additional Text:
	Guardian Ad Litem Notice of motion and motion for suspension of placement with Kevin Flood and orders for psychological
	evaluations, needs date, Scanned and forwarded to cc.
60	07-16-2014 Letters/correspondence
1	Additional Text:
	received from M. Rodriguez requesting to replace pleadings faxed yesterday, Scanned and forwarded to cc.
61	07-16-2014 Notice of motion, motion
1	Additional Text:
	Respondent Father's Notice of Motion and Motion for Mental Examination of Co-Petitioner Mother
62	07-16-2014 Received documents
63	07-16-2014 Affidavit
	Additional Text:
l 	of Kevin M. Flood, Scanned and forwarded to cc.
64	07-16-2014 Notes
	Additional Text:
 	Respondent Father's Notice of motion and motion for mental examination of co-petitioner mother, needs date, Scanned and forwarded to cc.
65	07-15-2014 Received documents
66	07-15-2014 Letters/correspondence
	Additional Text:
	received from Atty. Hildebrand regarding notification of parties for 7/17/14 hearing, Scanned and forwarded to cc.
67	07-15-2014 Letters/correspondence Additional Text:
	received from Atty. Hildebrand regarding hearing of 7/17/14, Scanned and forwarded to cc.
L.	received from Acty. Findebrand regarding hearing of 7/17/1/Jean med and 15/10/act of ear
68	07-11-2014 Notice of motion, motion
	Additional Text:
L	Emergency Joint Notice of Motion and motion to suspend placement with the respondent.
69	07-11-2014 Received documents
70	07-11-2014 Affidavit in support of motion
71	07-11-2014 Notes
l I	Additional Text:
	Emergency Joint Notice of Motion and Motion to Suspend Placement with the Respondent scanned and forwarded to CC.
72	06-18-2014 Notes
	Additional Text:
l 	Check request sent to finance department for payment of GAL fees - \$1,361.50 - Atty. O'Marro.
73	06-13-2014 Order for payment of GAL fees Boline, Barry J.
	Amount
	\$ 1361.50
74	06-11-2014 Received documents
7,-	06-11-2014 Letters/correspondence
1/ D	
/ >	Additional Text:

4/13/2016 Court Record Events for 2011FA000284 in Ozaukee County 6 06-10-2014 Notes Additional Text: Telephone call received from Attorney Kristen Hildebrand's office; the Scheduling Conference previously set for July 7, 2014 has been rescheduled to August 4, 2014 at 11:00 am pending confirmation by Attorney O'Marro. 06-05-2014 Notes Additional Text: Telephone conference with Attorney Kirsten Hildebrand's office, Attorney Peter Ramirez's office and Attorney Meg O'Marro, the Scheduling Conference set for July 18, 2014 has been rescheduled to July 7, 2014 at 11:00 am. Attorney Hildebrand's office to send confirming letter. 78 05-23-2014 Prop. order Additional Text: Proposed Order for Payment of Guardian ad Litem Fees held under 10 day rule. 05-23-2014 Petition Amount \$ 1361.50 Additional Text: for Approval and Payment of Attorney Fees (GAL) 80 05-23-2014 Received documents 81 05-23-2014 Received documents 82 05-23-2014 Notes Additional Text: PROPOSED Temporary Stipulation and Order submitted by Attorney Hildebrand. Scanned/Forwarded to CC. 83 05-23-2014 Letters/correspondence Additional Text: From Attorney Hildebrand requesting the July 17, 2014 court date be rescheduled, proposed stipulation attached to letter. Scanned/Forwarded to CC. Boline, Barry J. **Electronic Court Reporting** 05-20-2014 Telephone conference Additional Text: Attorney Kirsten L Hildebrand in court for Petitioner Alisha L Balsitis. Attorney Peter L Ramirez in court for Respondent Kevin M Flood. Attorney Meg C O'Marro-Felli in court for Child H. L. F.. Attorney O'Marro advises the court of the present status of the case. Response by Attorney Ramirez and Attorney Hildebrand. The court orders a scheduling conference set for July 18, 2014 at 3:00 pm. Stipulation to be submitted to the court. 85 04-29-2014 Received documents Change of address notification 04-29-2014 **Event Party** Balsitis, Alisha L Additional Text: Cedarburg, WI 53012 United States (Effective: 04-28-ADDRESS INFO for Alisha L Balsitis Current 2014) Prior: Cedarburg, WI 53012 United States 04-28-2014 Letters/correspondence Additional Text: received from petitioner. Order appointing GAL Boline, Barry J. 88 03-13-2014 89 03-12-2014 Received documents 03-12-2014 Letters/correspondence

from Attorney Ramirez in regards to Attorney Hildebrand's Petition for Appointment of a Guardian ad Litem Scanned/Eonwarded I

Additional Text:

405 02-24-2014 Notes

 391	03-11-2014 Received documents	
392	03-11-2014 Prop. order Additional Text:	
	Appointing Guardian ad Litem or Attorney. Scanned/Forwarded to CC. (Original)	
393	03-11-2014 Petition for appointment of GAL	80,880
Ē	Additional Text: (Original)	
194	03-11-2014 Change of address notification Event Party	
	Balsitis, Alisha L	
	Additional Text: ADDRESS INFO for Alisha L Balsitis Current: Control of the Cont	1-
_	2014) Prior: Cedarburg, WI 53012 United States	
395	03-11-2014 Notes	8
Ξ	Additional Text: \$1,500.00 GAL Fee paid on behalf of Alicia Balsitis by Hildebrand Law Firm LLC	
396	03-11-2014 GAL deposit paid	
	Amount	
-	\$ 1500.00	
	Additional Text: 14R 003310	
397	03-10-2014 Received documents	
398		
Ē	Additional Text: Letter from Attorney Hildebrand confirming all parties have been served copies. (Facsimile)	
399	03-07-2014 Prop. order appointing GAL	
=	Additional Text:	
	Filed by Attorney Hildebrand. Scanned and forwarded to CC for review. (Facsimile)	
400	03-07-2014 Petition for appointment of GAL Additional Text:	
F	Filed by Attorney Hildebrand. Scanned and forwarded to CC for review. (Facsimile)	
401	03-07-2014 Prop. order	
-	Additional Text:	
	Execution of the Proposed Order on Hearing from February 17, 2014 received by the court on February 21, 2014 refused by the court.	
402	03-07-2014 Order Boline, Barry J.	
	Additional Text:	
	Order on Hearing held on February 17, 2014	
403 	02-24-2014 Notice of motion, motion Additional Text:	
	Respondent's Notice of Motion and Motion for Modification of Legal Custody and Physical Placement Based on Notice of Intent to Move With Minor Child	
404	02-24-2014 Notice of motion, motion	
	Additional Text: Respondent's Notice of Motion and Motion for Order Prohibiting Move or Removal	
	Respondence in Nation and Production Order Transporting Prove of Removal	

Additional Text

Proposed Respondent's Notice of Motion and Motion for Modification of Legal Custody and Physical Placement Based on Notice of Intent to Move with Minor Child, filed by Attorney Ramirez. Scanned and forwarded to CC for review.

6 02-24-2014 Notes

Additional Text:

Proposed Respondent's Notice of Motion and Motion for Order Prohibiting Move or Removal, filed by Attorney Ramirez. Scanned and forwarded to CC for review.

7 02-24-2014 Notice

Additional Text:

Respondent's Notice of Objection to Removal of Child, filed by Attorney Ramirez. Scanned and forwarded to CC for review.

8 02-24-2014 Return of unclaimed/undelivered mail service

Additional Text:

Reminder Notice: Alisha L Balsitis NO NEW ADDRESS FOUND

9 02-24-2014 Prop. order

Additional Text:

Revised proposed order submitted by Attorney Ramirez, Scanned and forwarded to CC for review.

0 02-21-2014 Prop. order

Additional Text:

Submitted by Attorney Ramirez under 5 day rule. Scanned/Forwarded to CC.

1 02-19-2014 Affidavit

Additional Text:

of Alisha Balsitis in support of notice of motion and motion to modify child support.

2 02-17-2014 Notice of motion, motion

Additional Text:

Notice of Motion and Molton for Custody Study (Original) / Filed by Atty Hildebrand

3 02-17-2014 Notice of motion, motion

Additional Text:

Notice of Motion and Motion to Modify Child Support (Original) / Filed by Atty Hildebrand

4 02-17-2014 Notice of motion, motion

Additional Text:

Notice of Motion and Motion for Appointment of GAL (Original) / Filed by Atty Hildebrand

5 02-17-2014 Motion hearing

Boline, Barry J.

Electronic Court Reporting

Additional Text:

Motion to Enforce Physical Placement – Respondent Kevin M Flood with Attorney Peter Luis Ramīrez present by telephone. Attorney Kirsten L. Hildebrand appears by telephone for Petitioner Alisha L Balsitis. Court reviews prior motions and motions recently filed by Attorney Hildebrand. Attorney Hildebrand requests that a GAL be appointed. No objection by Attorney Ramīrez. Court orders the appointment of a GAL upon receipt of the deposit to be submitted by Alisah Balsitis to the Clerk of Courts office by March 17, 2014. All motions and financial issues to be adjourned to the next court date. Motion to Enforce Physical Placement as well as all motions regarding placement and child support adjourned to May 20, 2014 at 9:30 am. Attorney Ramīrez to prepare order and submit under the 5 day rule.

6 02-17-2014 Letters/correspondence

Additional Text:

Letter from Petioner addressed to Respondent. Scanned and forwarded to CC for review.

7 02-17-2014 Affidavit

Additional Text:

Affidavit of Alisha Balsitis in support of notice of motion and motion to modify child support, submitted by Attorney Hildebrand. Scanned and fowarded to CC for review.

8 02-14-2014 Natice of motion, mation

Additional Text:

-	Notice of Motion and Motion for Appointment of GAL (Facsimile) / Filed:by Atty Hildebrand
419	02-14-2014 Notice of motion, motion
	Additional Text: Notice of Motion and Motion to Modify Child Support (Orignial) / Filed by Atty Hildebrand
420	02-14-2014 Notice of motion, motion
	Additional Text: Notice of Motion and Moiton for Custody Study (Facsimile) / Filed by Atty Hildebrand
_	
421	02-14-2014 Notice of motion, motion Additional Text:
	Notice of motion and motion for appointment of Guardian ad Litem. Scanned and forwarded to CC for review.
422	
	Additional Text: Proposed notice of motion and motion to modify child support. Scanned and forwarded to CC for review and courtdate.
423	02-14-2014 Notes
	Additional Text: Proposed notice of motion and motion for custody study. Scanned and forwarded to CC for review and court date.
434	01-23-2014 Letters/correspondence
	Additional Text:
	From Attorney Hildebrand confirming the 1/23/2014 hearing has been RESCHEDULED to 2/17/2014 @ 1:30 p.m.
425	01-22-2014 Notice of retainer
426	01-22-2014 Affidavit of service Amount
-	\$ 0.00
	Additional Text: Alisha Balsitis - Served
427	01-22-2014 Notice of assignment of judge Mueller, Mary Lou
428	01-22-2014 Judicial transfer Voiland, Joseph W.
429	01-22-2014 Notes
=	Additional Text: Telephone conference with Attorney Peter Ramirez's office and Attorney Kristen Hildebrand's office, agreement by counsel that the Motion to Enforce Physical Placement Hearing scheduled for January 23, 2014 can be adjourned past February 14, 2014 and has
	been rescheduled to February 17, 2014 at 1:30 pm. Order to Show Cause Hearing also adjourned bost rebruary 17, 2014 at 1:30 PM. Attorney Hildebrand's office to send confirming letter.
12.0	01-09-2014 Notes
-	Additional Text:
	Court will not appoint mediator until after hearings on 1/23 at 3 pm.
431 —	01-07-2014 Change of address notification Event Party
<u> </u>	Flood, Kevin M
	Additional Text: ADDRESS INFO for Kevin M Flood Current: Education Services Eden, WI 53019 United States (Effective: 01-07-2014) Prior: Eden, WI 53019 United States (Effective: 01-07-2014) Prior: Eden, WI 53019 United States (Effective: 01-07-2014)
	MA 02115 United States
432	01-06-2014 Motion Additional Text:
	to Enforce Physical Placement Order
43.1	01-06-2014 Notice of hearing to enforcesphysical placement

134	01-06-2014	Affidavit.		F	
		onal Text: inge Physical Placement			
135	01-06-2014	Order to show cause		Boline, Barry J.	
436	01-06-2014	Request For mediation			
		onal Text: ed/Forwarded to FCC.			
437	08-23-2013	Notes			
	Additional Text: Pursuant to Attorney Ramirez, the Motion to Enforce Physical Placement and Order to Show Cause Hearing scheduled for September 3, 2013 was removed from the court calendar. Attorney O'Marro notified by the court.				
43 8	08-23-2013	Letters/correspondence			Label And
		onal Text: amirez withdrawing motions, requesi	ing removal of bearings on 9/	3 at 10.30 am - ccanne	id & forwarded to ECC
	ACLY R	annez wichdrawing motions, reques	ing removator hearings on 5/2		a a fol warded to f e.c.,
43Þ	08-22-2013	Order appointing GAL		Boline, Barry J.	and the distribution of the state of the sta
44D	08-22-2013	Telephone conference	•	Boline, Barry J.	Electronic Court Reporting
		onal Text: held conference call with Attorney Kı	isten Hildehrand and Attornes	, Peter Ramirez in cou	ut on the record regarding
	adjoui orders	rement request. Attorney Ramirez rec the Enforce Physical Placement Hea pointment of a GAL forthwith.	quests the appointment of a G	AL. Discussion regardi	ing adjournment of motion. The cour
441	08-21-2013	Letters/correspondence			/L/0414
		onal Text: amirez re Atty Hildebrand's request f	incadi scannad & Farwardod t	0 ECC	
	ALLY R	anniez re Accy midebrand s requescr	or adj - scanned & rorwarded i		45.1116.57
44 2	08-21-2013	Letters/correspondence			
		onal Text: Irt Commissioner from Atty. Ramirez	- scanned and forwarded to FO	cc.	
44B	08-21-2013	Letters/correspondence			
		onal Text: Atty. Ramirez to the Court Commissio	ner - scanned and forwarded t	o FCC.	
	-	- MANAGEMENT -			
4444	08-20-2013	Letters/correspondence onal Text:			
		onal rext: Atty, Hildebrand to the Court Commis	sioner - scanned and forwarde	ed to FCC.	
445	08-12-2013	Motion			
		onal Text:	out-diplomant of the		
	Notice	of Hearing and Motion to Enforce Pl	nysical Placement Order		
446	08-12-2013	Application for Child Support Enfor	cement services		
447	06-28-2013	Notice of retainer			
448	06-18-2013	Letters/correspondence			
		onal Text: ildebrand confirming TOSC hrg resch	eduled to 9/3 at 10:30 am.		
449	06-18-2013	Notes	*		
		onal Text:			
	Telepl	none conference with Attorney Hildel Eduled to September 3, 2013 at 10:30	orand's office, the Order to Sho	ow Cause Hearing sch	eduled for July 26, 2013 has been
	resche	ouled to beptember 5, 2015 at 10:30	aur vironnek hitaestana 2 om	ice to send commitming	g remer.

rescheduled to July 26 at 11:30 am. Attorney Hildebr	19119 F 20119 13 CONT.	
06-14-2013 Letters/correspondence		
Additional Text: Atty Hildebrand requesting adj of OTSC set for 6/20	- scanned & forwarded to FCC for review	
06-14-2013 Notice of Appearance		
05-23-2013 Notes		
Additional Text: Kevin Flood was called to pick up Order to Show Cau:	use papers	
05-23-2013 Order to show cause Additional Text:	Boline, Barry J.	
Order to Show Cause and Affidavit to Change: Physic	cal Placement Original Only filed by Kevin M, Flood	
01-08-2013 Order to show cause hearing	Boline, Barry J. Electronic Court Repo	rting
Additional Text:	uding conting Karin Flood advisor the court that Alicha Baleitic has not	hoor
Respondent Kevin M Flood in Court, Discussion regar served. Court orders this matter dismissed.	rding service. Kevin Flood advises the court that Alisha Balsitis has not	Deer
01-04-2013 Certificate of service		
Amount		
\$ 0.00 Additional Text:		
non-service for Alisha Balsitis		
12-26-2012 Order to show cause	Boline, Barry J.	
Additional Text:	Alman and a second a second and	
Order to Show Cause and Affidavit to Change: Physic	cal Placement, Visitation	
12-26-2012 Filing fee paid	(
Amount:		
\$ 50.00		
Additional Text: 12R 017843		
09-18-2012 Change of address notification		
Event Party		
Flood, Kevin M		
Additional Text: ADDRESS INFO for Kevin M Flood Current:	MA 02115 United States (Effective: 09-18-2012	Prin
Eden, WI 53019 United States	N/VOETS SINCE States (EXCERCE OF TO BE IN	
07-05-2012 Affidavit of mailing		
Additional Text; Re: Alisha L. Balsitis / Kevin M. Flood		
07-02-2012 Order amending judgment/order	Boline, Barry J.	
06-21-2012 Interim financial summary to child supt agenc		
06-21-2012 Motion hearing	Boline, Barry J, Electronic Court Repo	rtina
Additional Text:	THE CONTRACTOR OF THE PROPERTY	

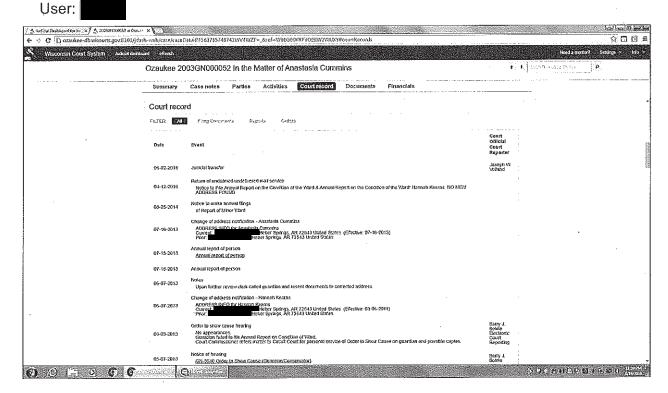
CONTRACTOR OF	CONTRACTORS	
05-08-2012 1 Addition	Notice of hearing	
From CS.		
05-08-2012	Affidavit of mailing	1-15-2-10 0 1
04-04-2012	Affidavit of mailing	
03-22-2012	Amended	
Addition		
Order Ar	nending Judgment/Order Copy to the CS	A
03-22-2012 (Change of address notification	
Event Pa		
Flood, Ke		
Addition	al Text: S INFO for Kevin M Flood Current:	Eden, WI 53019 United States (Effective: 03-22-2012) Prior
ADDRES	Boston, MA 02115	Edgiff, Wil 230 IS Officed Scales (E) received as 122 20 (2) Villar
03-15-2012	Affidavit of mailing	
The second secon	Order	Boline, Barry J.
Addition		
Amendia	g Judgment/Order Copy to the CSA	
02-29-2012	nterim financial summary to child supt ag	ency
Addition		
Copy to	the CSA	
02-27-2012 N	Motion hearing	McManus, Darcy E. Electronic Court Reporting
Addition	N. R. C. B.	
Gorden s	tated that the respondent has a part-time	se, via telephone. Atty. Gorden for the State. Motion to set child support. Atty e job and asked the court to set child support. The court will set child support
commen	cing March 1, 2012. Atty. Gorden will prep	pare the order and set this matter for review for May 17, 2012 at 9:00 a.m.
01-09-2012	Order to appear	McManus, Darcy E.
Addition	al Text:	
Copies to	the parties and the CSA	
01-09-2012 N	Votes	
Addition	al Text:	
CSA rern	noved the motion hearing scheduled for J	January 9, 2012 and rescheduled the hearing to February 27, 2012 at 3:30 p.m.
12-02-2011 A	Affidavit of mailing	
12-01-2011 F	Received documents	
11-28-2011	Other	McManus, Darcy E.
11-28-2011	Order for support	McManus, Darcy E.
Addition	al Text:	
Copy to I	the CSA	
11-03-2011 N	Notion hearing	McManus, Darcy E. Electronic Court Reporting

	paying Januar	1/2 of the uninsured medical costs. The court will order the respondent to do a job-search and will set this for review on y 9, 2012 at 3.00 p.m. Atty. Corden will prepare the order.				
481	09-22-2011	Waiver of service				
1	Additio	onal Text:				
	Consei	nt to Accept Mail				
482	09-22-2011	Affidavit of mailing				
483	09-13-2011	Affidavit of mailing				
484	09-13-2011	Confidential petition addendum				
485	09-13-2011	Summons and petition				
Prin	rintable Version (PDF)					
Reti	im to Case 207	<u>IPAOUO284</u>				

Technical problems? <u>Contact us</u>.

potice to employers | accuracy | public records on the Internet | information on other sites | data extraction option | rss | court terms

Print at: Sunday, June 19, 2016 11:59:11 PM Host:



Wisconsin Department of Justice DCI

Memo to File 16-3772/3

Report Date: 06/28/2016

Primary Information

Description: Contacts with Chief District Judge Randy Koschnick on 6/21/2016 and 6/23/2016

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 07/31/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Synopsis

On Tuesday, June 21, 2016 and on Thursday, June 23, 2016, Special Agent (SA) John R. Culver, Jr. had telephonic contact with Chief District Judge Randy Koschnick.

On Tuesday, June 21, 2016, SA Culver contacted Judge Koschnick. SA Culver advised Judge Koschnick SAIC David R. Klabunde had assigned this investigation to SA Culver, that SAs Culver and Nathan Peskie had interviewed Judge Joseph Voiland in Judge Voiland's chambers on June 10, 2016, and that SA Culver had provided SAIC Klabunde with a summary of that interview. Judge Koschnick stated he had spoken with Judge Voiland a number of times. Judge Koschnick stated he had spoken only to Judge Voiland, CCAP Director Jean Bousquet and Andrea at CCAP about the matters brought forward by Judge Voiland which led Judge Koschnick to contact Attorney General Brad Schimel directly. Judge Koschnick stated he had spoken to no one else regarding these matters. Regarding matters related to Ozaukee County Family Court Services, which Judge Voiland had informed Judge Koschnick about, Judge Koschnick had spoken with the Ozaukee County Clerk of Courts. The Clerk of Courts stated her office takes in fees, which are set aside, but the County loses money rather than making money.

Regarding the allegations that the Clerk of Courts had altered records, Judge Koschnick stated from what he had gathered he did not know if personnel were conspiring or if it was a matter of sloppy clerk work. Judge Koschnick stated Judge Voiland does have a number of valid complaints, and is changing things in Ozaukee County according to his statutory authority. Judge Koschnick stated he had told Juge Paul Malloy not to order Court Commissioner Barry Boline to disregard Judge Voiland's orders. Judge Koschnick stated he told Commissioner Boline he must follow Judge Voiland's orders unless such an order was illegal.

SA Culver advised Judge Koschnick that Judge Voiland had advised SA Culver that violations of 946.12, Misconduct in Public Office were applicable to the actions of Commissioner Boline, Clerk of Courts Mary Lou Mueller and Judge Malloy.

Judge Koschnick stated he would not take any action to change or shut anything down in Ozaukee County while the DCI was conducting a criminal investigation. SA Culver had advised Judge Koschnick that SA Culver was directed to open a case file and refer the information gathered to Assistant Attorney General Roy Korte for review for any possible criminal charges.

On Tuesday, June 21, 2016, Judge Voiland contacted SA Culver and stated he had set up an appointment to meet with Judge Koschnick on Wednesday, June 22, 2016. Judge Voiland asked SA Culver if it was okay if he share the same documents with Judge Koschnick which Judge Voiland had shared with SA Culver on Monday, June 20, 2016. SA Culver advised Judge Voiland there was no reason SA Culver knew of that should prevent sharing those documents.

On Wednesday, June 22, 2016, Judge Koschnick contacted SA Culver by phone. Judge Koschnick stated he had met with Judge Voiland for approximately five hours, in person and had viewed the aforementioned documents with Judge Voiland. Judge Koschnick stated he has some serious concerns and stated he thinks Judge Voiland is correct in many of his concerns. Judge Koschnick advised SA Culver he wished to speak with an attorney about how Judge Koschnick would address these concerns administratively. SA Culver advised Judge Koschnick that SAIC Klabunde had forwarded information to AAG Korte, and that SAIC Klabunde would advise SA Culver when AAG Korte had assigned an AAG to this case. Judge Koschnick stated he was concerned that there may be proof that the Clerk of Courts had altered and erased records using Judge Voiland's electronic signature without authority, in changing probate cases from formal to informal and back to formal without the Judge's approval, essentially making decisions only a judge can make. Judge Koschnick stated if this is proven, it would constitute misconduct in public office.

SA Culver advised Judge Koschnick he would contact him as soon as an AAG was assigned to the case.

09/14/2017 13:30:43 Page 1 of 1

Wisconsin Department of Justice DCI

Memo to File 16-3772/4

Report Date: 07/07/2016

Primary Information

Description: Contact with Chief District Judge Randy Koschnick on 7/6/2016

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 07/31/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Synopsis

Special Agent (SA) John R. Culver, Jr. spoke with Chief District Judge Randy Koschnick, by phone, on July 6, 2016, at approximately 2:10 p.m. after Judge Koschnick had left SA Culver a voice mail message.

Judge Koschnick stated he had been in Ozaukee County last week Friday (July 1, 2016) and had spoken to Judge Joseph Voiland.

Judge Koschnick stated he is still concerned that the Clerk (of Courts) is still altering documents.

09/14/2017 13:30:43 Page 1 of 1

Wisconsin Department of Justice DCI

Memo to File 16-3772/5

Report Date: 08/05/2016

Primary Information

Description: Meeting at DCI HQ on 8/4/2016 with DAG, AAG, Judge Koschnick, Judge Voiland and Attorney Dan Kelly

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 08/30/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Synopsis

On Thursday, August 4, 2016, an investigative meeting took place at DCI Headquarters, in the Attorney General's Conference Room.

The following personnel were in attendance:

Deputy Attorney General (DAG) Andrew C. Cook, Administrator for the Division of Legal Services, David V. Meany, Assistant Attorney General (AAG) Michelle L. Viste, DCI Special Agent in Charge (SAIC) David R. Klabunde, Special Agent (SA) John R. Culver, Jr., Chief District Judge of the Third Judicial District, Randy Koschnick, Ozaukee County Circuit Court Judge Joseph Voiland, and Judge Voiland's attorney, Daniel Kelly.

The discussion at this meeting focused on information presented by Judge Voiland, Attorney Kelly and Judge Koschnick regarding the possible evidence of criminal violations of Wisconsin Statutes by the Ozaukee County Clerk of Courts, Mary Lou Mueller.

Administrator Meany and Judge Koschnick also discussed what had been done administratively to address purported problems, and what could be done administratively in the future, in areas where there is no evidence of criminal violations.

The future investigative activities of DCI personnel was also discussed, which included obtaining records from CCAP personnel, and conducting interviews of the Ozaukee County Clerk of Courts and possibly of other Ozaukee County personnel.

SAIC Klabunde asked AAG Viste what the applicable statutes to be considered would be that the Clerk of Courts had possibly violated. AAG Viste cited "Misconduct in Public Office", in the alteration of public records in the Clerk of Courts exercising authority she didn't have. AAG Viste advised SAIC Klabunde and SA Culver she would send them an email message with the specific Wisconsin statutes.

The meeting concluded at 3:25 p.m.



09/14/2017 13:30:43 Page 1 of 1

Wisconsin Department of Justice DCI

Interview 16-3772/6

Report Date: 09/06/2016

Primary Information

Description: Meeting at CCAP Madison Office on 8/31/2016

Occurrence From: 08/31/2016 10:00
Occurrence To: 08/31/2016 11:30

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 10/04/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address
Interview Location 110 E Main St Suite #500, Madison, Wisconsin , United States of America

 Subjects

 Relationship
 Name
 Bio
 DOB

 Interviewed
 Bousquet, Jean (Person)
 52 yr. old, White, Female

 Interviewed
 Olson, Andrea M (Person)
 White, Female

Narrative begins on the following page.

09/14/2017 13:30:43 Page 1 of 6

On Wednesday, August 31, 2016, Special Agent (SA) John R. Culver, Jr. and Assistant Attorney General (AAG) Michelle L. Viste met with Consolidated Court Automation Programs (CCAP) Director Jean Bousquet and Deputy Director Andrea M. Olson at their office, 110 E. Main Street, Suite 500, Madison, Wisconsin.

When SA Culver had spoken to Bousquet to arrange this meeting, Bousquet stated she and Olson had assisted Judge Joseph Voiland, when Judge Voiland had visited their office to obtain information and documents related to multiple cases, and suggested that Olson attend this meeting as well.

Upon arrival in Suite 500, SA Culver identified himself to Bousquet and Olson, while presenting his credentials for their inspection. SA Culver also provided both Bousquet and Olson with one of SA Culver's business cards.

SA Culver and AAG Viste discussed a number of cases with Bousquet and Olson, which Ozaukee County Circuit Court Judge Joseph Voiland had previously discussed with Bousquet and Olson at their office, and for which Judge Voiland had obtained printed copies of documents from Bousquet and Olson. Bousquet stated the transaction record log detail reports for each case are purged within 12 to 24 months after they are created, so Bousquet and Olson had printed these documents for Judge Voiland during his visit. Judge Voiland had provided SA Culver with copies of documents Judge Voiland had obtained from Bousquet and Olson, which Judge Voiland and SA Culver had examined and discussed in person.

SA Culver and AAG Viste asked Bousquet and Olson to review paper copies of transaction record log detail reports with them, for a number of cases which Judge Voiland had brought to SA Culver's attention.

In case 2011FA310, "In RE the marriage of Robert Roland Hanke and Antonia E. Hanke", Bousquet stated the records indicated there was a change in the court official. More particularly, in examining the transaction log record details report date/time stamped as "March 28, 2016, at 2:52:11 p.m.", Ozaukee - Transaction #1459193988781, Bousquet stated this document showed that at this time, Lauri Vandenberg (identified in the "userid" field as " ") had changed the judicial case assignment in the "ctofcNo" (Court official number field/row) from " " in the "After" column. SA Culver electronically attached this the "Before" column to " transaction log record detail report to this report (See Attachments Section). Bousquet stated the "Before" column is the existing record and any changes made to the record (on 3/28/2016 at 2:52:11 p.m.) appear in the "After" column. Bousquet identified " " as Judge Sandy " as Court Commissioner Barry Boline. Bousquet identified the row label Williams and " "evenType", labeled as "MH" in the "Before" column, as a motion hearing. SA Culver asked Bousquet what the "eventDate" row, with the date "2014-11-17" in the "Before" column represents. Bousquet stated this date could be the stamped/filed date, or the date something happened in court. SA Culver asked Bousquet what the "insertedDate" row, with the date

Page 1

"2014-11-17" in the "Before" column represents. Bousquet stated it represents the date someone entered the event (motion hearing) into CCAP.

In case **2013PR130**, Bousquet stated the judicial case assignment had been back-dated. Bousquet printed a Probate Court Record for this case, which listed the responsible Court Official as Judge Voiland, and listed the case class as "50101 - Formal Proceedings", regarding the death of Emanuel Washington, who died on 08/11/2013. The filing date was listed as 10/18/2013, by Mary Lou Mueller.

More particularly, in examining the transaction log record details report date/time stamped as "March 31, 2016, at 5:13:46 p.m.", Ozaukee - **Transaction #1459462157329**, Bousquet stated this document showed that at this time, Mary Lou Mueller (identified in the "userid" field as "bhad assigned this case to Judge Paul Malloy (identified in the "ctofcNo" field as "bhad manually entered the "eventDate" (date of this case assignment field) as 10/18/2013. These entries appear in the "After" column, showing this entry as a change made on 03/31/2016 at 5:13:46. SA Culver electronically attached this transaction log record detail report to this report (See Attachments Section). SA Culver had asked Bousquet if the date of case assignment field has to be entered manually or if the current date would show up as a default. Bousquet stated the date of case assignment field appears blank and the user had manually entered the date of case assignment as "10/18/2013" on 3/31/2016 at 5:13:46 p.m. Bousquet stated from examining these records, this case was not assigned to a Judge until 3/31/2016, when Mueller assigned it to Judge Malloy and back-dated the case assignment to 10/18/2013.

Bousquet stated, after examining the transaction log record details report date/time stamped as "March 31, 2016, at 5:17:00 p.m.", Ozaukee - **Transaction #1459462272388**, this document showed that at this time, Mary Lou Mueller (identified in the "userid" field as "") had assigned this case to Judge Joseph Voiland (identified in the "ctofcNo" field as ""), and had manually entered the "eventDate" (date of this case assignment field) as "2014-07-13". These entries appear in the "After" column, showing this entry as a change made on 3/31/2016 at 5:17:00 p.m. SA Culver electronically attached this transaction log record detail report to this report (See Attachments Section). SA Culver had asked Bousquet if the date of case assignment field has to be entered manually or if the current date would show up as a default. Bousquet stated the date of case assignment field appears blank and the user had manually entered the date of case assignment as "2014-07-13" on 3/31/2016 at 5:17:00 p.m. Bousquet stated from examining these records, this case was not assigned to Judge Voiland until 3/31/2016, when Mueller back-dated the case assignment to 7/13/2014 (a total of 627 days).

SA Culver asked Bousquet what the implications of back-dating a case in this manner could be. Bousquet indicated back-dating this case makes it look like Judge Voiland "sat on" the case (since the back-dated case assignment date of 7/13/2014). SA Culver asked Bousquet to explain, from examining these records how it appeared so. Bousquet looked back at the Probate Court

Record for this case and stated on 8/11/2013 the case was not assigned to a judge. SA Culver electronically attached this Probate Court Record to this report (See Attachments Section).

Bousquet stated a lot of Registers of Probate have cases assigned to them initially and then transfer them to a judge. In further examining this record, Bousquet stated this case was inactive from 4/28/2014 to 1/26/2015, when the record showed a "Notice to close estate", and a "Notice of hearing" on 5/25/2016. Bousquet stated while a case is assigned to Mueller it doesn't appear on a "dashboard", as only Judges and Court Commissioners have dashboards. CCAP personnel set up judges' dashboards and send them "ticklers" for cases via their dashboards. Bousquet stated Judge Malloy's court official number is """.

SA Culver asked Bousquet if a Chief Judge would be able to view the "Probate Court Record" reports. Bousquet stated a Chief Judge doesn't see this information.

SA Culver electronically attached the CCAP Court Record events for 2013PR130 to this report (See Attachments Section).

SA Culver asked Bousquet if it is common practice for Registers of Probate to be designated as a court official for probate cases. Bousquet stated the Deputy Director for Court Operations, Sara Ward-Cassady would be able to answer this and any other questions that may arise with regards to the implications of how probate cases are handled in the aforementioned manner. Bousquet described probate cases as "slow moving".

Bousquet stated Mary Lou Mueller is often used as an expert resource in Register of Probate training information. Bousquet stated Mueller has a lot of "best practices", came up with a book for e-filing, that Mueller helps others, and that Mueller likes to be out in front of things.

SA Culver, AAG Viste, Bousquet and Olson began examining transaction log record details for several Ozaukee Court John Doe cases. Bousquet stated if Mary Lou Mueller's records were paper less and she had erased a John Doe case, we would not find any records to examine. SA Culver asked Bousquet who would be able to view John Doe cases. Bousquet stated the Clerk of Courts and the Register of Probate can set and control the user authorities for John Doe cases.

After examining the transaction log record detail report for **2016JD000002**, date/time stamped 3/10/2016 at 02:25:58 p.m., Ozaukee - **Transaction #1457641489718**, Bousquet stated the case was assigned to Judge Voiland, with something being filed on 03/10/2016, indicating the case was created on that date. Bousquet stated this case was created by Connie Mueller. SA Culver electronically attached this transaction log record detail report to this report (See Attachments Section). Bousquet stated someone, possibly a citizen, would have filed a document with the Clerk of Courts and a motion for John Doe proceedings would have been filed by a judge, unless a case was opened as a John Doe case by mistake.

Page 3

In examining the transaction log record detail report for 2016JD000002, date/time stamped 4/1/2016 at 08:57:13 p.m., Ozaukee - **Transaction #1459518042360**, Bousquet stated this case was deleted, at this time, by Connie Mueller. SA Culver electronically attached this transaction log record detail report to this report (See Attachments Section).

SA Culver asked Bousquet if any substantive information for John Doe cases was retained by CCAP, such as names of parties involved. Bousquet stated CCAP does not have any of this information, which is kept by the Clerk of Courts in the county in which the case was created. Bousquet stated if there was a case, any documents filed would be recorded in the electronic case file.

SA Culver asked Bousquet if she could provide information about the Clerk of Courts changing probate cases from formal to informal to grant extensions while they were in informal status, and then changing them back to formal status. Bousquet advised SA Culver and AAG Viste to ask Sara (Ward-Cassady) about this.

In examining the transaction log record detail report for **13PR84**, date/time stamped 03/22/2016 at 3:15:05 p.m., Ozaukee - **Transaction #1458676726004**, "In the Estate of Mary H. Malinowski", Bousquet stated Mary Lou Mueller (identified by "in the "insertedBy" field in the "Before" column), had changed the "isHidden" field from "false" in the "Before" column to "true" in the "After" column, with a "notice of hearing" created on 3/9/3016. SA Culver electronically attached this transaction log record detail report to this report (See Attachments Section). Bousquet stated, in essence, a notice of hearing was created, was distributed to people on a list (shown at the bottom of the Notice of Hearing-Probate, filed by Mary Lou Mueller on 3/9/2016 as the RiP), and then taken out of the file on 3/22/2016. SA Culver electronically attached this Notice of Hearing to this report (See Attachments Section). SA Culver asked Bousquet why this would have been done. Bousquet stated she didn't know why, and described it as "odd". Bousquet stated even if a case is closed, this would not be done.

SA Culver, AAG Viste, Bousquet and Olson examined a transaction log record detail report for 2016GN00005, date/time stamped 3/1/2016 at 03:39:15 p.m., Ozaukee - Transaction #1456867785582. SA Culver electronically attached this transaction log record detail report to this report (See Attachments Section). Bousquet stated the GN case type is a guardianship case, and this particular case did not involve any back-dating. Bousquet stated, in this record, a "substitution of attorney" was entered as having been filed on 02/24/2016. The "user id" field contained ", which was previously identified as Mary Lou Mueller. In examining a transaction log record detail report for 2016GN000005, date/time stamped 3/3/2016 at 04:00:43 p.m., Ozaukee - Transaction #1457041799674, Bousquet stated in the "eventype" row, in the "before" column the designation "OP" representing "other papers" was changed when the user (identified in the "user id" filed as ", Mary Lou Mueller) was changed in the "After" column to "RFS", representing a "Request for Substitution", to take Judge Voiland off of this case. SA Culver electronically attached this transaction log record detail report to this report (See

Page 4

Attachments Section). Bousquet stated this was a timing issue in which Judge Voiland denied the substitution, as it was outside the statutory time frame. Bousquet stated the request was timely, being done on 2/24/2016. Bousquet stated there was a guardianship hearing on 2/24/2016.

SA Culver and AAG Viste asked Bousquet if it was possible to search CCAP records for any additional cases which would have back-dated case assignments. Bousquet stated it is possible to search for cases in which there was a back-dated judicial transfer, in a given time period, as CCAP keeps such records for one year for audit purposes. Bousquet stated you would have to have the dates of the "disconnect", CCAP would run a query for judicial transfers, with the dates they occurred and the dates they were docketed. Bousquet stated a request for these records could be made on WI DOJ letterhead.

County: Ozaukee - Transaction #1459193988781

Table: CaseHist - Date: 2016-03-28 02:52:11 PM

Column Name	Before	After
caseNo	2011FA000310	
caseType	FA	
countyNo	45	
courtRptrCode	ECR	1 80 × 10 7 (1 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
ctofcNo		
dktTxt	Petitioner Robert Roland Hanke in	Year of the second of the
eventAmt	0.00	
eventDate	2014-11-17	N Terrap terripati (New Cost)
eventType	MH	The state of the state of
histSeqNo	51	
insertedDate	2014-11-17	
isCourtType	true	
userld	294 SARWA	

County: Ozaukee - Transaction #1459462157329

Table: CaseHist - Date: 2016-03-31 05:13:46 PM

Column Name		Befo	Before			After	
caseNo							2013PR000130
caseType						44	PR
countyNo							45 ,,,
ctofcNo		190					MALLOY
eventAmt							0.00
eventDate						100	2013-10-18
eventType							JUTR
histSeqNo	SATT						20
nsertedDate	1505						2016-03-31
sCourtType							false
prevRespCtofc							0432
userld		1					

County: Ozaukee - Transaction #1459462272388

Table: CaseHist - Date: 2016-03-31 05:17:00 PM

Column Name		Before			After
caseNo					2013PR000130
caseType					PR
countyNo					45
ctofcNo			100		
eventAmt				4	0.00
eventDate					2014-07-13
eventType				1 8 8 CT	JUTR
histSeqNo					21
nsertedDate					2016-03-31
isCourtType					false
prevRespCtofc					2064
userld					

Name **Emanuel Washington** Date Of Death 08-11-2013

Responsible C.O. Joseph W. Voiland Case Number 2013PR000130

Case Class 50101 - Formal Proceedings

Estate Value: \$

Filing Date/C.O. 10-18-2013

Disposition Date/C.O.

Disposition

Next Action

10-31-2016 02:00 pm Status conference

Mary Lou Mueller
Party Type
Decedent

Name

Emanuel Washington Special Administrator Thelma Franklin

Address

City Grafton Milwaukee

Zip WI 53024 WI 53206 Attorney/GAL

C.0		
Cou	ırt R	eport
Tax	-10	

				0.0.
				Court Reporter Tape/Counter
	Date	Court Record Entries	Amount	Location
	08-11-2013	Date of death		
	10-18-2013	Petition for special administration Formal Administration		
	10-18-2013	Consent to serve		
	10-18-2013	Waiver and consent		
	10-18-2013	Judicial transfer		Paul V. Malloy
	10-30-2013	Notes		
		Clerk left message with petitioner regarding remainder waiver and consents.		
	11-11-2013	Waiver and consent		
	11-11-2013	Signature bond signed		Mary Lou Mueller
	11-11-2013	Order appointing special administrator		Barry J. Boline
	11-11-2013	Special administration letters issued		
	11-11-2013	Notice of summary procedures deadline		Mary Lou Mueller
	01-13-2014	Claims fee paid 14R 000553	3.00	
	01-13-2014	Claim against estate Port Washington Ambulance Billing Office	1777.07	
	01-14-2014	Claims fee paid 14R 000611	3.00	
	01-14-2014	Claim against estate Columbia St Mary's and it's Affiliates	1829.31	
	04-28-2014	Claims fee paid 14R 005447	3.00	
	04-28-2014	Letters/correspondence Cover letter requesting completion of Acknowledgement portion of letter regarding Proof of Claim.		
	04-28-2014	Claim against estate	2237.90	
	07-13-2014	Judicial transfer		Joseph W. Voiland
	01-26-2015	Notice to close estate		Mary Lou Mueller
	01-29-2015	Change of address notification ADDRESS INFO for Thelma Franklin PROVIDED BY USPS		
>	* Malloy	Current: Milwaukee, WI 53206 United States (Effective: 01-29-2015)		
	Complete the Date of the	A MILL TOO TO THE TOO THE TOO TO THE TOO THE TOO TO THE TOO THE TO		

Prior:

Status conference on July 15, 2016 at 03:30 pm.

Milwaukee, WI 53218 United

OZAUKEE COUNTY-45 CIRCUIT COURT

Probate Court Record

08-31-2016 10:21 am

Name Emanuel Washington Date Of Death 08-11-2013 Responsible C.O. Joseph W. Voiland Case Number 2013PR000130

Case Class 50101 - Formal Proceedings

Estate Value: \$

C.O.

Court Reporter Tape/Counter

Amount

Location Joseph W. Voiland

Anjanette Klein

Court Record Entries

Date 07-15-2016

Status conference

Special Administrator Thelma Franklin not in court. Case called at 03:42pm with no appearances. Status conference scheduled for

October 31, 2016 at 02:00 pm.

07-15-2016

Notice of hearing

Status conference on October 31, 2016 at 02:00 pm.

Wisconsin Circuit Court Access (WCCA) In the Estate of Emanuel Washington

Ozaukee County Case Number 2013PR000130

Court Record Events

Date

Event

Court Official

Court Reporter

1 07-15-2016

Notice of hearing

Additional Text:

Status conference on October 31, 2016 at 02:00 pm.

2 07-15-2016

Status conference

Voiland, Joseph W.

Klein, Anjanette

Additional Text:

Special Administrator Thelma Franklin not in court. Case called at 03:42pm with no appearances. Status conference scheduled for October 31, 2016 at 02:00 pm.

3 05-25-2016

Notice of hearing

Additional Text:

Status conference on July 15, 2016 at 03:30 pm.

4 01-29-2015 Change of address notification

Event Party

Franklin, Thelma

Additional Text:

ADDRESS INFO for Thelma Franklin PROVIDED BY USPS Current: Milwaukee, WI 53206 United States (Effective: 01-29-2015) Prior: Milwaukee, WI 53218 United States

Willwaukee, WI 53218 United State

5 01-26-2015

Notice to close estate

Mueller, Mary Lou

6 07-13-2014

Judicial transfer

Voiland, Joseph W.

7 04-28-2014

Claim against estate

Amount

\$ 2237.90

8 04-28-2014

Letters/correspondence

Additional Text:

Cover letter requesting completion of Acknowledgement portion of letter regarding Proof of Claim.

9 04-28-2014

Claims fee paid

Amount

Additional Text:

14R 005447

10 01-14-2014 Claim against estate

Amount

\$ 1829.31

Additional Text:

Columbia St Mary's and it's Affiliates

11 01-14-2014 Claims fee paid

Amount

\$ 3.00

Additional Text:

14R 000611

12 01-13-2014 Claim against estate

Amount

\$ 1777.07

Additional Text:

Port Washington Ambulance Billing Office

13 01-13-2014 Claims fee paid

Amount

\$ 3.00

Additional Text:

14R 000553

Notice of summary procedures deadline	Mueller, Mary Lou
Special administration letters issued	
Order appointing special administrator	Boline, Barry J.
Signature bond signed	Mueller, Mary Lou
Amount	
\$ 0.00	
Waiver and consent	
	Special administration letters issued Order appointing special administrator Signature bond signed Amount \$ 0.00

19 10-30-2013 Notes

Additional Text:

Court Record Events for 2013PR000130 in Ozaukee County

Clerk left message with petitioner regarding remainder waiver and consents.

_				
20	10-18-2013	Judicial transfer	Malloy, Paul V.	
21	10-18-2013	Waiver and consent		
22	10-18-2013	Consent to serve		
23	10-18-2013	Petition for special administration		
	Add	ditional Text:		
	For	mal Administration		
24	08-11-2013	Date of death		
-				

County: Ozaukee - Transaction #1458676726004

Table: DocImageMetaData - Date: 2016-03-22 03:15:05 PM

Column Name	Before	After
caseNo	2013PR000084	
countyNo	45	10,027
dateLastAccessed	2016-03-09	
docld	879348	
docName	Notice of Hearing (Probate)	
docSource	Р	11 Mary and
filedReceived	F	
formNumber	PR-101	
histSeqNo	67	- (- production to the first of the first o
imageSize	3457	to the Dogs of Makes and Broth
insertedBy	4	
insertedDate	2016-03-09	
isConfidential	false	
isDuplex	false	
isEFiling	false	
isHidden	false	true
isSealed	false	
orientation	P	
pages	1-1	
paperSize	USLETTER	
sectionNo	14	
signingStatus	, N	

STATE OF WISCONSIN CIRCUIT COURT OZAUKEE COUNTY For Official Use Only

In the Estate of Mary H Malinowski

Notice of Hearing
(Probate)

Case No.: 2013PR000084

FILED 03-09-2016 Ozaukee County, WI Mary Lou Mueller RiP

COURT ORIGINAL

This case is scheduled for: Review hearing

Date 04-06-2016	Time 08:30 am	Room 228, Ozaukee County Justice Center
Court Official Joseph W. Voiland		1201 S Spring Street PO Box 994 Port Washington WI 53074
Re Formal Proceedings		

All past due papers, and any other required filings, must be filed 10 business days prior to this hearing

If you require reasonable accommodations due to a disability in order to participate in the court process, please call 262-284-8370 at least 10 working days prior to the scheduled court date. Please note that the court does not provide transportation.

Ozaukee County Circuit Court Date: March 9, 2016

Distribution	Address	Service Type
Court Original		
Jane E Miller	1001 W Glen Oaks Lane Suite 242, Mequon, WI 53092	Mall Notice
Rebecca J Smith	PO Box 134, Thiensville, WI 53092	Mail Notice
Jane E Miller	1001 W. Glen Oaks La., Suite 242, Mequon, WI 53092	Mail Notice
Robert Olmr	110 East Main Street, P.O. Box 212, Port Washington, WI 53074	Mail Notice
Herman A Fillinger Jr	Okauchee, WI 53069	Mail Notice

County: Ozaukee - Transaction #1456867785582

Table: CaseHist - Date: 2016-03-01 03:39:15 PM

Column Name	Before	After
caseNo		2016GN000005
caseType		GN
countyNo		45
dktTxt		Substitution of Attorney
eventAmt		0.00
eventDate		2016-02-24
eventType		OP
histSeqNo		16
insertedDate	*	2016-03-01
isCourtType		false
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County: Ozaukee - Transaction #1457041799674

Table: CaseHist - Date: 2016-03-03 04:00:43 PM

Column Name	Before	After	
caseNo	2016GN000005		
caseType	GN	4.1	
countyNo	45		
dktTxt	Substitution of Attorney		
eventAmt	0.00		
eventDate	2016-02-24		
eventType	OP	RFS	
histSeqNo	16.		
insertedDate	2016-03-01		
isCourtType	false		41
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County: Ozaukee - Transaction #1457641489718

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statClsCode 340	001
statusCode	
wcisClsCode 340	001

County: Ozaukee - Transaction #1459518042360

Table: Case - Date: 2016-04-01 08:57:13 AM

Column Name	Before	After
branchId	2	
caption	In the Matter of John Do	oe ·
caseNo	2016JD000002	
caseType	JD	
countyNo	45	
filingCtofcNo		
filingDate	2016-03-10	
isConfidential	false	
isElectronicFiling	false	
isExpunge	false	
isFiledWoCtofc	false	constitution of the company
isPartySeal	false	
isSeal	false	
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lastCvJgSeqNo	0	The second second second second
lastHistSeqNo	1	
lastPartySeqNo	0	
lastRelSeqNo	0	
respCtofcNo		
statClsCode	34001	
statusCode	OP	
wcisClsCode	34001	

Wisconsin Department of Justice DCI

Interview 16-3772/7

Report Date: 09/07/2016

Primary Information

Description: Meeting with Sara Ward-Cassady on 9/7/2016

Occurrence From: 09/07/2016 10:00
Occurrence To: 09/07/2016 11:10

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approved Date: Approved 10/04/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address
Interview Location 110 E Main St #410 Tenney Building, Madison, Wisconsin 53703, United States of America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Interviewed	Ward-Cassady, Sara E (Person)	White, Female	
Mentioned	Bousquet, Jean (Person)	52 yr. old, White, Female	
Mentioned	Mueller, Mary Lou (Person)	White, Female	
Mentioned	Olson, Andrea M (Person)	White, Female	

Narrative begins on the following page.

09/14/2017 13:30:45 Page 1 of 4

On Wednesday, September 7, 2016, Special Agent (SA) John R. Culver, Jr. and Assistant Attorney General (AAG) Michelle L. Viste met with Deputy Director of State Courts, Sara Ward-Cassady at her office, 110 E. Main Street, Suite 410, Madison, Wisconsin.

Upon arrival in Suite 410, SA Culver identified himself to Ward-Cassady, while displaying his WI DOJ ID card badge, and provided Ward-Cassady with one of SA Culver's business cards.

SA Culver and AAG Viste discussed a number of cases with Ward-Cassady which Ozaukee County Circuit Court Judge Joseph Voiland had discussed with Consolidated Court Automation Programs (CCAP) Director Jean Bousquet and Deputy Director Andrea M. Olson at their office, 110 E. Main Street, Suite 500, Madison, Wisconsin.

SA Culver advised Ward-Cassady that Judge Voiland had stated to SA Culver that Ozaukee County Clerk of Courts/Register in Probate, Mary Lou Mueller had changed multiple probate cases assigned to Judge Voiland from formal case types to informal, granted extensions in these cases while they had been in informal status, and then changed the case type back to formal, without consulting with Judge Voiland. SA Culver asked Ward-Cassady if a Clerk of Courts who was also the Register in Probate could legally do this.

Ward-Cassady stated Mueller is one of the people Ward-Cassady "goes to" in regards to probate cases. Ward-Cassady stated probate cases are an area where there is a lot of "delay", and attributed this to the probate bar.

SA Culver advised Ward-Cassady that Judge Voiland had also brought forth cases which appeared to have back-dated judicial transfers. Ward-Cassady stated, "Clerks back-date all the time". Ward-Cassady further stated there are a lot of reasons why clerks back-date things, and stated the practice is "not uncommon". Ward-Cassady stated other registers in probate in other parts of the State could give an opinion on standard practices. Ward-Cassady stated judicial transfers are usually back-dated to when a judge first came on the bench.

AAG Viste had asked Ward-Cassady about speaking with Registers in Probate in other counties to examine how they handle probate cases relative to Ozaukee County. Ward-Cassady stated she would contact the Register in Probate in two other counties and contact either AAG Viste or SA Culver to put them in contact with them.

SA Culver advised Ward-Cassady, by reading a portion of SA Culver's June 20, 2016 interview report of Judge Voiland, in which Judge Voiland stated that in January of 2016 he saw a 70% spike in judicial transfers of cases transferred to him. Ward-Cassady stated it was possible that the Clerk of Courts had put off assigning a number of cases.

SA Culver asked Ward-Cassady if it was possible that, as the newest Judge in Ozaukee County, that Judge Voiland had been assigned a large number of probate cases all at once. Ward-Cassady stated that practice is not uncommon.

SA Culver advised Ward-Cassady of several probate cases, which Judge Voiland had brought to

Page 1

SA Culver's attention, as having been changed by Mary Lou Mueller from a formal case type to informal and back to formal, again referring to the aforementioned interview report of Judge Voiland and SA Culver's report of a June 10, 2016 interview of Judge Voiland.

SA Culver cited **2013PR000084**, "In the Estate of Mary H. Malinowski", in which Judge Voiland had alleged the following (which SA Culver read to Ward-Cassady from the reports of the interviews of Judge Voiland): That Mueller had changed the case type from formal to informal, and granted an "extension of time", under the authority "by the Court" as the Register in Probate. Judge Voiland had stated that Mueller had done this without his approval instead of changing it, asking for his approval and then filing it. Judge Voiland had stated Mueller was worried Judge Voiland had known that Mueller had just deleted this case after putting it on his calendar two weeks prior. Ward-Cassady stated Mueller had a lot of things on her desk, and that this would not be an uncommon exchange.

In regards to District Court Administrators (DCA's), Ward-Cassady stated there is one DCA assigned to east district, a total of 10 DCA's in the State, who "help clean up old stale cases with judges" in that the DCA's look at the judges' dashboards and encourage judges and clerks to "clean them up". Ward-Cassady stated the DCA's see probate cases as the type of case which is most commonly outside dateline guidelines. Ward-Cassady stated a judge can disregard the recommendations made by a DCA. Ward-Cassady stated some judges don't care about dashboards and deadlines but stated there are fewer judges like that now.

In regards to the spike in cases which Judge Voiland had encountered, Ward-Cassady stated it is not uncommon for judges to get assigned a bunch of cases at one time.

Ward-Cassady stated the DCA in District 3-Ozaukee County has been a lot more limited in what he can do by the Chief Judge. Ward-Cassady stated the Chief Judge has not allowed the DCA to be as effective in Ozaukee County.

Ward-Cassady stated there is no law on the books to tell judges to move cases along in a timely manner but judges are required to report a pending decision in a case every 30 days by statute/Supreme Court Rule.

Ward-Cassady stated if there was motive to make a judge look bad, probate cases are the last way to do it. Ward-Cassady stated one would never judge a judge's effectiveness by how he handles probate cases.

Ward-Cassady stated in many other districts, the DCA would be able to help the Clerk put together lists of cases assigned to a judge which the judge had ordered from the Clerk of Courts, which the Clerk of Courts had taken months to assemble.

SA Culver asked Ward-Cassady if a Register in Probate or a Clerk of Courts can appoint deputies in her office. Ward-Cassady stated, "Yes. As many as they need to."

Ward-Cassady stated a Chief Judge's authority to remove a Clerk of Courts is very restricted.

Page 2

Ward-Cassady recalled a case in Sauk County where a Chief Judge had once had the Clerk of Courts show up, but do nothing.

SA Culver stated Ozaukee County did not have a separate account set up for Family Court Services, into which a portion of filing fees would be deposited. Ward-Cassady stated her people sent out auditors all over the State to help clerks with keeping track of their funds and accounts into which funds are deposited.

Ward-Cassady stated CCAP sets up accounts into which monies go from cases, and stated a check paid for a fine in a criminal case gets routed by CCAP but with Family Court cases it is more difficult with mediation fees, GAL fees, etc. Ward-Cassady stated the Clerk "receipts the money in", and distributes the money but it can't be programmed into CCAP. Regarding mediation, Ward-Cassady stated the first mediation is supposed to be free.

Ward-Cassady stated some counties require money up front for a GAL before a case can go forward, and cited Ozaukee, Washington and Waukesha as examples which Ward-Cassady described as "more conservative counties", as opposed to counties which are "less conservative and more diverse".

Ward-Cassady stated she had never heard from Ozaukee County before, as having problems.

The interview concluded at approximately 11:10 a.m.

Wisconsin Department of Justice DCI

Interview 16-3772/8

Report Date: 09/15/2016

Primary Information

Description: Interview of Judge Joseph Voiland on 9/15/2016

Occurrence From: 09/15/2016 12:45
Occurrence To: 09/15/2016 13:45

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 10/04/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address
Interview Location 633 W Wisconsin Ave # Milwaukee DCI Office, Milwaukee, Wisconsin 53233, United States of America

 Subjects
 Bio
 DOB

 Relationship
 Name
 Bio
 DOB

 Subject of Records
 Mueller, Mary Lou (Person)
 White, Female

Narrative begins on the following page.

09/14/2017 13:30:46 Page 1 of 6

On Thursday, September 15, 2016, at approximately 12:45 p.m., Special Agent (SA) John R. Culver, Jr. met with Ozaukee County Circuit Court Judge, Joseph W. Voiland, in the first floor lobby meeting room of the DCI Milwaukee Field Office, where Judge Voiland turned over copies of documents to SA Culver.

While examining the documents Judge Voiland provided the following:

A copy of a Ozaukee County Court Order, dated July 26, 2016, which was signed by Ozaukee County Circuit Court Judges Paul V. Malloy and Sandy A. Williams.

SA Culver examined the order, which lists 18 names of employees to be appointed as "Deputy Register in Probate" and "Deputy Probate Registrar".

The order states:

WHEREAS, in an effort streamline procedures within the Clerk of Circuit Court's Office and the Register in Probate Office it had been determined that all members of the staff should be appointed Deputy Register in Probate and Deputy Probate Registrar for Ozaukee County;

AND WHEREAS, no formal order had been created in accordance with previous appointments under Sec. 851.71(1)&(2) and 865.065;

NOW THEREFORE, IT IS ORDERED that, effective immediately and nun pro tunc,

(list of 18 names)

be, and hereby are, appointed Deputy Register in Probate and Deputy Probate Registrar for Ozaukee County pursuant to Sec 851.71 and 865.065, WI Stats.

IT IS SO ORDERED this 26th day of July, 2016.

SA Culver observed signature blocks for Judge Voiland and Chief Judge of the Third Judicial District, Randy Koschnick, however; neither Judge Voiland nor Judge Koschnick had signed the order. SA Culver electronically attached a copy of this order to this report (See Attachments Section).

Judge Voiland pointed to the portion of the order which stated, "NOW THEREFORE, IT IS ORDERED that, effective immediately and nun pro tunc". Judge Voiland indicated "nun pro tunc", which essentially means "now for then", is not applicable to this order as Judge Voiland had not previously been involved in any previous appointments to these position, which would have involved interviews of people and his approvals of their deputations as Deputy Registers in Probate.

Judge Voiland stated by not signing this order it appears that Judge Voiland doesn't want any of the people listed in the order to be hired, half of whom he doesn't know and had never met.

Judge Voiland pointed out that a date did not appear in the order, after "nun pro tunc", as is Page 1

required in an order containing the reference "nun pro tunc".

Judge Voiland stated in 2013 and 2014, when the Deputy Register in Probate was hired, the Clerk of Courts had coordinated with the judges to hire Deputy Registers in Probate, in that the judges had interviewed the candidates and hired them with the approval of the Chief Judge, but in late 2015 or early 2016, the Clerk of Court appointed all persons listed in the aforementioned Court Order to be Deputy Registers in Probate without the approval of the judges or the Chief Judge. Judge Voiland stated these people were not lawfully hired and appointed as Deputy Registers in Probate.

Judge Voiland cited Wisconsin Statute 851.71, "The appointment and Compensation of Registers in Probate", and stated this statute requires the judges to appoint people to these positions with the approval of the Chief Judge.

Judge Voiland stated Judge Koschnick had decided the people whom the Clerk of Courts had appointed as Deputy Registers in Probate are not legally Deputy Registers in Probate, and that Judge Koschnick stated he would have to contact the Ozaukee County Human Resources Department at some point to post these positions (as open positions).

Judge Voiland stated there is a similar statute in regards to the appointment of Deputy Clerks of Court, except the Clerk of Courts may only appoint Deputy Clerks subject to the approval of a majority of the judges. Judge Voiland didn't think the approval of the Chief Judge was required in this case.

Judge Voiland stated a meeting had taken place on Friday, July 22, 2016, which was set by Judge Koschnick. Judge Voiland, Judge Koschnick, Judge Malloy, and Clerk of Courts Mary Lou Mueller were present. At this meeting, Judge Koschnick told Mueller she has to file court orders (entered by judges). Judge Voiland stated at this meeting Judge Koschnick had also addressed Mueller's deputizing Deputy Registers in Probate by stating the statute says judges have to approve Registers in Probate and Deputy Registers in Probate. Judge Voiland stated it was two business days after this meeting that he was asked to sign the aforementioned court order (on Tuesday, July 26, 2016).

Judge Voiland stated Clerk of Courts, Mary Lou Mueller had sent an email to all Circuit Court staff on July 14, 2016, which included an announcement that Marilyn Baunoch will receive a pay grade promotion, be placed in the Deputy Register in Probate position, and be physically moving to the Court Commissioner's suite. SA Culver electronically attached a copy of this email message to this report (See Attachments Section).

Judge Voiland stated he had attempted to file an order which he had entered in a probate case (16PR91), with the Clerk of Courts, but the order was sent back to him by Judge Sandy Williams, with a note written on two post-it notes which was dated 7/14/2016. Judge Voiland stated Judge Williams had told him the order would not be entered. Judge Voiland also stated that Judge Williams was taking over probate cases. Judge Voiland stated he sent an email message to Judge Williams asking her if the post-it notes were written by her. Judge Williams told Judge Voiland,

Page 2

via email, Judge Voiland knew the writing was her writing and the name (written as "SAWilliams" and "Sandy" on the post-it notes) was her name. Judge Voiland told Judge Williams, via email, it wasn't her case. SA Culver electronically attached a copy of the aforementioned post-it notes to this report (See Attachments Section). Judge Voiland again told the Clerk of Courts to enter his orders in this case.

Judge Voiland sent an email message to Judge Malloy on 7/18/2016 at 8:57 a.m. Judge Voiland provided SA Culver with a copy of this one-page email, which also referenced an attached record summary of 16PR91, which Judge Voiland stated he had generated on the morning of July 18, 2016. SA Culver electronically attached this email message and court record to this report (See Attachments Section).

SA Culver examined this email message and record summary. In the email message Judge Voiland stated he had executed two orders in this case and the Clerk of Court Office had refused or failed to file them, since July 14th. Judge Voiland stated he had received a handwritten note from Judge Williams taking issue with his order and suggesting that he change it. Judge Voiland stated he executed an amended order to keep the case in Branch 2 (as the normal rotation would have set a hearing for the case in Branch 3) and the Clerk of Court Office had failed or refused to file that order as well. Judge Voiland concluded the email by stating, "I believe the clerk of courts has a ministerial duty to file my orders, and that the clerk of courts knows this. Are you aware of any authority the clerk of courts has to refuse to file the court orders that I have executed? Would you like to be involved in resolving this matter, or would you prefer I continue to attempt to obtain compliance directly from the clerk of courts?"

Judge Voiland pointed out to SA Culver on the court record for this case (which was attached to this email, with a date stamp which indicated it was printed on 7/18/2016 at 8:51:33 a.m.) the date his orders were filed was recorded as 7/12/2016. Judge Voiland stated the date these orders were filed by the Clerk were back-dated in the court record to 7/12/2016 (the first day Judge Voiland had tried to file them with the Clerk of Courts Office), as Judge Voiland indicated he had monitored the court record through 7/17/2016 and the court record showed the orders had not been filed.

SA Culver asked Judge Voiland who is the District Court Administrator assigned to Ozaukee County. Judge Voiland stated his name is Mike Neimon. Judge Voiland added that Neimon is friends with the Clerk of Courts.

Judge Voiland provided SA Culver with a copy of a three-page article from the Wisconsin Law Journal, dated 7/21/2016, titled, "State rolling forward with mandatory e-filing". Judge Voiland pointed out Clerk of Courts, Mary Lou Mueller was interviewed regarding the mandatory e-filing. Judge Voiland pointed out, and identified in hand-written parenthesis on the page, the following portion which stated, "'Get your scanning mechanism down and make sure the court officials can trust your electronic file', Mueller said. 'This is our document forever. It has to stand the test of time and be readable and usable."' After pointing this portion of the article out to SA Culver, Judge Voiland referenced Ozaukee County John Doe case 16JD2, which Judge Voiland had

Page 3

discussed in previous interviews with SA Culver as having been opened, closed, and deleted by the Ozaukee County Clerk of Courts Office. Judge Voiland also referenced a probate case which he (in a previous interview with SA Culver) had identified as having had records deleted by the Clerk of Courts (13PR84). SA Culver electronically attached a copy of this article to this report (See Attachments Section).

Judge Voiland provided SA Culver with nine pages of email messages, which began with an email sent from Mary Lou Mueller on June 3, 2016 to Judge Koschnick, Judge Malloy and Jason Dzwinel. SA Culver electronically attached the aforementioned nine pages of email messages to this report (See Attachments Section).

In this email message, with a subject line "Request for Assistance", Mueller states, "I am so sorry to burden you with this information, but I am concerned with the actions of a judge and his demeanor to clerk of court's staff. On more than one occasion I have received reports from staff that a judge has treated them is such a way that may be characterized as uncivil, abrasive, demeaning or hostile. Another recent event has occurred and I no longer think we can chalk it up to inexperience or uniqueness. I do not wish to go into the specifics in this email, but I think it is time we have a discussion about the behavior an how to best address the issues.

Would all of you be able to meet to discuss this in person during the week of June 6th outside of the Justice Center?"

(Signed Mary Lou Mueller, Ozaukee County Clerk of Circuit Court/Register in Probate/Clerk of Juvenile Court)

In subsequent emails, a meeting was arranged, in which Thomas Meaux was also invited, and the meeting took place on June 8, 2016. Judge Voiland stated the allegations were being made against him. In an email dated June 9, 2016, Judge Koschnick stated he didn't believe Judge Voiland did anything wrong, in that he did not say anything derogatory to or about the clerk but actually appeared to be defending the clerk from an attorney's allegations that the clerk was somehow at fault. In an email dated June 21, 2016, from Judge Koschnick and addressed to Jason Dzwinel, Mary Lou Mueller, Judge Malloy and Thomas Meaux (with Judge Voiland "cc'd") Judge Koschnick stated his conclusion in addressing the complaint brought forth in the June 3rd email was that the allegations in that email are untrue and that Judge Voiland has not acted inappropriately. Judge Koschnick stated, "To the contrary, I believe that Judge Voiland appropriately defended the court clerk when one of the attorneys attempted to blame the court clerk for that attorney's failure to appear in person at the hearing. I believe that it is important that Judge Voiland's name be cleared in this matter. Therefore, if you have shared any information about these allegations with any other person(s), I ask that you please notify me of the same and also forward a copy of this email to them so that they are aware of my determination. I will continue to work with the judges on improving communications and workplace morale as I have previously indicated. Please feel free to contact me with any questions or concerns. Thank you."

Page 4

(Signed Randy R. Koschnick, Chief Judge, District 3)

The interview concluded at approximately 1:45 p.m.

STATE OF WISCONSIN

AS

CIRCUIT COURT THIRD JUDICIAL DISTRICT

OZAUKEE COUNTY 16-SO-05 (45)

IN THE MATTER OF; ORDER THE APPOINTMENT OF

Diane Anderson Rebecca Freeland
Marilyn Baunoch Ellen Haggenjos
Aaron Boyd Nicole Jozwowski
Devon Britton Debra Keefe
Kelly Cawley Roberta Ladd
Julie Fedder Jaclyn McCoy

CariAnne Mihalko Connie Mueller Sarah Preisler Constance Rohde Lauri Vandenberg Therese Wester

DEPUTY REGISTER IN PROBATE AND DEPUTY PROBATE REGISTRAR

WHEREAS, in an effort streamline procedures within the Clerk of Circuit Court's Office and the Register in Probate Office it had been determined that all members of the staff should be appointed Deputy Register in Probate and Deputy Probate Registrar for Ozaukee County;

AND WHEREAS, no formal order had been created in accordance with previous appointments under Sec. 851.71(1)&(2) and 865.065;

NOW THEREFORE, IT IS ORDERED that, effective immediately and nun pro tunc,

CariAnne Mihalko Diane Anderson Rebecca Freeland Connie Mueller Marilyn Baunoch Ellen Haggenjos Aaron Boyd Nicole Jozwowski Sarah Preisler Debra Keefe Constance Rohde Devon Britton Lauri Vandenberg Roberta Ladd Kelly Cawley Julie Fedder Jaclyn McCoy Therese Wester

be, and hereby are, appointed Deputy Register in Probate and Deputy Probate Registrar for Ozaukee County pursuant to Sec. 851.71 and 865.065, WI Stats.

IT IS SO ORDERED this 26 day of July, 2016.

BY THE COURT

Hon. Paul V. Malloy, Br.1

Hon, Sandy A. Williams, Br. 3

Hon, Joseph W. Voiland, Br. 2

APPROVED:

Hon. Randy Koschnick, Chief Judge

Third Judicial District

From: Randy Koschnick

To: Jason Dzwinel; MaryLou Mueller; Paul

Malloy; Thomas Meaux

Date: 6/21/2016 3:30 PM

Subject: RE: Request for Assistance

CC: Joseph Voiland

Jason, MaryLou, Paul and Tom:

Having considered the allegations contained in the Clerk of Court's email dated 6/3/16 (included below) concerning the alleged behavior of Judge Voiland, along with the information that we discussed at our meeting on 6/8/16 and the transcript of the 6/3/16 hearing, I have come to the conclusion that my initial impressions (see my 6/9/16 email below) were and are correct. None of you have offered any other opinion or conclusion. Specifically, I conclude that the allegations in the 6/3/16 email are untrue and that Judge Voiland has not acted inappropriately. To the contrary, I believe that Judge Voiland appropriately defended the

court clerk when one of the attorneys attempted to blame the court clerk for that attorney's failure to appear in person at the hearing.

I believe that it is important that Judge Voiland's name be cleared in this matter. Therefore, if you have shared any information about these allegations with any other person(s), I ask that you please notify me of the same and also forward a copy of this email to them so that they are aware of my determination.

I will continue to work with the judges on improving communications and workplace morale as I have previously indicated.

Please feel free to contact me with any questions or concerns.

Thank you.

Randy R. Koschnick

Chief Judge, District 3
Jefferson County Courthouse Branch 4
311 S. Center Avenue
Jefferson, WI 53549
920.674.7217
fax: 920.674.7523
randy.koschnick@wicourts.gov

>>> Randy Koschnick 6/9/2016 4:46 PM >>> Attached is an unedited transcript of the proceeding that we discussed yesterday. I requested unedited for two reasons: 1) It's available immediately and, 2) there is no cost for unedited. While some items are not spelled out correctly, such as the attorney's names, the substance of what was said is easy to read.

I'm certainly willing to consider other points of view, but I'm having a hard time finding that the judge said anything derogatory to or about the clerk. Rather, it looks to me as though the judge is blaming the attorney who improperly chose to appear by phone. That attorney (the "telephone attorney") then proceeds to blame the clerk but the judge then places the blame back on the attorney. If anything, the judge appears to be defending the clerk from the attorney's allegations that the clerk was somehow at fault. The judge is basically telling the "telephone attorney" that the attorney should know better in that the attorney should always

include other attorneys on the case in any discussion about telephone appearances. This is the normal rule in most courts, including my own. Obviously, the attorney's telephone appearance frustrated the court's ability to conduct the hearing and jeopardized the jury trial date. Given the case number (09CV977), this case appears to be 7 years old, which is really old so the case needed to be resolved promptly one way or the other.

I'm surmising that the clerk may have felt bad about the situation and may have been upset as a result but I don't think that the judge treated her improperly. I'd be interested in any other interpretations of what happened here. Please feel free to send your comments. I'd also be happy to meet again if that's preferable.

The other matters that we discussed concerning the judges working together to improve communication and morale are moving forward as I had hoped they would. All three judges are willing to follow my suggestions and I'll be working on that as promised. Finally, Judge Voiland has agreed to speak with Judge Malloy and Ms. Mueller about possible personnel changes as

we discussed and I understand that Judge Malloy will be speaking with Judge Voiland in the near future.

Randy R. Koschnick

Chief Judge, District 3
Jefferson County Courthouse Branch 4
311 S. Center Avenue
Jefferson, WI 53549
920.674.7217
fax: 920.674.7523
randy.koschnick@wicourts.gov

>>> Thomas Meaux <tmeaux@co.ozaukee.wi.us> 6/7/2016 2:33 PM >>>

I will attend. Thanks, TM

Tom Meaux
Ozaukee County Administrator
121 W. Main Street
Port Washington, WI 53704
tmeaux@co.ozaukee.wi.us

262- (office) 262- (cell) From: Jason Dzwinel

Sent: Tuesday, June 7, 2016 9:50 AM

To: 'Randy Koschnick' <Randy.Koschnick@wicourts.gov>; Marylou Mueller <marylou.mueller@wicourts.gov>;

Paul Malloy <Paul.Malloy@wicourts.gov>

Cc: Thomas Meaux <tmeaux@co.ozaukee.wi.us>

Subject: RE: Request for Assistance

Yes, we can meet in Room A-200.

Second floor of the "old" courthouse portion of the Administration Center, Judge Koschnick.

Jason

From: Randy Koschnick [mailto:Randy.Koschnick@wicourts.gov]

Sent: Tuesday, June 7, 2016 9:44 AM

To: Jason Dzwinel < jdzwinel@co.ozaukee.wi.us >; Marylou Mueller < marylou.mueller@wicourts.gov >; Paul

Malloy <Paul.Malloy@wicourts.gov>

Cc: Thomas Meaux <tmeaux@co.ozaukee.wi.us>

Subject: RE: Request for Assistance

To confirm, we'll meet at 12:30 p.m. tomorrow at the Administration Center, 121 W. Main St., Pt. Washington.

Randy R. Koschnick

Chief Judge, District 3
Jefferson County Courthouse Branch 4
311 S. Center Avenue
Jefferson, WI 53549
920.674.7217
fax: 920.674.7523

randy.koschnick@wicourts.gov

>>> Jason Dzwinel <jdzwinel@co.ozaukee.wi.us> 6/7/2016 9:31 AM >>>

I have asked Tom Meaux to join us, if he is available.

See you tomorrow,

Jason

From: Paul Malloy [mailto:Paul.Malloy@wicourts.gov]

Sent: Tuesday, June 7, 2016 9:18 AM

To: Jason Dzwinel < jdzwinel@co.ozaukee.wi.us >; Marylou Mueller < marylou.mueller@wicourts.gov >; Randy

Koschnick < Randy. Koschnick@wicourts.gov>

Subject: Re: Request for Assistance

I will be planning on attending the meeting at 12:30.Paul

>>> MaryLou Mueller 6/6/2016 10;18 AM >>> Works for me too. Thanks,

Mary Lou Mueller Ozaukee County

Clerk of Circuit Court / Register in Probate/ Clerk of Juvenile Court

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Phone; <u>262-284-8409</u> or <u>262-238-8409</u> Fax: <u>262-284-8491</u> or <u>262-238-8491</u> MaryLou.Mueller@wicourts.gov

http://www.co.ozaukee.wi.us/181/Clerk-of-Circuit-Courts

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>>> Randy Koschnick 6/6/2016 5:45 AM >>>
That's fine with me if it works for the others. Can we begin at 12:30?

Randy R. Koschnick

Chief Judge, District 3
Jefferson County Courthouse Branch 4
311 S. Center Avenue
Jefferson, WI 53549
920.674.7217
fax: 920.674.7523
randy.koschnick@wicourts.gov

>>> Jason Dzwinel <<u>jdzwinel@co.ozaukee.wi.us</u>> 06/04/16 8:10 AM >>> I can make that work. Would you like to meet at the Administration Center?

Sent from my iPhone

On Jun 3, 2016, at 9:38 PM, Randy Koschnick < Randy.Koschnick@wicourts.gov > wrote:

I could meet between noon and 2 pm on Wednesday. Tuesday is a possibility if my jury trial settles which is a 50/50 possibility at this point.

Sent from my U.S. Cellular® Smartphone
----- Original message ------

From: MaryLou Mueller < MaryLou.Mueller@wicourts.gov >

Date: 6/3/16 3:23 PM (GMT-06:00)

To: Paul Malloy < Paul. Malloy@wicourts.gov >, Randy Koschnick < Randy. Koschnick@wicourts.gov >,

Jason Dzwinel <jdzwinel@co.ozaukee.wi.us>

Subject: Request for Assistance

>>> "MaryLou Mueller" 06/03/2016 15:23 >>> Good afternoon Gentlemen,

I am so sorry to burden you with this information, but I am concerned with the actions of a judge and his demeanor to clerk of court's staff. On more than one occasion I have received reports from staff that a judge has treated them in such a way that may be characterized as uncivil, abrasive, demeaning, or hostile. Another recent event has occurred and I no longer think we can chalk it up to inexperience or uniqueness. I do not wish to go into the specifics in this email, but I think it is time we have a discussion about the behavior and how to best address the issues.

Would all of you be able to meet to discuss this in person during the week of June 6th outside of the Justice Center?

Ozaukee County

Clerk of Circuit Court / Register in Probate/ Clerk of Juvenile Court

PO Box 994

1201 S Spring Street

Port Washington, WI 53074

Mary Lou Mueller

Phone: <u>262-284-8409</u> or <u>262-238-8409</u> Fax: <u>262-284-8491</u> or <u>262-238-8491</u> MaryLou.Mueller@wicourts.gov

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Joseph Voiland - Clerk's Duty to File Court Orders & 16PR91

From:

Joseph Voiland

To:

Malloy, Paul

Date:

7/18/2016 8:57 AM

Subject:

Clerk's Duty to File Court Orders & 16PR91

Attachments: 16PR91 Foreman docket July 18 2016.pdf

Paul:

Attached is the record summary in a case currently assigned to Branch 2, 16PR91, generated this morning. Last week I executed two orders in this case. The clerk of courts office has refused or failed to file my orders.

The case was filed as a formal probate in late June. My order set 90 days as the deadline to file claims (the minimum period allowed) and set a hearing 10 business days after that deadline. Due to the August 1 rotation, the order set this with Branch 3 on a date obtained from the clerk of court's office for Branch 3 probate hearings.

I completed the first order on July 14, so now going on the 5th day since. The clerk of courts office still has not filed it and has not responded to my follow up requests. Further, I received a handwritten note from Judge Williams taking issue with my order, and suggesting that I change it. I decided then to keep the case in Branch 2, and I executed an amended order to that effect. The clerk of courts office has failed or refused to file that order, as well.

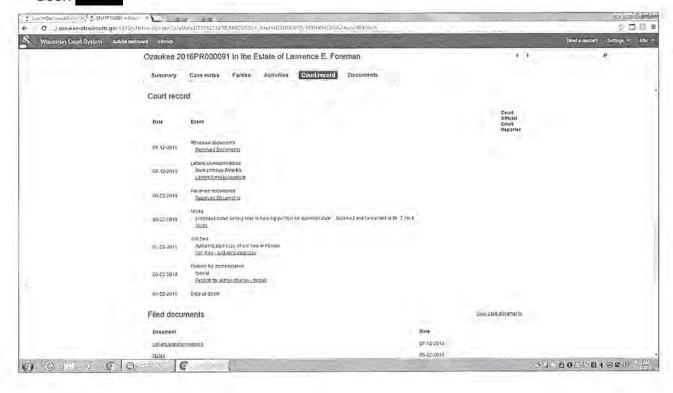
I believe the clerk of courts has a ministerial duty to file my orders, and that the clerk of courts knows this. Are you aware of any authority the clerk of courts has to refuse to file the court orders that I have executed? Would you like to be involved in resolving this matter, or would you prefer I continue to attempt to obtain compliance directly from the clerk of courts?

Thank you.

Joe Voiland
Ozaukee County Circuit Court Judge
joseph.voiland@wicourts.gov

Print at: Monday, July 18, 2016 8:51:33 AM

Host: User:



Joseph Voiland - Changes and promotion in the COC

From: MaryLou Mueller

To: All Circuit Court Staff Date: 7/14/2016 5:48 PM

Subject: Changes and promotion in the COC CC: Barry Boline; Ozaukee - Judges

Hello,

July has been a very exciting month at the Ozaukee County Clerk of Court's office. We survived mandatory eFiling for civil, family, paternity and small claims. We have also done well with the criminal eFiling processes. Thank you for all of your hard work and progress we have made making a better court record, provide greater access to the court record and meeting our department's mission statement.

Marilyn Baunoch has been working very hard learning probate and guardianships along with her regular duties as jury clerk and the self help clerk. I have been very impressed with her adaptability and work ethic. Marilyn will receive a pay grade promotion and be placed in the Deputy Register in Probate position. She will also be physically moving to the Court Commissioner's suite. Marilyn will continue her duties as jury clerk, deputy clerk of courts and deputy register in probate. Other changes will most likely evolve from this permanent placement of Marilyn. Please wish her continued success within the Clerk of Courts department.

Devon Britton will move to the former file room to assist with the self help center. This will be a lateral move for Devon. This move will allow Devon to capitalize on her awesome customer service skills and enable her to produce valuable content for the court users and the clerk of court staff. Devon's assignments and physical move will depend on when Marilyn will be able to occupy her new space.

I know I don't say it enough to each of you personally, but I can't say enough to anyone who will listen, what a wonderful job you all do. You exceed my expectations every day! Frank Fischer and Wendy Gregg of CCAP were so impressed with all of you. They even commented how self driven, prepared and engaged you are in your positions and the office. You all have made me proud of what we have accomplished. Thank you and keep up the good work!

All the best,

Ozaukee County

Clerk of Circuit Court / Register in Probate/ Clerk of Juvenile Court

PO Box 994

1201 S Spring Street

Port Washington, WI 53074 Phone: 262-284-8409 or 262-238-8409

Mary Low Mueller

Fax: 262-284-8491 or 262-238-8491

MaryLou.Mueller@wicourts.gov

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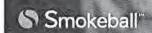
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So - please don't use govern this - but use sert one of your dates + there or there perpers rather that out date (which I than that Oct date (which I than that Oct date (which I don't know where you got) on my caledar Thanks

Hi Joe
I was in ML's office and
happened to see this - You really should
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they filed it (6/22/16) you could have it
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back on your calendar 20 days (time for
them to effect service) Then if no contest/no issues
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that he administratively reassigned into my court for
ean be administratively reassigned into my court for





See all of your team's emails on every matter in one place.



State rolling forward with mandatory e-filing

± By: Erika Strebel, erika.strebel@wislawjournal.com ⊙July 20, 2016 12:46 pm



Flanked by older case files, Ozaukee County Clerk of Circuit Court Mary Lou Mueller holds a laptop computer while in the clerk's office on Thursday at the Ozaukee County Justice Center. (Staff photos by Kevin Harnack)

More than two weeks after the e-filing of legal documents became mandatory in Ozaukee County, Clerk of Circuit Court Mary Lou Mueller is noticing the difference that comes from running a completely paperless courthouse.

Judges and court staff now have quicker access to documents, Mueller estimates her clerks have cut their time opening snall mail by two-thirds. On occasion, they are sending back pleadings that lawyers in other counties mailed in rather than filed electronically.

"It's a whole different software for the attorneys," Mueller said. "So we had to change the process in that we are no longer the scanner — the attorney is."

That additional responsibility for lawyers is likely to be the most noticeable change around the state as e-filing becomes mandatory in more and more counties. The rollout is deliberately being done in phases.

The first of the state's 71 counties to have mandatory e-filing were Dodge and Ozaukee counties. Dodge County began requiring it at the start of June and Ozaukee County a month later. Although the state now only mandates e-filing

of documents in civil, paternity, family and small-claims cases, Dodge and Ozaukee counties also now allow voluntary e-filing in criminal cases.

Next up in the rollout will be Jefferson and Columbia counties, which are scheduled to join Dodge and Ozaukee counties on Aug. 1. Various other counties will follow later in August and in September.

"We're really excited about where we are now and we feel like it has gone smoother than we expected," said Jean Bousquet, chief information officer for the state courts.

Court Consolidated Automation Programs, which tends to state courts' technology needs, plans to spend two weeks on average in each county helping to put mandatory e-filing systems in place. CCAP will send out representatives a week before e-filing is officially scheduled to become mandatory and have them stick around a week after the start date just to make sure things are running well.

Part of the reason the transition has been smooth so far, Bousquet said, is that most attorneys are already set up with an e-filing account. Bousquet said that the accounts were needed so that lawyers would be able to report their completion of continuing-education requirements.

Coming soon to a county near you

E-filing will be mandatory in the following counties starting on the following dates:

Jefferson Aug. 1 Columbia Aug. 1

Adams Aug. 15 Pierce Aug. 15

Waupaca Aug. 15

Barron Sept. 1

Chippewa Sept. 1

Dunn Sept. 1

Florence Sept. 15

La Crosse Sept. 15

Also, CCAP was able to work with the courts and local bar associations to provide training before e-filing became mandatory. All this is not to say, though, that the transition has not been entirely without difficulties.

"There are always people you miss," Bousquet said. "There are some situations that have come up and will continue to come up that we'll have to address as we go."

Bousquet said adopting e-filing in Dodge and Ozaukee counties helped CCAP identify and straighten out kinks in the new system. For example, CCAP is working to make sure lawyers can get signatures from a series of people without needing to scan a document in again every time it needs to be signed by someone new.

But not all the difficulties CCAP and the two counties have encountered can be dealt with so easily. For one, changes to various legal forms can't be made without first receiving official approval. Then there are the complications that come with trying to integrate child-support agencies into the new system.



Aaron Boyd, of the Ozaukee County's Clerk of Circuit Court office, works at his computer on Thursday at the Ozaukee County Justice Center. Ozaukee and 52 other counties in the state have already been offering voluntary ef

In general, the biggest difficulty courts have had preparing for mandatory e-filing has stemmed from the need to scan in often voluminous amounts of legal documents. That's especially true if they haven't done so already, said Marcia Vandercook, circuit court legal adviser.

Ozaukee, Dodge and 51 other counties have less to be concerned about because they have been offering voluntary e-filing to lawyers. The state, starting in 2008, began to allow voluntary e-filing in anticipation of the current mandate.

Judges and clerks in counties with voluntary e-filing have thus been preparing for years. Dodge County, for instance, has been paperless since 2015. Similarly, Ozaukee County started scanning in documents and working with electronic files in 2011 and went paperless in 2014.

"The staff wasn't wild about it at the beginning ... but then they grew to love it," Mueller said. "It was hard to transition from working with hard copies to electronic files. But now not one of them would go back."

Living to tell the tale

Margaret Zickhur Zolp, a Grafton attorney, suggested that lawyers and firms should prepare for mandatory e-filing by electronically filing documents in counties where e-filing is still voluntary.

That's what her firm, Houseman & Feind, did while waiting for e-filing to become mandatory in Ozaukee County.

"It's probably a good idea to start sooner or later," she said. "We started two years ago and slowly implemented it into our practice so when it went live we were ahead of the learning curve."

Another piece of advice for attorneys is to understand that the documents they file will be the only copies. Lawyers should take care that their submissions, which usually take the form of PDFs, are as readable as possible.

Get your scanning mechanism down and make sure the court officials can trust your electronic file," Mueller said.

She recommends that lawyers work closely with court clerks and is now drawing up an e-filing guide for attorneys who file in her court

Get a jump

Clerks who haven't yet started scanning in cases should begin as soon as possible, said Dodge County Clerk Lynn Hron.

"(Clerks and their staff) need to get used to having an electronic record as opposed to a paper file," she said. "If you're waiting for mandatory e-filing, you'll have way too many issues. You need to be proactive."

In the end, the shift to e-filing is worthwhile. Hron said she has saved about \$2,000 a year from not having to buy file folders. That money has been put toward buying a second computer screen for each of the judges and staff workers at her courthouse.

That second screen comes in handy, said Dodge County Circuit Court Judge John Storck. He uses it so he can look at more than one case at a time. When the matter before him is particularly complicated, it's always possible to go back to using paper documents.

"The key is don't be afraid to press print when you need it," Storck said. "Learn how to put multiple documents on your screen at same time and learn how to manipulate those documents on your dashboard."

One source of concern for Ozaukee County Circuit Court Judge Paul Malloy is that looking at a computer screen can take his attention away from what is happening in front of him in his courtroom.

Ozaukee County District Attorney Adam Gerol, whose office went live with the e-filing system last week, agreed. He said that although he is thrilled to be dealing with less paper, there are drawbacks to legal professionals' spending more time on computers.

"The sad part, though, is when you walk into a courtroom," he said. "You see people staring at a screen as opposed to looking at the judge or each other."

Change is coming

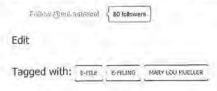
The cost to e-file is \$20 per party per case, with exceptions for indigent parties and state, municipal and other government agencies.

Pro se litigants may still file by paper unless they submit more than 10 cases a year.

By the end of 2017, all 71 counties will require electronic filing for civil, paternity, family and small-claims cases.

Mandatory e-filing for criminal, forfeiture, and traffic cases will start in 2017.

The goal is statewide implementation of all case types by the end of 2019.



100

Wisconsin Department of Justice DCI

Investigative 16-3772/9

Report Date: 09/19/2016

Primary Information

Description: Examination of Records - CCAP Response to AAG Viste's Request Letter

Occurrence From: 09/19/2016 00:00
Occurrence To: 09/19/2016 00:00

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approved Date: Approved 10/20/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

 Subjects

 Relationship
 Name
 Bio
 DOB

 Subject of Records
 Mueller, Mary Lou (Person)
 White, Female
 --

Narrative begins on the following page.

09/14/2017 13:30:48 Page 1 of 3

Wisconsin Division of Criminal Investigation Case Report Case/Report Number: 16-3772/9

On Monday, September 19, 2016, Special Agent (SA) John R. Culver, Jr. received an email message from Assistant Attorney General (AAG) Michelle L. Viste which contained an Excel Spreadsheet attachment containing the CCAP records AAG Viste received in response to the request letter she sent to the Director of State Courts, Mr. J. Denis Moran, on September 9, 2016.

This letter referenced a meeting which SA Culver and AAG Viste had in Madison with CCAP Director Jean Bousquet and CCAP Deputy Director Andrea Olson, on August 31, 2016, where AAG Viste and SA Culver learned it would be possible to obtain additional records associated with this investigation. In this letter, AAG Viste requested CCAP records associated with any judicial transfers to Ozaukee County Circuit Court Judge Joseph Voiland from 2014 to the present. Specifically, in regards to these judicial transfers, a report that shows the following: (1) case numbers of the transferred cases; (2) effective dates of the judicial transfers; (3) dates the transfers were docketed; and (4) user names of the individuals who docketed the judicial transfers. SA Culver electronically attached a copy of this letter to this report (See Attachments Section).

SA Culver examined the aforementioned Excel Spreadsheet, which contained four columns titled, "Case number", "Event date", "Date record was added", and "User Name", with 1,601 rows of records under each of these columns. SA Culver electronically attached this spreadsheet to this report (See Attachments Section).

The following record, which prompted this request letter being sent to CCAP, is that of 2013PR000130 which appeared in the aforementioned spreadsheet as follows:

Case number	Event date	Date record was added	User name
2013PR000130	2014-07-13	2016-03-31	Mueller, Mary Lou

On August 31, 2016, after examining the transaction record detail for this case, CCAP Director Bousquet confirmed the judicial transfer of this case to Judge Voiland had been back dated approximately 20 months by Connie Mueller, in that on 03/31/2016, Mueller had manually entered a back-dated effective date of the judicial transfer as 7/13/2014.

The following 13 cases had discrepancies between the "event date" and "date record was added" which were greater than or equal to 30 days. These discrepancies would indicate the date the record was added, which represents the date the employee entered (docketed) the judicial transfer of each case to Judge Voiland, was a number of days (as specified in each case) after the date which had been entered as the "event date" (effective date of the judicial transfer). In each of these cases this discrepancy would indicate the effective dates of the judicial transfers were back-dated by the number of days specified in each case:

1995CF000147 – 74 days, Devon Britton

Page 1

This document contains neither recommendations nor conclusions of the Division of Criminal Investigation. It is the property of this Division, and is loaned to your agency. Its contents are not to be distributed outside your agency.

Wisconsin Division of Criminal Investigation Case Report Case/Report Number: 16-3772/9

2003FA000278 – 30 days, Connie Mueller 2010FA000061 – 56 days, Connie Mueller 2011FA000007 – 203 days, Connie Mueller 2013PR000142 – 76 days, Mary Lou Mueller 2014GN000032 – 65 days, Mary Lou Mueller 2014TR001247 – 28 days, Nicole Jozwowski 2015TR001054 - 40 days, Julie Fedder 2015TR001055 - 40 days, Julie Fedder 2015TR001144 - 40 days, Julie Fedder 2015TR001146 - 40 days, Julie Fedder 2015TR003304 – 44 days, Nicole Jozwowski

SA Culver observed there were 27 cases listed in this spreadsheet, with discrepancies between the "event date" and "date record was added" which were between 6 days and 29 days.



STATE OF WISCONSIN DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL ATTORNEY GENERAL

Andrew C. Cook Deputy Attorney General

> 17 W. Main Street P.O. Box 7857 Madison, WI 53707-7857 www.doj.state.wi.us

Michelle L. Viste Assistant Attorney General visteml@doj.state.wi.us 608/266-3406 FAX 608/267-2778

September 9, 2016

Mr. J. Denis Moran
Director of State Courts
16E Capitol Building
Post Office Box 1688
Madison, Wisconsin 53701-1688

Re: Request for Judicial Transfer Records

Dear Mr. Moran:

Agent Culver in his continued investigation. be possible for us to obtain additional records from CCAP that would assist Special Department of Justice investigation. During the meeting, we learned that it would Andrea Olson to discuss CCAP records associated with an ongoing Wisconsin Culver and I met with CCAP Director Jean Bousquet and CCAP Deputy Director On August 31, 2016, Division of Criminal Investigations Special Agent John

judicial transfers. transfers were docketed; and (4) user names of the individuals who docketed the the transferred cases; (2) effective dates of the judicial transfers; (3) dates the transfers, we are requesting a report that shows the following: (1) case numbers of Joseph Voiland from 2014 to the present. Specifically, in regards to these judicial associated with any At this time, the Department of Justice is requesting CCAP records judicial transfers to Ozaukee County Circuit Court Judge

request. Once the report is compiled, if possible, please email it to Special Agent John Culver at culverjr@doj.state.wi.us. Please let me know if you have any questions or concerns regarding this

Sincerely,

Michelle L.

Wiches

Assistant Attorney General

MLV:ajs

		o desiciai Transfer Ev	CIICS
Case number	Event date	Date record was added	User name
1976FA016681	2014-07-25	2014-07-25	Baunoch, Marilyn
1982CF000425	2014-05-01	2014-05-01	Granrath, Kim
1982FA000034	2014-01-22	2014-01-22	Vanden Berg, Lauri
1982FA000255	2015-11-09	2015-11-09	Jozwowski, Nicole
1984FA000244	2014-11-24	2014-11-25	Wester, Terry
1986CF000008	2015-01-09	2015-01-09	Mueller, Mary Lou
1986FA000106	2016-05-13	2016-05-13	Fedder, Julie
1989FA000301	2014-06-26	2014-06-26	Jozwowski, Nicole
1990CT000189	2014-05-13	2014-05-13	Baunoch, Marilyn
1992PA000011PJ	2015-03-11	2015-03-11	Britton, Devon
1992PA000037PJ	2014-06-11	2014-06-11	Vanden Berg, Lauri
1993CF000007	2015-11-03	2015-11-03	McCoy, Jaclyn
1994CF000137	2014-05-15	2014-05-19	Baunoch, Marilyn
1994CM000440	2016-07-20	2016-07-20	Freeland, Rebecca
1995CF000027	2015-01-08	2015-01-08	Fedder, Julie
1995CF000083	2014-03-14	2014-03-18	Altendorf, Sue
1995CF000136	2014-10-17	2014-10-17	Mueller, Connie
1995CF000147	2016-02-22	2016-05-06	Britton, Devon
1995CM000214	2016-07-20	2016-07-20	Freeland, Rebecca
1995FA000214	2016-05-13	2016-05-13	Fedder, Julie
1995FA000217	2014-01-31	2014-01-31	Britton, Devon
1996CF000170	2016-05-31	2016-05-31	McCoy, Jaclyn
1996CF000201	2014-05-16	2014-05-19	Baunoch, Marilyn
1996CF000226	2014-04-15	2014-04-15	Britton, Devon
1996CM000087	2016-07-20	2016-07-20	Freeland, Rebecca
1996FA000027	2014-04-03	2014-04-03	Baunoch, Marilyn
1996FA000082	2014-12-18	2014-12-18	Britton, Devon
1996FA000289	2014-09-12	2014-09-12	Vanden Berg, Lauri
1996FA000304	2016-05-13	2016-05-13	Fedder, Julie
1996GN000014	2014-01-22	2014-01-22	Vanden Berg, Lauri
1997CF000136	2015-04-13	2015-04-13	Britton, Devon
1998CF000054	2015-09-02	2015-09-02	Fedder, Julie
1998FA000066	2015-03-17	2015-03-17	Britton, Devon
1999FA000196	2014-02-07	2014-02-07	Britton, Devon
1999FA000205	2014-09-29	2014-09-29	Jozwowski, Nicole
1999FA000282	2014-08-05	2014-08-06	Britton, Devon
1999FA000296	2014-02-28	2014-02-28	Britton, Devon
1999PR000014	2014-08-12	2014-08-12	Mueller, Mary Lou
1999TR002760	2014-08-28	2014-08-28	Mihalko, Cari Anne
1999TR002761	2014-08-28	2014-08-28	Mihalko, Cari Anne
2000CF000040	2014-03-21	2014-03-25	Granrath, Kim
2000CF000054	2015-01-30	2015-01-30	Jozwowski, Nicole
2000CF000248	2016-03-08	2016-03-08	Britton, Devon
2000FA000008	2014-12-12	2014-12-13	Mueller, Connie
2000FA000036	2014-11-10	2014-11-12	Vanden Berg, Lauri
2000FA000073	2016-05-13	2016-05-13	Fedder, Julie
2000FA000086	2014-07-18	2014-07-21	Jozwowski, Nicole
2000FA000138	2015-04-09	2015-04-09	Fedder, Julie
2000FA000193	2014-03-20	2014-03-20	Fedder, Julie

2000FA000278	2014-03-12	2014-03-12	Britton, Devon
2000FA000324	2014-09-17	2014-09-17	Altendorf, Sue
2000ME000045	2014-05-14	2014-05-15	Mueller, Connie
2000PA000015	2016-05-19	2016-05-19	Fedder, Julie
2000PA000021PJ	2016-05-19	2016-05-19	Fedder, Julie
2000PA000023PJ	2016-05-19	2016-05-19	Fedder, Julie
2000PA000024	2016-05-19	2016-05-19	Fedder, Julie
2000PA000025PJ	2016-05-19	2016-05-19	Fedder, Julie
2000PA000026	2016-05-19	2016-05-19	Fedder, Julie
2000PA000027PJ	2016-05-19	2016-05-19	Fedder, Julie
2000PA000028	2016-05-19	2016-05-19	Fedder, Julie
2000PA000028PJ	2015-09-04	2015-09-04	Baunoch, Marilyn
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2008CF000220	2015-05-19	2015-05-19	Britton, Devon
2008CF000221	2014-03-14	2014-03-14	Altendorf, Sue
2008CF000274	2015-03-11	2015-03-11	Altendorf, Sue
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2011SC000656	2014-04-14	2014-04-14	Britton, Devon
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2011SC001061	2015-05-27	2015-05-27	Fedder, Julie
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2012CIVIUUU46U	2014-02-04	2014-02-00	Altendorf, Sue

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2013PR000063	2014-10-16	2014-10-16	Granrath, Kim
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2014TR004812	2015-02-06	2015-02-06	Britton, Devon
2014TR004829	2015-02-09	2015-02-09	Britton, Devon
2014TR004832	2015-08-25	2015-08-26	Fedder, Julie
2014TR004833	2015-08-25	2015-08-26	Fedder, Julie
2014TR004839	2015-02-09	2015-02-09	Britton, Devon
2014TR004895	2015-02-10	2015-02-10	Britton, Devon
2014TR004917	2015-02-09	2015-02-09	Britton, Devon
2014TR004919	2015-01-30	2015-01-30	Jozwowski, Nicole
2014TR004922	2015-02-11	2015-02-11	Britton, Devon
2014TR004925	2015-02-05	2015-02-05	Britton, Devon
2014TR004934	2015-01-21	2015-01-21	Britton, Devon
2014TR004960	2015-02-10	2015-02-10	Britton, Devon
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2014TR004965	2015-02-11	2015-02-11	Britton, Devon
2014TR004966	2015-02-09	2015-02-09	Britton, Devon
2014TR004979	2015-01-23	2015-01-23	Britton, Devon
2014TR004980	2015-03-02	2015-03-02	Jozwowski, Nicole
2015CM000812	2015-03-02	2015-03-02	Mueller, Connie
2015CM001019	2016-07-19	2016-07-19	Keefe, Debra
2015FJ000006	2016-01-13	2016-01-13	Fedder, Julie
20101 0000000	2010 01-10	2010 01 10	i caaci, dalle

2015FO000077	2015-09-02	2015-09-03	Baunoch, Marilyn
2015FO000089	2015-10-14	2015-10-14	Fedder, Julie
2015FO000107	2015-11-24	2015-11-24	Britton, Devon
2015JV000044	2015-11-10	2015-11-10	Mueller, Connie
2015PR000009	2015-08-14	2015-08-14	Mueller, Mary Lou
2015PR000012	2016-07-21	2016-07-25	Baunoch, Marilyn
2015PR000023	2015-11-04	2015-11-05	Baunoch, Marilyn
2015PR000038	2016-05-11	2016-05-16	Mueller, Mary Lou
2015PR000059	2015-09-14	2015-09-14	Mueller, Mary Lou
2015PR000066	2015-08-31	2015-08-31	Mueller, Mary Lou
2015PR000077	2015-08-06	2015-08-06	Mueller, Mary Lou
2015PR000085	2016-06-30	2016-07-01	Baunoch, Marilyn
2015PR000088	2015-06-18	2015-06-22	Mueller, Mary Lou
2015PR000097	2015-07-29	2015-07-29	Mueller, Mary Lou
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	2016-05-31		Mueller, Mary Lou
2015PR000141		2016-05-31	Mueller, Mary Lou
2015PR000142	2016-05-24	2016-05-24	Baunoch, Marilyn
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2015TJ000056	2015-10-15	2015-10-15	Mihalko, Cari Anne
2015TR000004	2015-02-09	2015-02-09	Britton, Devon
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2015TR000021	2015-01-08	2015-01-08	Britton, Devon
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2015TR000132	2015-01-13	2015-01-13	Britton, Devon
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201ETD000204	2015 02 06	2015 02 06	Dritton Dovon
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2015TR000627	2015-03-23	2015-03-23	Britton, Devon
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2015TR001097	2015-05-13	2015-05-13	Fedder, Julie
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2015TR001361	2015-10-29	2015-10-30	Jozwowski, Nicole
2015TR001391	2015-10-21	2015-10-21	Haggenjos, Ellen
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2015TR001479	2015-06-05	2015-06-08	Mueller, Connie
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2015TR001503	2015-05-18	2015-05-18	Jozwowski, Nicole

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2015TR001573	2015-06-10	2015-06-10	Fedder, Julie
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2015TR001628	2015-06-29	2015-06-29	Fedder, Julie
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2015TR001856	2015-06-22	2015-06-22	Fedder, Julie
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2015TR002103	2015-06-29	2015-06-30	McCoy, Jaclyn
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2015TR002134	2015-07-09	2015-07-09	Fedder, Julie
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2015TR002373	2015-07-01	2015-07-01	Fedder, Julie
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2015TR002403 2015TR002451	2015-07-21	2015-08-11	Baunoch, Marilyn
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2015TR002544 2015TR002623	2015-09-09	2015-09-09	Cawley, Kelly
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2015TR002696	2015-09-08	2015-09-08	Jozwowski, Nicole
2015TR002710	2015-08-12	2015-08-12	Baunoch, Marilyn
2015TR002721	2015-08-07	2015-08-07	Baunoch, Marilyn
2015TR002729	2015-08-03	2015-08-04	McCoy, Jaclyn
2015TR002745	2015-09-08	2015-09-08	Jozwowski, Nicole

2015TR002747	2015-09-09	2015-09-09	Mueller, Connie
2015TR002751	2015-08-04	2015-08-04	McCoy, Jaclyn
2015TR002765	2015-09-08	2015-09-08	Jozwowski, Nicole
2015TR002766	2015-09-09	2015-09-09	Mueller, Connie
2015TR002769	2015-09-08	2015-09-09	Mueller, Connie
2015TR002774	2015-08-17	2015-08-17	Jozwowski, Nicole
2015TR002790	2015-09-01	2015-09-01	Baunoch, Marilyn
2015TR002871	2015-09-17	2015-09-18	Jozwowski, Nicole
2015TR002903	2015-10-14	2015-10-14	Fedder, Julie
2015TR002909	2015-09-28	2015-09-28	Jozwowski, Nicole
2015TR002953	2015-08-24	2015-08-31	Baunoch, Marilyn
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2015TR003003	2015-09-16	2015-09-16	Jozwowski, Nicole
2015TR003014	2015-10-13	2015-10-13	Mueller, Connie
2015TR003022	2015-09-28	2015-09-28	Jozwowski, Nicole
2015TR003029	2015-10-14	2015-10-14	Fedder, Julie
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2015TR003039	2015-10-14	2015-10-14	Fedder, Julie
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2015TR003052	2015-10-12	2015-10-12	Jozwowski, Nicole
2015TR003085	2015-10-14	2015-10-14	Baunoch, Marilyn
2015TR003088	2015-10-13	2015-10-13	Mueller, Connie
2015TR003121	2015-10-14	2015-10-14	Fedder, Julie
2015TR003145	2015-10-08	2015-10-09	Jozwowski, Nicole
2015TR003177	2015-09-14	2015-09-14	Jozwowski, Nicole
2015TR003186	2015-11-18	2015-11-18	Britton, Devon
2015TR003188	2015-11-02	2015-11-04	Jozwowski, Nicole
2015TR003191	2015-10-15	2015-10-16	Jozwowski, Nicole
2015TR003203	2015-10-28	2015-10-28	Jozwowski, Nicole
2015TR003217	2015-11-11	2015-11-11	Fedder, Julie
2015TR003218	2015-11-11	2015-11-11	Fedder, Julie
2015TR003258	2015-11-11	2015-11-11	Britton, Devon
2015TR003294	2015-11-11	2015-11-11	Mueller, Connie
2015TR003298	2015-11-11	2015-11-11	Mueller, Connie
2015TR0032304	2016-02-03	2016-03-18	Jozwowski, Nicole
2015TR003340	2015-11-11	2015-11-11	Mueller, Connie
2015TR003532	2015-11-11	2015-11-11	Mueller, Connie
2015TR003532 2015TR003548	2015-11-11	2015-11-11	Fedder, Julie
2015TR003580	2015-11-11	2015-11-11	Fedder, Julie
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2015TR003599 2015TR003590	2015-11-06	2015-11-06	McCoy, Jaclyn
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2015TR003678 2015TR003695	2015-12-07	2015-12-07	Jozwowski, Nicole
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2015TR003723 2015TR003732			
	2016-03-01	2016-03-01 2015-12-07	Haggenjos, Ellen
2015TR004283	2015-12-07		Cawley, Kelly
2015TR004316	2016-07-19	2016-07-19	Keefe, Debra

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2016CF000055	2016-07-19	2016-07-19	Keefe, Debra
2016CF000138	2016-04-21	2016-04-21	Fedder, Julie
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2016CM000180	2016-03-08	2016-03-08	Mueller, Connie
2016CM000248	2016-07-19	2016-07-19	Keefe, Debra
2016CM000292	2016-07-19	2016-07-19	Keefe, Debra
2016PR000039	2016-06-02	2016-06-02	Baunoch, Marilyn
2016PR000043	2016-04-27	2016-04-27	Baunoch, Marilyn
2016PR000050	2016-06-16	2016-06-20	Mueller, Mary Lou
2016TR000238	2016-01-25	2016-01-25	Cawley, Kelly
2016TR000646	2016-04-13	2016-04-13	Jozwowski, Nicole
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2016TR000931	2016-03-16	2016-03-16	Baunoch, Marilyn
2016TR000976	2016-04-04	2016-04-04	Baunoch, Marilyn
2016TR001302	2016-04-18	2016-04-18	Cawley, Kelly
2016TR001728	2016-06-29	2016-06-29	Preisler, Sarah
2016TR002022	2016-06-14	2016-06-14	Jozwowski, Nicole
2016TR002522	2016-07-28	2016-07-28	Cawley, Kelly
2016TR002694	2016-08-31	2016-09-01	Jozwowski, Nicole
2016TR002713	2016-08-31	2016-09-01	Jozwowski, Nicole
2016TR002714	2016-08-31	2016-09-01	Jozwowski, Nicole
(1601 rows)			

Wisconsin Department of Justice DCI

Memo to File 16-3772/10

Report Date: 10/17/2016

Primary Information

Description: AAG Viste's Letter to CCAP to Request Additional Records

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved Approved Date: 10/20/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Synopsis

On Wednesday, October 5, 2016, Assistant Attorney General (AAG) Michelle L. Viste emailed Special Agent (SA) John R. Culver, Jr. a letter, addressed to Mr. J. Denis Moran, Director of State Courts in Madison, Wisconsin. In this email message, AAG Viste advised SA Culver she had sent this letter to Mr. Moran, prior to sending the email message at 8:45 a.m.

This letter referenced the previous request for judicial transfer records for Ozaukee County Circuit Court Judge Joseph Voiland, which Mr. Moran had provided, and the current request for any judicial transfers to Ozaukee County Circuit Court Judges Paul Malloy and Sandy Williams from 2014 to present. Specifically, in regards to these judicial transfers, the letter requests a report that shows the following: (1) case numbers of the transferred cases; (2) effective dates of the judicial transfers; (2) dates the transfers were docketed; and (4) user names of the individuals who docketed the judicial transfers.

SA Culver electronically attached a copy of this letter to this memo (See Attachments Section).

09/14/2017 13:30:49 Page 1 of 1



STATE OF WISCONSIN DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL ATTORNEY GENERAL

Andrew C. Cook Deputy Attorney General 17 W. Main Street P.O. Box 7857 Madison, WI 53707-7857 www.doj.state.wi.us

Michelle L. Viste Assistant Attorney General visteml@doj.state.wi.us 608/266-3406 FAX 608/267-2778

October 5, 2016

Mr. J. Denis Moran Director of State Courts Office 16E Capitol Building Post Office Box 1688 Madison, Wisconsin 53701-1688

Re: Request for Additional Judicial Transfer Records

Dear Mr. Moran:

I previously requested and received CCAP judicial transfer records for Ozaukee County Circuit Court Judge Joseph Voiland to assist in an ongoing Wisconsin Department of Justice investigation. Thank you for providing those records so quickly.

In follow-up to my previous request, the Department of Justice is now requesting CCAP records associated with any judicial transfers to Ozaukee County Circuit Court Judges Paul Malloy and Sandy Williams from 2014 to the present. Specifically, in regards to these judicial transfers, we are requesting a report that shows the following: (1) case numbers of the transferred cases; (2) effective dates of the judicial transfers; (3) dates the transfers were docketed; and (4) user names of the individuals who docketed the judicial transfers.

Please let me know if you have any questions or concerns regarding this request. Once the reports are compiled, please email them to me at the above email address.

Sincerely,

Michelle L. Viste

Michelen

Assistant Attorney General

MLV:ajs

Wisconsin Department of Justice DCI

Examination of Records 16-3772/11

Report Date: 10/17/2016

Primary Information

Description: CCAP Response from 10-05-16 Request and AAG Viste's Calculations for Three Judges

Occurrence From: 10/10/2016 00:00
Occurrence To: 10/11/2016 00:00

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approved Status: Approved Approved Date: 10/20/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

 Subjects

 Relationship
 Name
 Bio
 DOB

 Subject of Records
 Mueller, Mary Lou (Person)
 White, Female
 --

Narrative begins on the following page.

09/14/2017 13:30:49 Page 1 of 3

On Wednesday, October 5, 2016, Assistant Attorney General (AAG) Michelle L. Viste sent a letter, addressed to Mr. J. Denis Moran, Director of State Courts in Madison, Wisconsin. This letter referenced the previous request for judicial transfer records for Ozaukee County Circuit Court Judge Joseph Voiland, which Mr. Moran had provided, and the current request for any judicial transfers to Ozaukee County Circuit Court Judges Paul Malloy and Sandy Williams from 2014 to present.

Specifically, in regards to these judicial transfers, the letter requests a report that shows the following: (1) case numbers of the transferred cases; (2) effective dates of the judicial transfers; (2) dates the transfers were docketed; and (4) user names of the individuals who docketed the judicial transfers.

On Monday, October 10, 2016, AAG Viste received these records from CCAP Director Jean Bousquet, in an Excel spreadsheet. AAG Viste sent this spreadsheet to SA Culver in an email message.

On Tuesday, October 11, 2016, AAG Viste sent an updated spreadsheet in an email message, and summarized the contents of the data contained in this spreadsheet as follows:

```
Judge Malloy- 63 cases of backdating= 22.5%
6 cases of 10 or more days= 2.0%
2 cases of 30 or more days= .7%
```

Judge Williams- 249 cases of backdating= 17.4%
30 cases of 10 or more days= 2.0%
15 cases of 30 or more days= 1.0%

And here are Judge Voiland's totals again:

331 cases of backdating= 20.6% 21 cases of 10 or more days= 1.3% 13 cases of 30 or more days= 0.8%

In examining AAG Viste's summary data (under 2 cases of 30 or more for Judge Malloy) and corresponding spreadsheets (one received directly from Bousquet and one in which AAG Viste added calculations), SA Culver observed that in one of Judge Malloy's cases, 2014PR000061, Ozaukee County Clerk of Courts Mary Lou Mueller was the user of record. The difference between the "Event Date" and the "Date record was added" (backdating) was 667 days. The other case which was 30 or more days was 2016CM000252, in which the user of record, Connie Mueller, had entered an "Event Date" and "Date Record was added" which were 70 days apart.

In examining AAG Viste's summary data (under 15 cases of 30 or more for Judge Williams) and corresponding spreadsheets, SA Culver observed that in two of Judge Williams' cases, 2000ME0000645 and 2008ME000208, Connie Mueller was the user of record. The difference between the "Event Date" and the "Date record was added" (backdating) in both cases was 364 days. SA Culver observed that in

Page 1

two more of Judge Williams' cases, 2015TR003239 and 2015TR003242, Connie Mueller was the user of record. The difference between the "Event Date" and the "Date record was added" (backdating) in both cases was 177 days. SA Culver observed in case 2002PA000041, Connie Mueller was the user of record and the difference between the "Event Date" and the "Date record was added" (backdating) in this case was 85 days. SA Culver observed in case 1996CT000286, Diane Jacoby was the user of record and the difference between the "Event Date" and the "Date record was added" (backdating) in this case was 73 days. SA Culver also observed in case 2016TR001016, Diane Anderson was the user of record and the difference between the "Event Date" and the "Date record was added" (backdating) in this case was 70 days. SA Culver observed the remaining 8 cases which were backdated 30 or more days (to Judge Williams) were backdated by personnel as follows: one case at 55 days by Nicole Jozwowski, one case at 54 days by Connie Mueller, two cases at 48 days by Connie Mueller, one case at 39 days by Devon Britton, two cases at 34 days each by Nicole Jozwowski, and one case at 34 days by Connie Mueller.

Wisconsin Department of Justice DCI

Interview 16-3772/12

Report Date: 10/27/2016

Primary Information

Description: Walworth County Clerk of Circuit Court Sheila T. Reiff

Occurrence From: 10/25/2016 10:00
Occurrence To: 10/25/2016 11:45

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Jones, Shannon D (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Approved Status: Approved Approved Date: 11/14/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address

Interview Location 1800 County Road NN Walworth County Judicial Center, Elkhorn, Wisconsin 53121, United States of

America

 Subjects

 Relationship
 Name
 Bio
 DOB

 Interviewed
 Reiff, Sheila T (Person)
 Unknown, Female
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Narrative begins on the following page.

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On Tuesday, October 25, 2016, Special Agents (SAs) John R. Culver, Jr. and Shannon D. Jones interviewed Walworth County Clerk of Circuit Court, Registrar in Probate/Probate Registrar/Probate Commissioner, Sheila T. Reiff at the Walworth County Justice Center, 1800 County Road NN, Elkhorn, Wisconsin.

SAs Culver and Jones identified themselves to Reiff by presenting their credentials for her inspection and provided Reiff with their business cards. SA Culver had advised Reiff of the purpose of the interview when SA Culver had originally contacted Reiff to arrange the meeting. Walworth County Administrator David A. Bretl was present for the entire interview and assisted in providing answers to questions asked by SAs Culver and Jones. The interview began at approximately 10:00 a.m. in a second floor conference room.

Reiff provided the following:

Reiff has been employed by Walworth County since 1980, and has been the Clerk of Circuit Court since 1995. Reiff is also the Register in Probate, Probate Registrar and the Probate Commissioner.

SA Culver asked Reiff the following questions related to her position as the Clerk of Courts:

Do you have a policy or procedure concerning backdating case assignments or judicial transfers? Reiff stated judicial transfers go through the Chief Judge. Reiff stated the Walworth County circuit court judges have cases transferred through them during a normal judicial rotation but a judge may keep a case assigned to them despite the rotation though most cases get transferred to the next judge in the rotation, which normally takes place on August 1st. Reiff stated District Court Administrator (DCA), Louis Moore helps out with this process. Reiff stated the DCA is involved in judicial assignments by assisting the Chief Judge. The DCA is also involved in building security issues, in approving policies and procedures, and is involved in any substitutions and transfers of case assignments to a new judge. Reiff stated the case assignments are done electronically.

Do you have a practice concerning backdating case assignments or judicial transfers? Reiff stated she follows the procedures for case assignments and judicial transfers, and therefore does not have any backdated case assignments or judicial transfers. If Reiff or her staff would encounter some type of conflict they would contact the DCA, who would present the issue to a judge(s) who would recuse themselves if necessary. If a case assignment presents a conflict, they resolve the issue by going outside the judicial district, if needed. Reiff stated issues with back dating are avoided by assigning a case to a judge, right away which Reiff stated takes place as soon as a case is date stamped for filing.

Is backdating case assignments or judicial transfers common? Reiff stated they don't have an issue with backdating, as a case is assigned to a judge as soon as it comes in. Reiff stated backdating is very uncommon as everything is file-stamped the day it comes in. Reiff stated case assignments are made through the Clerk of Circuit Court or a Deputy Clerk of Court and the case gets assigned to the judge who is assigned to the division in which the case belongs.

What might be some reasons for backdating case assignments? Reiff stated if there is a new rotation, near (judicial) rotation time, and another judge gets a case and hearings are set, or they are waiting for a filing fee to be paid before filing a case it may take time to take care of these tasks and clean up any issues, but there would not be any backdating.

Are there any documents/orders that the clerks regularly sign for the judges? Reiff stated in criminal cases, clerks in some counties regularly sign documents/orders for judges, but not in Walworth County. Reiff stated (in criminal cases) the judges sign the judgments of conviction (JOCs), and in civil cases the judge signs an order for judgment and the Clerk of Court or a Deputy Clerk of Court signs the judgment. Reiff stated before the Clerk of Court or the Deputy Clerk signs the judgment, they double check the dollar amounts, and double check the spelling of names and other items to ensure the judgment is appropriate for docketing. Reiff stated the Clerk of Court signs the orders in probate, orders for psychological examinations, and orders for guardians ad litem (GALs). Reiff stated in family court cases, the judges and commissioners sign orders for placement studies. Reiff stated as the Clerk of Courts, she doesn't allow staff to sign JOCs.

How do they know which ones are okay for them to sign? Reiff stated the CCAP people work with the judges and the judges tell the CCAP people who has the authority to electronically sign certain items for them. Reiff stated all cases go to the judges' dashboards to review and "click" to electronically sign. Reiff stated the record will show "electronic signature" in these cases. Reiff stated the CCAP people work with the judges in the judges' chambers, or in person with the judges in Madison to determine which boxes the judges choose to check to allow authorization for their electronic signatures to be used by others.

Do all orders/documents get discussed with a judge before they are signed? Reiff stated, "No". Reiff stated in family and civil court cases the attorneys do it and in juvenile and criminal cases the Clerk of Court and staff do it but it is still the judge's decision to sign the order. Reiff stated there is a "local rule" in place which Reiff described as a "five business day hold". Reiff stated when an order is done they wait five days, and if no one objects to the order the judge signs it.

What happens if a new judge comes in? Reiff stated all the judges read everything. Reiff stated when setting up the authorization for electronic signatures with the CCAP people, the judges authorize the staff to sign certain things, but the judges all sign their own orders. Reiff stated new judges mentor with judges in other districts. Reiff stated new Walworth county

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judges have mentored with judges in Kenosha, Racine and Waukesha counties. Reiff stated new Walworth County judges have sat with judges during jury trials in these counties. Reiff stated the DCA helps the judges with the orientation process as well. Reiff stated new judges attend a week-long training session. Reiff indicated the judges work together to mentor new judges, and it would be difficult for new judges if this arrangement was not in place or if it didn't work out.

What is the procedure you follow for appointing deputy clerks? Reiff stated whenever she has started a new term as the Clerk of Circuit Court, Reiff makes all of her appointments for deputy clerks on paper, with the approval of all four Walworth County Circuit Court judges, who sign the document. Reiff stated the Chief District Judge's signature is not on the form. Reiff stated she believes the approval of the Chief District Judge is required by State statute or State Supreme Court Rules. Reiff stated if she was to resign her position before the end of her term, the judges would appoint her successor. Reiff stated the judges appointed Reiff as the Registrar in Probate. Reiff stated the Deputy Registers in Probate can't perform the duties of the Registrar in Probate or a Commissioner, in that the deputies can't sign orders but can file items, put them on the record and handle guardianships. Reiff stated signatures in these matters have to be from the Registrar in Probate, a Court Commissioner, or a judge.

Reiff provided SA Culver with a two page document (unsigned) which Reiff stated was used for the appointment and oath of office for each Deputy Clerk of Circuit Court in 2016. Reiff stated the signed document for each appointment is filed in the Office of the Clerk of Circuit Court. SA Culver electronically attached a copy of this document to this report (See Attachments Section).

Reiff provided SA Culver with a two page document (unsigned) which Reiff stated was used for the appointment and oath of office for each Deputy Clerk of Circuit Court/Register in Probate in 2016. Reiff stated the signed document for each appointment is filed in the Office of the Clerk of Circuit Court. SA Culver electronically attached a copy of this document to this report (See Attachments Section).

Reiff stated the openings for deputy clerks are posted through the Walworth County Human Resource Department's recruiting procedure, which is open to existing County employees. There typically is a team of three Human Resource Department staffers who review applications of potential candidates. Reiff stated there is an eligibility test for higher level positions there and a legal test that is given for certain positions. Reiff stated, as the Clerk of Court, Reiff has the final say in the hiring decision for each individual deputy clerk and once Reiff approves their hiring they are deputized. Reiff stated the current deputy clerks are all County employees. Reiff stated the "calendar clerks" are case managers whom Reiff also described as "the judges' clerks".

Does anyone approve your appointments? Reiff stated all four judges approve Reiff's appointments. Reiff added there has never been a deputy whom the judges did not unanimously approve.

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How many deputy clerks do you have? Reiff stated she believes she has 25 clerks, but would have to check to be sure of the exact number.

SA Culver asked Reiff the following questions related to her position as the Registrar in **Probate**:

Questions regarding changing the case status of probate cases:

Under what circumstances are probate cases changed from informal to formal probate? Reiff stated if someone involved in a will disagrees with what is stated in the will, it would be sent to a judge and the judge would likely change the case status to a formal probate case.

Are probate cases ever changed from formal back to informal? Why? Reiff stated only with a judge's order, such as when an agreement has been reached to resolve a disagreement brought forward by one of the involved parties. Reiff stated then the judge has the option of changing the case back to informal.

How much involvement does a judge have in probate cases? Reiff stated most of the time, the number of cases that go to a judge are minimal. Reiff stated the majority of the cases go to the Registrar in Probate or Commissioner. Regarding guardianship and protection cases, Reiff stated they go to a judge in most instances.

Does the registrar in probate handle extension requests or do they go through the judge? Does it matter whether it is formal or informal? Reiff stated for extension requests (in informal cases) which request an extension of time limits, the Registrar in Probate will extend up to the final point of the 18 months but anything requested beyond that time period would be sent to a judge. Reiff stated that selling a property could cause a case to go on for years. Reiff stated only a judge can grant an extension in a formal probate case.

How long do probate cases typically take to process through the system? Reiff stated there are reports which the Chief Judge and the DCA will examine on their dashboards. When there are cases "hanging out" (in regards to the progression of the case) they identify them, and email the judge assigned to the case to make them aware of it.

Is there pressure on the registrar of probate and/or a judge to get these cases processed in a certain amount of time? Reiff stated the DCA and the Chief Judge print a custody report which shows them the median time in which a case should be done, and how far out from the time of this report the case should be done.

Questions regarding appointing a deputy registrar in probate:

Do you have a written policy or a procedure for appointment of a deputy registrar in probate? Reiff stated all four judges make the appointment on paper, which Reiff stated is a "County form", and stated the DCA is present as well. Reiff stated the Chief Judge didn't sign this County form. Reiff stated the appointment for Probate Commissioner/Registrar was signed by the Chief Judge.

How many deputies do you have? Reiff stated there are three deputy registers in probate who are also deputy clerks of court. The deputy registers in probate are assigned to mental commitment cases, juvenile cases and guardianship cases.

What kind of power does the deputy have? Reiff stated the deputies' duties include filing, scheduling, and records/case management with judges, attorneys and "pro se people".

Are the judges involved in appointing a deputy registrar of probate? Have they been involved in the past? What is their involvement? Reiff stated all four judges sign off on the appointments on paper. Reiff stated all four judges had approved appointments when the Registrar in Probate was a separate position, and after Reiff took over as the Registrar in Probate. Reiff stated the judges sign off on decisions made by the Registrar in Probate and the Human Resources department. Reiff stated the prior Registrar in Probate had done the same thing in regards to this process.

SAs Culver and Jones asked Reiff how John Doe cases are assigned to judges. Reiff first stated John Doe cases are not secret unless ordered to be secret by a judge. Reiff stated the complainant in a John Doe case can go to the Chief Judge, and the case can be assigned to a Walworth County judge or if there is some type of conflict the Chief Judge can assign the case to a judge in another county within the same judicial district, or a judge in a different judicial district. Reiff stated a clerk would pull a John Doe case number and a judge would open the case.

SA Culver asked Reiff if it was possible for a clerk to open a John Doe case, assign the case to a judge without telling the judge and then close and delete the case without the judge knowing the clerk had done so. Reiff stated she didn't know how the case could be deleted.

SA Culver asked Reiff if a clerk who had opened a John Doe case by mistake, intending to open a case as another type of case, could then close the case and delete it. Reiff indicated it would be possible to close the case in a manner that would allow that John Doe case number to be used for the next John Doe case that would be opened.

Reiff stated a physical John Doe case file would be kept in a physical paper file folder, which if it was ordered by a judge to be secret would be locked in a secure location, or if it was not ordered to be secret would be kept open and stored with other paper case files. Reif stated John Doe cases in Walworth County go to the felony court judge. SAs Culver and Jones asked Reiff if John Doe case files are destroyed. Reiff stated there is a retention schedule for all case types.

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Reiff stated she is on a CCAP steering committee to review these time limits, which are changing. Reiff stated that if a file is destroyed, an entry is made in CCAP which states, "file destroyed" but Reiff did not know if this was done for John Doe cases. Reiff stated the retention schedule for some felony cases is 50 years, and for others it is 75 years.

Reiff stated she would provide SA Culver, via e-mail, a set of guidelines set forth by the Supreme Court of Wisconsin which Reiff referred to as "Best Practices" for Clerks to follow regarding record keeping and handling cases. Reiff stated these guidelines address the handling of John Doe cases.

The interview of Reiff concluded at 11:45 a.m.

On October 25, 2016, at 1:22 p.m., SA Culver received an email message from Reiff, to which was attached a 23 page document titled, "Model Record Keeping Procedures-Criminal". In this email message, Reiff stated, "Attached are the criminal procedures that include JD case types. The Supreme Court Rule is SCR 72 in the back of the Statue statute books or is listed on-line". SA Culver electronically attached this 23 page document to this report (See Attachments Section). SA Culver located Supreme Court Rules "Chapter SCR 72" on-line (at https://docs.legis.wisconsin.gov/misc/scr/72). SA Culver electronically attached a copy of Chapter SCR 72 (8 pages) to this report (See Attachments Section).

STATE OF WISCONSIN	CIRCUIT COUR	T WALWORTH COUNTY
In the Matter of the Appoint	ment of)))	APPOINTMENT AND OATH OF OFFICE
as Deputy Clerk of Circuit Co	ourt)	
in the State of Wisconsin, by appointed and by these prescuence of CLERK OF CIRCUIT COURT, and become effective on the Monday of January, 2019, upursuant to law prior thereto	virtue of the authorsents do hereby ap for Walwo 29 th day of Augus nless this appoint o, subject to said a of office and the	Clerk of Circuit Court of Walworth County, hority vested in me as said Clerk, have opoint to the office of and to be a DEPUTY of the County. Said appointment to begin st, 2016, and to continue until the first ment shall be terminated and revoked appointee taking and subscribing the filling of said appointment and oath in the
Dated this day o	f	, 2016.
	·	
APPROVED:		Sheila T. Reiff
Phillip A. Koss, Circuit Judge	e Br. I	
Daniel S. Johnson, Circuit Ju	udge Br. II	
Kristine E. Drettwan, Circuit	Judge Br. III	
David M. Reddy, Circuit Jud	ge Br. IV	

STATE OF WISCONSIN)	
)	SS
COUNTY OF WALWORTH)	

I, the undersigned, who has been appointed to the Office of DEPUTY CLERK OF CIRCUIT COURT for Walworth County, but have not yet entered upon the duties thereof, swear that I will support the Constitution of the United States and the Constitution of the State of Wisconsin and will faithfully discharge the duties of said office to the best of my ability.

SO HELP ME GOD.

SUBSCRIBED AND SWORN to before me this day of,	
Sheila T. Reiff	

Shella 1. Reiff Clerk of Circuit Court

STATE OF WISCONSIN CIRC	OII COURT WALWORTH COUNTY
In the Matter of the Appointment o	f)) APPOINTMENT AND OATH) OF OFFICE)
as Deputy Clerk of Circuit Court/ Register in Probate))
in the State of Wisconsin, by virtue appointed and by these presents de CLERK OF CIRCUIT COURT/DEPUTY County. Said appointment to begin and to continue until the first Mond terminated and revoked pursuant to	a T. Reiff, Clerk of Circuit Court of Walworth County, of the authority vested in me as said Clerk, have o hereby appoint to the office of and to be a DEPUTY REGISTER IN PROBATE, for Walworth and become effective on the 1st day of July, 2015, lay of January, 2019, unless this appointment shall be to law prior thereto, subject to said appointee taking citutional oath of office and the filing of said of the Clerk of Circuit Court.
Dated this day of	, 2
	SHEILA T. REIFF, CLERK OF CIRCUIT COURT/ REGISTER IN PROBATE/REGISTRAR
APPROVED:	
Phillip A. Koss, Circuit Judge Br. I	
James L. Carlson, Circuit Judge Br.	II
Kristine E. Drettwan, Circuit Judge	Br. III
David M. Reddy, Circuit Judge Br. 1	IV

STATE OF WISCONSIN)	
)	SS
COUNTY OF WALWORTH	1)	

I, the undersigned, who has been appointed to the Office of DEPUTY CLERK OF CIRCUIT COURT/DEPUTY REGISTER IN PROBATE for Walworth County, but have not yet entered upon the duties thereof, swear that I will support the Constitution of the United States and the Constitution of the State of Wisconsin and will faithfully discharge the duties of said office to the best of my ability.

SO HELP ME GOD.

SUBSCRIBED	AND SWORN	to before	
Me this	day of		2015

Sheila T. Reiff Clerk of Circuit Court/Register in Probate/Registrar Menu » Miscellaneous Documents » Supreme Court Rules » SCR Chapter 72

CHAPTER SCR 72

RETENTION AND MAINTENANCE OF COURT RECORDS

SCR 72.01	Retention of original record.
SCR 72.02	Procedure for disposal of court records.
SCR 72.03	Destruction of original court record after microfilming or electronically or optically storing.
SCR 72.04	Offer of title to historical society.
SCR 72.05	Retention of court records maintained as official or original information on electronic or optical storage systems.
SCR 72.06	Expunction.

Note: SCR Chapter 72 was adopted March 5, 1987, eff. April 1, 1987; amended June 14, 1993; November 3, 1997; April 1, 1998; July 1, 2005; July 1, 2010; January 1, 2013; July 1, 2016.

- SCR 72.01 Retention of original record. Except as provided in SCR 72.03 to 72.05, the original paper records of any court shall be retained in the custody of the court for the following minimum time periods:
 - (1) CIVIL CASE FILES. All papers deposited with the clerk of circuit court in every proceeding commenced under chs. 801 to 847, stats.: 20 years after entry of final order.
 - (2) CIVIL COURT RECORD. A history and index of proceedings under chs. 801 to 847, stats.: 20 years after entry of final order.
 - (3) CIVIL MINUTE RECORD. A brief statement of in-court proceedings commenced under chs. 801 to 847, stats., generally maintained in the case file: 20 years after entry of final order.
 - (5) JUDGMENT DOCKET. A record of all money judgments: 20 years after initial docket entry.
 - (6) LIEN CLAIMS. A statutory lien filed for services performed or materials provided; 30 years after the date of filing the lien claim with the clerk of circuit court, except as provided in subs. (6ag) and (6b).
 - (6ag) CONSTRUCTION LIENS. A statutory lien claim filed with the clerk of circuit court for services performed or materials provided for improvements, as defined in s. 779.01 (2) (a), stats.: 6 years after the date of filing the lien claim with the clerk of circuit court.
 - (6b) CONDOMINIUM LIENS. A statement of condominium lien filed with the clerk of circuit court under s. 703.165 (3), stats., for unpaid assessments, including interest and actual costs of collection: 7 years after the date of filing the statement of condominium lien with the clerk of circuit court.
 - (7) DELINQUENT UNEMPLOYMENT COMPENSATION, PUBLIC ASSISTANCE AND WORKERS COMPENSATION PAYMENT WARRANTS, AND DOCKETS. A record of delinquent unemployment compensation, public assistance, or workers compensation payments that have the effect of a final judgment: 20 years after initial docket entry.
 - (7m) DELINQUENT INCOME OR FRANCHISE TAX WARRANT DOCKETS. A record of delinquent income or franchise tax warrants or liens: 10 years from the date of filing with the clerk of circuit court for warrants or liens filed before August 1, 1981; permanent from the date of filing with the clerk of circuit court for warrants or liens filed on August 1, 1981, to April 30, 2004; and 20 years from the date of filing with the clerk of circuit court for warrants or liens filed on or after May 1, 2004, unless renewed. If renewed, a new 20-year retention period begins from the date on which the renewal is filed with the clerk of circuit court.
 - (8) SMALL CLAIMS CASE FILES. All papers deposited with the clerk of circuit court in every proceeding commenced under ch. 799, stats.: 20 years after entry of final order or judgment for all cases, including contested cases, stipulated dismissals and default judgments; except 2 years from date of entry of judgment for cases dismissed because issue was not joined and the case was not disposed of by judgment or stipulation within 6 months from the original return date.
 - (9) SMALL CLAIMS COURT RECORD. A history and index of proceedings: 20 years after entry of final order for

- contested cases, stipulated dismissals, and default judgments; except 2 years from the date of entry of judgment for cases dismissed because issue was not joined and the case was not disposed of by judgment or stipulation within 6 months from the original return date.
- (10) SMALL CLAIMS MINUTE RECORD. A brief statement of in-court proceedings commenced under ch. 799, stats., generally maintained in the case file: 20 years after entry of final orders for contested cases, stipulated dismissals, and default judgments; except 2 years from the date of entry of judgment for cases dismissed because issue was not joined and the case was not disposed of by judgment or stipulation within 6 months from the original return date.
- (11) FAMILY CASE FILES. All papers deposited with the clerk of circuit court in every proceeding commenced under ch. 767, stats.:
 - (a) 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any case file for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.
 - (b) 5 years after entry of judgment or entry of a final order for dismissed divorces, legal separations, and annulments.
- (12) FAMILY COURT RECORD. A history and index of proceedings:
 - (a) 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any court record for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.
 - (b) 5 years after entry of judgment or entry of a final order for dismissed divorces, legal separations, and annulments.
- (13) FAMILY COURT MINUTE RECORD. A brief statement of in-court proceedings commenced under ch. 767, stats., generally maintained in the case file:
 - (a) 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any court minutes for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.
 - (b) 5 years after entry of judgment or entry of a final order for dismissed divorces, legal separations, and annulments.
- (14) MAINTENANCE AND SUPPORT PAYMENT RECORDS. Records of maintenance and support payments received by the clerk of circuit court: 30 years after entry of judgment of divorce, legal separation, annulment, or paternity, or entry of a final order, except that after 30 years, for any payment records for which related support or maintenance payments are continuing to be made, 7 years after final payment or after an order terminating maintenance is filed.
- (15) FELONY CASE FILES. All papers deposited with the clerk of circuit court in proceedings commenced as felonies: 50 years after entry of final judgment; except for Class A felonies, 75 years after entry of final judgment.
- (16) FELONY COURT RECORD. A history and index of proceedings commenced as felonies: 50 years after entry of final judgment; except for Class A felonies, 75 years after entry of final judgment.
- (17) FELONY MINUTE RECORD. A brief statement of in-court proceedings commenced as felonies, generally maintained in the case file: 50 years after entry of final judgment; except for Class A felonies, 75 years after entry of final judgment.
- (17g) SEXUALLY VIOLENT PERSON COMMITMENTS. All papers deposited with the clerk of circuit court for the commitment of an inmate under ch. 980, stats.: 75 years after entry of final judgment.
- (17m) SEXUALLY VIOLENT PERSON COMMITMENT COURT RECORD. A history and index of proceedings for the commitment of an inmate: 75 years after entry of final judgment.
- (17r) SEXUALLY VIOLENT PERSON COMMITMENT MINUTE RECORD. A brief statement of in-court proceedings for the commitment of an inmate, generally maintained in the case file: 75 years after entry of final judgment.
- (18) MISDEMEANOR CASE FILES. All papers deposited with the clerk of circuit court in proceedings commenced as misdemeanors, including criminal traffic offenses: 20 years after entry of final judgment.
- (19) MISDEMEANOR COURT RECORD. A history and index of proceedings commenced as misdemeanors, including criminal traffic offenses: 20 years after entry of final judgment.
- (20) MISDEMEANOR MINUTE RECORD. A brief statement of in-court proceedings commenced as misdemeanors, including criminal traffic offenses, generally maintained in the case file: 20 years after entry of final judgment.
- (20g) COMPLEX FORFEITURES. All papers deposited with the clerk of circuit court in proceedings commenced as complex forfeitures: 20 years after entry of final judgment.

- (20m) COMPLEX FORFEITURE COURT RECORD. A history and index of proceedings commenced as complex forfeitures: 20 years after entry of final judgment.
- (20r) COMPLEX FORFEITURE MINUTE RECORD. A brief statement of in-court proceedings commenced as complex forfeitures, generally maintained in the case file: 20 years after entry of final judgment.
- (24) TRAFFIC FORFEITURE, CONSERVATION FORFEITURE AND ORDINANCE VIOLATION CASE FILES. All papers deposited with the clerk of circuit court in proceedings commenced as traffic forfeitures, conservation forfeitures, or ordinance violations, including juvenile ordinance violations: 5 years after entry of final judgment.
- (24a) TRAFFIC FORFEITURE, CONSERVATION FORFEITURE, AND ORDINANCE VIOLATION COURT RECORD. A history and index of proceedings commenced as traffic forfeitures, conservation forfeitures, or ordinance violations, including juvenile ordinance violations: 5 years after entry of final judgment.
- (24m) TRAFFIC FORFEITURE, CONSERVATION FORFEITURE, AND ORDINANCE VIOLATION MINUTE RECORD. A brief statement of in-court proceedings in actions commenced as traffic forfeitures, conservation forfeitures, or ordinance violations, including juvenile ordinance violations, generally maintained in the case file: 5 years after entry of final judgment.
- (26) RECORDS OF JOHN DOE PROCEEDINGS. All papers deposited with the clerk of circuit court in proceedings commenced as John Doe actions: 75 years after date of final proceeding.
- (26m) RECORDS OF PROCEEDINGS COMMENCED UNDER S. 968.02 (3), STATS. All papers deposited with the clerk of circuit court in proceedings commenced under s. 968.02 (3), stats.: 75 years after date of final proceeding.
- (27) SEARCH WARRANTS. Except as provided under sub. (27m), orders signed by a judge directing a law enforcement official to conduct searches: 75 years after filing with the court, unless filed with a case file.
- (27m) JUVENILE COURT SEARCH WARRANTS. Search warrants deposited with the juvenile court in proceedings under ch. 48 and 938, stats.: 15 years after filing with the court, unless filed with a case file.
- (28) RECORDS OF GRAND JURY PROCEEDINGS. All papers deposited with the clerk of circuit court in proceedings commenced under s. 756.10, 1995 stats., or s. 968.40, stats.: 75 years after the date of final proceedings.
- (29) PROBATE CASE FILES. All papers deposited with the register in probate in proceedings commenced under chs. 851 to 879, stats.: 75 years after entry of final judgment or order or an order discharging the personal representative or trustee.
- (30) PROBATE COURT RECORD. A history and index of proceedings commenced under chs. 851 to 879, stats.: 75 years after entry of final judgment or order, or an order discharging the personal representative or trustee.
- (31) PROBATE MINUTE RECORD. A brief statement of in-court proceedings commenced under chs. 851 to 879, stats., generally maintained in the case file: 75 years after entry of final judgment or order, or an order discharging the personal representative or trustee.
- (32) GUARDIANSHIP CASE FILES.
 - (a) All papers deposited with the register in probate in adult guardianship proceedings commenced under chs. 54 or 55, stats., or ch. 880, 2003 stats.: 7 years after termination of guardianship; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.
 - (b) All papers in juvenile guardianship proceedings commenced under chs. 48 or 54, stats., or ch. 880, 2003 stats.: 7 years after the juvenile's 18th birthday; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.
- (33) GUARDIANSHIP COURT RECORD.
 - (a) A history and index for adult guardianship proceedings commenced under chs. 54 or 55, stats., or ch. 880, 2003 stats.: 7 years after termination of guardianship; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.
 - (b) A history and index for juvenile guardianship proceedings commenced under chs. 48 or 54, stats., or ch. 880, 2003 stats.: 7 years after the juvenile's 18th birthday; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.
- (34) GUARDIANSHIP MINUTE RECORD.
 - (a) A brief statement of in-court proceedings for adult guardianships commenced under chs. 54 or 55, stats., or ch. 880, 2003 stats., generally maintained in the case file: 7 years after termination of guardianship; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.

- (b) A brief statement of in-court proceedings for juvenile guardianships commenced under chs. 48 or 54, stats., or ch. 880, 2003 stats.: 7 years after the juvenile's 18th birthday; except 75 years after termination of guardianship if there was a firearm restriction ordered; and except 7 years after death of the ward if there was a firearm restriction ordered.
- (35) WILLS DEPOSITED FOR SAFEKEEPING. Will deposited by a testator with the register in probate of the court of the county where the testator resides: 100 years after filing.
- (36) WILLS NOT ADMITTED TO PROBATE. Wills deposited after the death of a testator where there is no estate to probate: 100 years after filing.
- (37) REGISTRY OF WILLS. An index kept by a register in probate of all wills deposited or delivered prior to probate: 100 years after final entry.
- (38) MENTAL HEALTH CASE FILES. All papers deposited with the clerk of circuit court or register in probate in proceedings commenced under ch. 51, stats.: 7 years after entry of final order; except 75 years after termination of commitment if there was a firearm restriction ordered.
- (39) MENTAL HEALTH COURT RECORD. A history and index of proceedings commenced under ch. 51, stats.: 7 years after entry of final order; except 75 years after termination of commitment if there was a firearm restriction ordered.
- (40) MENTAL HEALTH MINUTE RECORD. A brief statement of in-court proceedings commenced under ch. 51, stats., generally maintained in the case file: 7 years after entry of final order; except 75 years after termination of commitment if there was a firearm restriction ordered.
- (42) TERMINATION OF PARENTAL RIGHTS AND ADOPTION CASE FILES. All papers deposited with the clerk of circuit court, register in probate or clerk of court for juvenile matters in every termination of parental rights and adoption proceeding: permanent.
- (42m) JUVENILE DELINQUENCY, JUVENILES IN NEED OF PROTECTION AND SERVICES AND CHILDREN IN NEED OF PROTECTION AND SERVICES CASE FILES. Except as provided in sub. (24), all papers deposited with the clerk of circuit court, register in probate, or clerk of court for juvenile matters in proceedings commenced under ch. 48 or 938, stats.: 4 years after the 18th birthday of the juvenile or child; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a felony if committed by an adult; and except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a misdemeanor if committed by an adult and there was a firearm restriction ordered or there was a requirement that the juvenile or child register with the Wisconsin Department of Corrections Sex Offender Registry.
- (43) JUVENILE COURT RECORD. A history and index of proceedings commenced under ch. 48 or 938, stats.: 4 years after the 18th birthday of the juvenile or child; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a felony if committed by an adult; and except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a misdemeanor if committed by an adult and there was a firearm restriction ordered or there was a requirement that the juvenile or child register with the Wisconsin Department of Corrections Sex Offender Registry.
- (44) JUVENILE MINUTE RECORD. A brief statement of in-court proceedings in actions commenced under ch. 48 or 938, stats., generally maintained in the case file: 4 years after the 18th birthday of the juvenile or child; except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a felony if committed by an adult; and except 75 years after the adjudication of the juvenile or child if he or she was adjudicated delinquent for committing an act that would be punishable as a misdemeanor if committed by an adult and there was a firearm restriction ordered or there was a requirement that the juvenile or child register with the Wisconsin Department of Corrections Sex Offender Registry.
- (45) NON-CRIMINAL CASE EXHIBITS, PAPER, AND NON-PAPER. One year after the time for appeal has expired, provided that return of the exhibit has been offered to the proffering party or unless all parties have stipulated to an earlier return of exhibits.
- (46) CRIMINAL AND JUVENILE DELINQUENCY CASE EXHIBITS, PAPER, AND NON-PAPER. Twenty years after entry of final judgment or until every person in custody as a result of the action or proceeding has reached his or her discharge date, provided that return of the exhibit has been offered to the proffering party.
 - (46m) CRIMINAL CASE EXHIBITS CONTAINING BIOLOGICAL MATERIAL SUBJECT TO FORENSIC DEOXYRIBONUCLEIC ACID TESTING UNDER S. 974.07, STATS. Any criminal case exhibit that is identified by the parties, the clerk, or the court as containing biological material and that remains in the court's custody shall be retained until the later of 50 years after entry of final judgment or until every person in custody as a result of the action or proceeding

has reached his or her discharge date, or until the court otherwise orders the disposition of the evidence under s. 757.54 (2) (c) or 974.07, stats. (46m) CRIMINAL CASE EXHIBITS CONTAINING BIOLOGICAL MATERIAL SUBJECT TO FORENSIC DEOXYRIBONUCLEIC ACID TESTING UNDER S. 974.07, STATS. Any criminal case exhibit that is identified by the parties, the clerk, or the court as containing biological material and that remains in the court's custody shall be retained until the later of 50 years after entry of final judgment or until every person in custody as a result of the action or proceeding has reached his or her discharge date, or until the court otherwise orders the disposition of the evidence under s. 757.54 (2) (c) or 974.07, stats.

- (46r) Civil case exhibits for sexually violent person commitments under ch. 980, stats. For the length of time that the underlying case is retained pursuant to this rule.
- (47) COURT REPORTER NOTES. Verbatim stenographic, shorthand, audio or video notes produced by a court reporter or any other verbatim record of in-court proceedings: 10 years after the hearing.
- (48) RECEIPTS. A receipt for money received by the clerk of circuit court or register in probate: 7 years after issuance.
- (49) BANK TRANSACTIONS. Deposit slips, bank statements and canceled checks: 7 years after transaction.
- (50) TRUST ACCOUNT LEDGERS. Records of trust accounts maintained by a clerk of circuit court or register in probate: the retention period for case file from which the trust account emanates.
- (51) CERTIFICATES OF PAYMENT. A certificate or voucher authorized for payment by the court: 7 years after filing.
- (52) JURY PAYROLL. A record of jury fees paid: 7 years after filing.
- (53) JUROR QUESTIONNAIRES. A form sent to determine eligibility of prospective jurors: 4 years after panel service.
- (54) JURY ARRAY. A list of qualified persons selected to serve as jurors: 4 years after panel service.
- (55) RECORD OF JURORS. A record of jurors summoned to serve on juries: 4 years after panel service.
- (58) OATHS OF OFFICE. Oaths of office required to be filed with the clerk of circuit court by county officials: 7 years after expiration of term.
- (59) REGISTER OF OFFICIALS. A listing of the names and terms of appointment for court commissioners, deputy sheriffs, notaries public and municipal judges: 2 years after expiration of term.
- (60) NATURALIZATION RECORDS. Records of applications for U.S. citizenship and proceedings to grant U.S. citizenship: Transfer custody to the State Historical Society of Wisconsin.
- (61) COURT RECORDS NO LONGER CREATED, UTILIZED, OR MAINTAINED. Records no longer created, utilized, or maintained by the court for legal purposes: 20 years after repeal, modification, supersession or amendment.
- (62) COURT RECORDS IN BOOK FORM. Court records kept in book form may contain various case and record types; depending upon the case and record type, one of the following shall be used to determine the longest minimum retention period as specified under this rule:
 - (a) Beginning with the date of final entry for the most recently disposed case.
 - (b) Beginning with the date of final entry for felony cases when maintained in books with other case types.
 - (c) Beginning with the date of the 18th birthday of the youngest juvenile covered in the book when pertaining to proceedings commenced under chapter 48 of the statutes.
- (63) INQUEST RECORDS. Records of an inquest under s. 979.08, stats., including testimony, evidence, written instructions and findings of probable cause or verdict: No retention; record is delivered to the coroner or medical examiner for safekeeping.
- (64) INCARCERATED PERSON RECORDS. Prisoner litigation correspondence, pleadings, and other documents kept until they are reviewed by a judge to determine if the action can be filed without the payment of filing fees and court costs: 5 years after date of submission.
 - NOTE: Sup. Ct. Order No. 09-02 states: "The Comments to SCR 72.01 are not adopted, but will be published and may be consulted for guidance in interpreting and applying SCR 72.01."
 - Comment, 2010: SCR 72.01 (28) contains a reference to s. 756.10, stats., which was renumbered s. 968.40, stats., by Sup. Ct. Order No. 96-08, 207 Wis. 2d xv (1997); Wis. Stat. § 968.40 (1997). This reference is intended to clarify that sub. (28) includes matters commenced before the statutory renumbering.
 - SCRs 72.01 (32) through (34) contain references to ch. 880, which was repealed and replaced with Wis. Stat. ch. 54, 2005 Wis. Act 387, § 100 (effective May 25, 2006). These references are intended to clarify that subs. (32) through (34) include matters commenced before the statutory renumbering.
 - Comment, 2012: Sup. Ct. Order No. 12-05 states that "the Comment to SCR 72.01 (46) is not adopted, but will be published and may be consulted for guidance in interpreting and applying the rule."
 - "Exhibits," as referenced in SCR 72.01 (45) and (46), refers to exhibits that are submitted to the court during a trial or hearing and are marked with an official exhibit sticker. Under this rule, "exhibits" does not refer to documents that are attached to pleadings or other filings submitted to the court. Documents falling into the latter category are retained pursuant to the retention rule applicable to the court record.

Wisconsin's New Rules of Professional Conduct for Attorneys. Pierce & Dietrich. Wis. Law. Feb. 2007.

History: Sup. Ct. Order Nos. 93–08 and 93–09, 176 Wis. 2d xvii (1993); Sup. Ct. Order No. 97-03, 216 Wis. 2d xvii (1998); Sup. Ct. Order No. 05-03, 2005 WI 66, 279 Wis. 2d xvii; Sup. Ct. Order No. 06-01, 2006 WI 36, 287 Wis. 2d xxvii; Sub. Ct. Order No. 09-02, 2010 WI 24, 322 Wis. 2d xiii; Sup. Ct. Order No. 12-05, 2012 WI 112, filed 11-1-12, eff. 1-1-13.

SCR 72.02 Procedure for disposal of court records.

- (1) A clerk of court, register in probate or other court records custodian may destroy records in his or her custody after minimum retention periods under SCR 72.01 have expired and after compliance with SCR 72.04.
- (2) Records defined as confidential by rule or statute shall be destroyed in accordance with sub. (1) by burning, shredding or other means that will obliterate the records.

SCR 72.03 Destruction of original court record after microfilming or electronically or optically storing.

- (1) In this rule, "suitably microfilmed or microphotographed" means being microfilmed or microphotographed, to the extent practicable, in accordance with the minimum standards for microfilming and microphotographing as established by the American National Standards Institute.
- (2) Notwithstanding the provisions of SCR 72.01, any record of a court that has been suitably microfilmed may be destroyed in accordance with SCR 72.02 (1) or (2) 2 years after entry of final order in the action for which the record is maintained or 2 years after filing for records not specifically related to court actions.
- (3) Any record of a court that has been electronically or optically stored and preserved in accordance with SCR 72.05 may be destroyed in accordance with SCR 72.02(1) and (2) 48 hours after the record has been electronically or optically stored. A clerk of circuit court is not required to provide notice of destruction to the State Historical Society of Wisconsin when the record has been electronically or optically stored. Notice of destruction to the State Historical Society of Wisconsin is required when the electronically or optically stored record will be destroyed once the retention period under SCR 72.01 has expired.
- (4) Exhibits specified in SCR 72.01 (45) and (46) of a documentary nature that are electronically or optically stored may be destroyed after 48 hours if the exhibit submitted to the court is a copy and not the original document. If the exhibit the court has received is an original document, the exhibit may be destroyed 180 days after entry of a final order or judgment, provided that it has been offered to the proffering party, unless the time for appeal has been extended under ss. 809.107, 809.30, or 809.32, stats. In the event of an extension, the exhibit may be destroyed 30 days after the post-termination or post-conviction deadline has expired.

History: Sup. Ct. Order Nos. 93–08 and 93–09, 176 Wis. 2d xvii (1993); Sup. Ct. Order No. 12-05, 2012 WI 112, filed 11-1-12, eff. 1-1-13; Sup. Ct. Order No. 14-03, 2016 WI 29, filed 4-28-16, eff. 7-1-16.

SCR 72.04 Offer of title to State Historical Society of Wisconsin. The custodian of the court record, prior to its destruction under this chapter, shall give at least 60 days' notice of such destruction in writing to the State Historical Society of Wisconsin, which may preserve any records it determines to be of historical interest. Notice is not required for any records for which destruction has previously been approved by the State Historical Society of Wisconsin or in which the State Historical Society of Wisconsin has indicated, by blanket waiver, that it has no interest for historical purposes.

History: Sup. Ct. Order No. 12-05, 2012 WI 112, filed 11-1-12, eff. 1-1-13.

SCR 72.05 Retention of court records maintained as official or original information on electronic or optical storage systems.

- (1) In this rule:
 - (a) "Accessible" means arranged, identified, indexed and maintained in a manner that permits the location and retrieval of the information in a readable format within a reasonable time by use of the proper hardware and software.
 - (b) "Accurately reproduce" means that, when displayed on a retrieval device or reproduced on paper, all information exhibits a high degree of legibility and readability.
 - (c) "Authenticity" means actually and reliably what is claimed and implies the ability to substantiate what is claimed.
 - (d) "Legible" means that, when displayed on a retrieval device or reproduced on paper, the quality of the letters, numbers or symbols enables the user to identify them positively and quickly to the exclusion of all other letters, numbers or symbols.
 - (e) "Readable" means that the quality of a group of letters, numbers or symbols is recognized as words, complete numbers or distinct symbols.

- (2) Court records specified in SCR 72.01 and maintained as official or original information on electronic or optical storage systems shall be retained in the custody of the court for the minimum time periods specified in SCR 72.01. The system maintaining the court records shall meet all of the following requirements:
 - (a) The information retained shall be in a legible and accessible format capable of accurately reproducing the original, or of sustaining readability, for the time periods specified in SCR 72.01.
 - (b) Operational and technical system procedures shall protect the authenticity, confidentiality, accuracy and reliability of the information captured and provide the appropriate level of security to safeguard the integrity of the electronic or optically imaged information.
 - (c) The legibility and readability of a statistically significant sampling of electronic or optically imaged records shall be verified to ensure, to a 99.5% degree of confidence, that the information or images are legible and readable. Original optical images that are not legible or readable shall be flagged and rescanned for optimum image enhancement. Illegible images shall contain the scanned notation "best possible image".
 - (d) A suitable technical level of security shall be provided to protect electronic or optically imaged records that are required to be sealed, impounded or confidential and procedures shall be implemented to restrict access to only those persons authorized by statute or court order to access those records.
 - (e) Suitable hardware and software shall be provided to retrieve, read and timely reproduce on paper any record retained on electronic or optical storage systems.
 - (f) Procedures shall be in place and timely implemented for the backup, recovery and storage of electronically or optically stored records to protect those records against media destruction or deterioration and information loss.
 - (g) For disaster recovery purposes, at least one electronically or optically stored backup copy of all automated or optically imaged records shall be maintained using accepted computer backup procedures; backup copies shall be stored in a separate location under appropriate environmental storage conditions; and a schedule to regularly update or supplement backup copies as a normal part of operations shall be implemented.
 - (h) At least one set of documentation for the electronic or optical systems that produced the automated or optically imaged records shall be maintained for the retention period of those records, and documentation shall be regularly updated or supplemented when revisions are made.
 - (i) Inspection of a statistically significant sampling of electronic or optically imaged records shall be conducted at least once every 3 years to verify, to a 99.5% degree of confidence, that there has been no degradation of the electronic medium or of the image quality.
 - (j) A media retention and conversion review schedule shall be established to ensure that electronically or optically stored information is reviewed for data conversion or recertification at least once every 3 years or more frequently when necessary to prevent the physical loss of data or technological obsolescence of the medium.
 - (k) Off-line electronic data or records stored on optical disk shall be transferred to new media or new optical disk and verified prior to the expiration of one-half of the useful life of the original media or disk as determined by the manufacturer's certified disk playback stability measured in years.
 - (L) Court records electronically or optically stored, including records stored off-line and on backup media, that are expunged by court order under ss. 938.355 (4m) and 973.015, stats., shall be expunged by sealing or removing the record, obliterating the index to the record, or otherwise restricting access to the record.
- (3) Electronically or optically stored records with historical or research value beyond the retention periods specified in SCR 72.01 shall be protected from destruction or media deterioration and transferred to the State Historical Society of Wisconsin in a computer-industry-accepted standard universal format, together with technical documentation.
- (4) Records electronically or optically stored that have reached the minimum retention period specified in SCR 72.01 and that do not have historical or research value may be destroyed. For the circuit court automation program or other electronic court data systems and for write-once-read-many-times optical disk systems, records should be organized and formatted to permit the off-line disk or optical disk as a whole to be destroyed. For write-once-read-many-times disks, the destruction or sealing of the specific index reference to the obsolete record is sufficient.
- (5) A written plan shall be provided to the director of state courts for prior approval to ensure compliance with this rule before a new electronic or optical imaging system is implemented and before an existing system is enhanced. The plan shall indicate all of the following:
 - (a) That a feasibility study was conducted and an analysis made of the system's cost and conversion costs compared to ongoing current costs.
 - (b) That a data migration plan has been developed for the retention period of electronically or optically stored

records.

- (c) If the system is an optical imaging system, that the custodian of the record has executed a statement of intent and purpose indicating all of the following:
 - 1. The case type of record and years to be reproduced or transferred.
 - The subsection of SCR 72.01 that pertains to the type of court record being imaged.
 - 3. The physical disposition of the original paper records.
 - 4. If the system is a county system, the county resolution or ordinance authorizing optical imaging.
 - The certification of the records as received or created and transferred to optical disk format in the normal course of business.
- (d) That the statement of intent and purpose was provided to the office of the director of state courts.

History: Sup. Ct. Order Nos. 93–08 and 93–09, 176 Wis. 2d xvii (1993); Sup. Ct. Order No. 97-03, 216 Wis. 2d xiii (1998); Sup. Ct. Order No. 12-05, 2012 WI 112, filed 11-1-12, eff. 1-1-13.

- SCR 72.06 Expunction. When required by statute or court order to expunge a court record, the clerk of the court shall do all of the following:
 - (1) Remove any paper index and nonfinancial court record and place them in the case file.
 - (2) Electronically remove any automated nonfinancial record, except the case number.
 - (3) Seal the entire case file.
 - (4) Destroy expunged court records in accordance with the provisions of this chapter.

History: Sup. Ct. Order No. 97-07, 214 Wis. 2d xiii (1997).

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ARREST - BENCH WARRANT AND CAPIASES

A warrant is a written order by the court directing law enforcement to arrest an individual [Wis. Stat. 968.04(1),(3)]

Arrest Warrant

An arrest warrant is used when a person has not yet appeared in court or submitted to the court's jurisdiction. The court orders the individual's arrest in order to bring the person before the court and to confer the court's jurisdiction over the person. One of the specific, mandatory provisions of such warrants is that the warrant specifies the crime and the statutory section allegedly violated. This can be accomplished by attaching a copy of the complaint or citation to the warrant per §968.04(3)(a).

In criminal cases, a copy of the criminal complaint must be attached. A criminal complaint is the charging document that contains the charges listed and a probable cause statement. A complaint must be under oath. In non-criminal matters brought by citation there is not a probable cause statement and the citation is not under oath. Courts cannot issue arrest warrants without evidence of personal service and probable cause. Section §345.36(2) also authorizes a warrant for non-appearance.

Therefore, in all cases in which the court issues an arrest warrant for failure to appear in response to a citation, a court officer's affidavit is completed and attached, indicating that the defendant was personally served with the citation and indicating the basis for issuing the citation (personal knowledge or information and belief).

Bench Warrant

A bench warrant is issued when a person has previously appeared in court or submitted to the court's jurisdiction, but fails to appear in court as required. A bench warrant is generally authorized from the bench and prepared by either the clerk's office or the district attorney, depending on local practice. It is not necessary to attach a copy of the complaint or citation, or an affidavit of the court officer, as with an arrest warrant.

Capias

In Latin, capias means, "that you take." It is used to "take the body" before the court. Another term used is "body attachment." A capias is used to order law enforcement to arrest and bring a person before a court for failing to comply with certain court orders, including:

- Failure to appear (including witnesses, respondents in paternity or divorce actions);
- Failure to pay fines, forfeitures, assessments, surcharges, and court costs only. For financial obligations, the person arrested may be released with no further court appearances upon paying the financial obligation.

Warrant Procedure

The clerk will:

 When a warrant is authorized or issued, enter on the court record the date the warrant was authorized or issued and the code for the warrant type. If the warrant involves a witness in a criminal case, select the correct warrant party. If it is a criminal or traffic/forfeiture case, the default party is the defendant.

These event codes put the case in warrant maintenance status (S04):

- AWI Arrest Warrant Issued
- BWI Bench Warrant Issued
- · COMPW Complaint with Warrant Filed

The following code is used for witnesses in criminal cases (no S04 status):

- SI Summons Issued (can't print warrant from this court record event)
- 2. Based on local procedure, some counties authorize a warrant before it is issued. This allows time for the warrant to be prepared and signed. Print Arrest/Bench Warrant, Capias (GF-142 A, B, or C), after entering the warrant authorizing or issuing event on the court record. Use either the case or warrant application.
 - Attach a copy of the complaint [§968.04(3)];
 - Attach an Affidavit of Court Officer, if a citation. (See Form Summary GF-142);
 - After printing, mark the appropriate checkboxes and complete fill-ins.
- 3. Have the warrant signed by a judge or court commissioner.
- If the warrant has previously been authorized, enter the warrant-issuing event on the court record.

The case goes into WA maintenance on CCAP, when a warrant is issued. WA flashes on the first case management screen. This alerts clerks that a warrant exists and must be recalled immediately, should the defendant appear.

Outstanding warrants over a certain age should be forwarded to the prosecutor to determine whether the warrant should be dismissed. Each county may establish the period of time a warrant must be outstanding before it is sent to the prosecutor for review.

Disposition of an Outstanding Warrant

This procedure ensures that all records of outstanding arrest/bench warrants, capiases, etc., are cancelled after the defendant's case is dismissed or the defendant is apprehended.

The clerk will:

 After a case is formally dismissed or a defendant is apprehended, update the court record using the CCAP case or warrant application.

These event codes take the case out of warrant maintenance status (S04):

- WCCC Warrant/Commitment/Capias Cancelled
- WCCEE Warrant/Commitment/Capias Entered in Error

- WCCS Warrant/Commitment/Capias Served
- Notify the responsible agencies (police, sheriff, state patrol) that the warrant is no longer valid. Print Order to Cancel Warrant (GF-145) to provide written notice to the responsible agencies. Request that all copies of the warrant be returned immediately to the clerk of courts.
 - Pull the case file and indicate on the court copy of the warrant the agency and the date the warrant was returned (or attach a copy of the order to cancel). Destroy all returned copies of the warrant.
 - Continue the process according to the procedures described for each case type.

BAIL BONDS

A bail bond is a document signed by the defendant and/or a surety that guarantees the defendant's return to court for further proceedings. The guarantee is secured with either a pledge or payment of money that can be forfeited upon a defendant's failure to return or comply with the release terms. Signature bonds pledge the future payment of money. Cash, property or surety bonds require the delivery of money or some other assurance of payment. The court establishes the bond amount [§969.03; §969.12].

The clerk will:

Signature Bond

- Prepare Bail/Bond Commitment (CR-203);
- · Have the defendant sign the bond. A witness must also sign the bond;
- Note on the bond the next appearance date;
- Retain the original in the case file; distribute copies to the defendant and to any other party as determined by local procedure.

Cash Bond

- Prepare Bail/Bond Commitment (CR-203);
- Collect the money and give a receipt to the depositor;
- Deposit funds in custodial account (Bond, TRDEP or CRDEP);
- Bail money is returned to the person who posted the bond. If sentencing has been
 imposed, fines and costs may be deducted from the bail money and the balance
 returned to the depositor [§969.02(6)].

Surety Bond - Secured by Signature [§969.12]

- Prepare Bail/Bond Commitment (CR-203);
- Have the surety sign the bond after the defendant signs it. A witness must also sign the bond;
- Note on the bond the next appearance date;
- After court approval, receive and file stamp the bond;
- Retain the original for the case file; distribute copies to the defendant and surety and to any other party as determined by local procedure.

Property Bonds

Prepare Bail/Bond Commitment (CR-203);

- Have the property owner sign the bond after the defendant signs it. A witness must also sign the bond;
- Receive the prepared real estate security and recording fee for bail bond. The
 defendant or the surety must pay the recording fee in advance. Make sure the
 property owner has signed the real estate security. Give a copy to the property owner.
 Deposit the recording fee using standard accounting procedures;
- Record the original real estate security in the Register of Deeds office. Upon return
 by the Register of Deeds, place it in the case file;
- Upon disposition of the case, receive the prepared release of security and recording fee. Record in the Register of Deeds office. Upon return by the Register of Deeds, place it in the case file.

Bond Forfeiture - Criminal [§969.13]

If a defendant fails to appear for a mandatory court date, the court may order that posted money be forfeited to the county. The defendant or surety is entitled to 30 days for a forfeiture appeal. The court may schedule either a bail bond review date or a bail bond forfeiture hearing. If the defendant or surety takes no action within the 30 days, the judge may issue bail money forfeited.

- Upon a court order forfeiting bail, prepare and mail Order and Notice of Bail/Bond Forfeiture (CR-228) or Order and Notice of Bail/Bond Forfeiture and Order for Hearing (CR-229);
- Enter on the CCAP court record the notice of order forfeiting bond and schedule a Bail/Bond Review or a Bail/Bond Forfeiture Hearing in at least 30 days;
- When the 30-day period expires, prepare Judgment of Bail/Bond Forfeiture (CR-230)
 listing the defendant and/or any sureties, if the defendant has not appeared and
 surrendered to the court during that time;
- Mail copies to the defendant and any sureties;
- Upon the court's entering judgment against the defendant and/or surety, the clerk must sign the judgment. The original judgment is entered in the Judgment and Lien Docket or the cash is forfeited to the County Treasurer [§969.13(5)].

CASE INITIATION

Criminal cases are commenced by the filing of a complaint. The date of the initial appearance is normally determined by the district attorney using time periods allocated by the court. The law does not require that a complaint be filed prior to the initial appearance, but the better practice is to do so. If a complaint is filed at the initial appearance, create the case file after the appearance.

For a criminal case consolidation with another county or in your county, see General Standards - Consolidation of Cases.

Case Initiation Procedure

The clerk will:

- Receive the initiating document and any supporting papers. File stamp the first page
 of the original complaint.
- Assign a case number using the Model Record Keeping numbering scheme by CCAP
 auto sequencing, by the interface with the District Attorney, or by selecting the next
 available pre-numbered case file from the felony, misdemeanor, or criminal traffic
 series.
- If the complaint is filed in open court, assign the number in court and notify the parties of the number assigned.
- In multiple defendant cases, if only one complaint is filed, make one photocopy for each defendant's case file. Each defendant will have a separate case number.
- Check for outstanding warrants. If a warrant was issued, note the warrant status on the court record. See Disposition of an Outstanding Warrant, when apprehension or dismissal occurs.
- Enter the basic party and charge information on CCAP. Enter the arrest tracking number or arrest date and booking agency to facilitate the interface with CIB. Enter the date and filing of the complaint and other documents on the court record. DO NOT enter the date of the initial appearance on the court record, unless the initial appearance has occurred.
- Place the case documents in the file folder.

Preparation for Court Hearing

The clerk will:

- · In advance of the hearing, generate the calendar.
- Add any cases to the calendar that were scheduled after the calendar was prepared.
- Use the calendar to pull case file(s) to bring or send to the courtroom for use during the hearing.
- Generate CCAP Minutes (CR-201) for use in court, unless the county is using In Court Appearance Processing.

INITIAL APPEARANCE

At the initial appearance, the defendant's rights are explained, the defendant is informed of the charges, and bail is determined. The defendant may request appointed counsel. The defendant may also plead guilty or no contest and be sentenced at this hearing [§970.01; §970.02; §969.03].

The clerk will:

- 1. Take minutes of the appearance, e.g., amount of bond, appointment of attorney, next appearance and any other relevant information.
- Unless the case is dismissed or otherwise disposed of, the next appearance should be scheduled. The parties should be given a *Hearing Notice (GF-101)*. If the notice of next appearance cannot be completed during court, send the notice to the parties after the appearance.

The district attorney is responsible for contacting law enforcement agencies.

- 3. After initial appearance, carry out follow-up work as necessary:
 - If a new hearing is required, schedule the new date on the CCAP calendar or with the scheduling clerk;
 - · If bail is ordered, prepare a bail bond;
 - If the defendant did not appear and a warrant was issued, proceed with issuing the warrant:
 - If the defendant is ordered to jail, prepare a commitment;
 - If the case is disposed of, prepare disposition or closing orders as instructed.
 See Criminal Case Receipt and Entry of Closing Orders.
- Place minutes and other documents in the case file.
- Update the CCAP court record with the hearing information and any next scheduled activity.

CASE MAINTENANCE & MONITORING

Receipt and Entry of Subsequent Documents

Once an initiating document has been filed, subsequent documents are periodically received, entered on the court record, and placed in the case file. These papers may be filed in person or received through the mail or fax.

The clerk will:

- 1. Receive, date stamp and, if appropriate, stamp "Filed" on the first page.
- Enter the date received and the event code of the "Filed" papers on the CCAP court record.
- 3. Take other appropriate action, which may be indicated in the paper's contents.
- Place the documents in the case file and return the file to the shelf in case number order.

Hearing or Trial

The clerk's recordkeeping responsibility for all court hearings and trials is the same. It consists of taking concise minutes of the proceeding, updating the CCAP court record, and placing the minutes and case papers received during the hearing in the case file. The clerk's responsibilities also include marking and keeping trial exhibits.

The clerk will:

- Take minutes on Minutes (GF-130 or CR-201) or enter through In Court Appearance Processing. Review the minutes for any required scheduling actions, next activity, or review dates.
- 2'. Mark and list exhibits. Store exhibits in a secure location during and after trial/hearing. See video Retention and Preservation of Trial Exhibits.
- If the judge orders a pre-sentence investigation, prepare the Order for Pre-sentence Investigation Report (CR-244) and Notice of Hearing (GF-101) setting a sentencing date. Enter the date on the CCAP calendar system and monitor for compliance or completion.
- 4. If a next appearance date is given, prepare and distribute in the courtroom *Notice of Hearing (GF-101)*.
- Update the CCAP court record, including entering the next activity date on the CCAP calendar and monitoring for compliance or completion.
- 6. Place the minutes and other case documents received during the hearing in the case file.

Adjournments

A hearing or activity may be adjourned on either the court's or a party's request and rescheduled for a new date. The clerk's responsibilities include updating the CCAP calendar and sending a new Notice of Hearing.

The clerk will:

- 1. Receive notice and approval of an adjournment.
- 2. Reschedule or receive notice of the new hearing or review date.
- Update the adjourned scheduled activity, noting the adjournment and schedule a new hearing or review date in accordance with local procedures.

Scheduling Functions

The court is responsible for scheduling criminal case activities as the cases proceed through the court system. These activities include initial appearance, preliminary examination, arraignment, pretrial and motion hearings, court and jury trials, sentencing, and postdisposition appearances.

The clerk will:

- In advance of the hearing, generate the appropriate CCAP calendar.
- 2. Print and distribute the calendar in accordance with local procedure.
- Using the calendar, pull case file(s) to bring or send to courtroom for use during the hearing.

Case Monitoring

Case monitoring consists of regularly checking future activities to identify cases where a scheduled activity did not occur and to determine if any necessary follow-up action should be taken.

The clerk will:

- Each day, check CCAP Scheduled Activities for outstanding activities to be monitored or followed up from the previous day.
- Review the court records of cases from the previous day to determine what action was to have occurred.
- If the activity scheduled for the previous day was a hearing, determine whether an
 appearance was made and whether the clerk's office was notified of the hearing
 results.

- If no appearance was made, notify the trial judge to determine the action to be taken;
- If an appearance was made, determine the hearing results, including the next activity date. Schedule the next activity date and update the CCAP court record;
- If an adjournment was granted, update the calendar with the new date.
- 4. On a regular schedule, from the CCAP Calendar application, prepare the *Event and Activity Report (CCAP-148)*. This report lists pending cases.

EXAMINING DEFENDANT TO DETERMINE COMPETENCY TO STAND TRIAL

If there is doubt regarding the defendant's competency to stand trial, a hearing must be scheduled before the court [§971.14].

The clerk will:

- If an examination is ordered, schedule the examination and prepare the order to transport to the appropriate facility.
- Schedule the date the examination report should be returned to the court.
- Receive the examination report in triplicate. File stamp original and place it in the case file. Forward copies to the district attorney and to the defendant's counsel.
- 4. If the report is not received by the expected date, notify the physician or facility and the judge.
- 5. If the court orders the defendant institutionalized, prepare the commitment order.
- 6. Schedule dates to monitor reviews of re-examination reports. Written reports of examination shall be furnished to the court:
 - · Three months after the commitment date;
 - · Six months after the commitment date;
 - Nine months after the commitment date; and
 - Within 30 days prior to the commitment's expiration.

After the re-examination:

- If the court determines the defendant is competent, resume criminal proceedings by scheduling the next court activity;
- If the court determines the defendant is not competent and not likely to become competent within 12 months or determines the defendant is not competent, but likely to become competent within 12 months, schedule further dates as ordered by the court and notify the judge when the date under which the calendar activity arrives.

DISPOSITION AND POST-DISPOSITION

Receipt and Entry of Closing Orders The clerk will:

- 1. Enter the charge disposition and sentencing information on CCAP:
 - Judgment of conviction
 - Deferred Judgment
 - Deferred prosecution/Sentencing
- Prepare or review the closing order and file/date stamp. If money has been applied to
 a fine or forfeiture that includes 'DOC collect' assessments, prepare Assessment
 Report (CCAP-154). This report accompanies the Judgment of Conviction that is
 sent to the Department of Corrections.
- Read the closing order to determine which governmental agencies should be sent a
 copy and distribute the order according to statute and local practice, e.g.. Notify the
 Department of Transportation, Department of Corrections or County Sheriff.
- 4. Return bond to the person who posted it. Where bond is a surety of property, inform the register of deeds as to the bond discharge (*Formal Release of Bond Security*).

The judge or established local procedure may allow the defendant to set up a payment schedule or a period of time to pay a fine, restitution, or other costs.

Also see Disposition of an Outstanding Warrant.

Case Closing

A criminal case must be appealed within 120 days. After an entry of judgment, the case closing activity is performed. Case closing eliminates all documents from the case folder that are not official case papers so that only essential case documents are retained for long term storage. See General Standards - Case Closing.

VICTIM NOTIFICATION (Inmate Release to Extended Supervision)

If an inmate is serving a life sentence imposed under §973.014(1g)(a)1. or 2. or a bifurcated sentence under §973.01, he or she may petition the sentencing court for release to extended supervision after he or she has served a certain amount of the total sentence.

Victims are entitled to notice when an inmate petitions for release to extended supervision. Clerks of circuit court shall provide victim notification cards, without charge, for victims to complete and return to the clerk to keep in the case file. This law applies only to those crimes committed on or after December 31, 1999.

<u>Victim Notification Procedure</u> [§302.113(9g)(g), §302.114(6)] The clerk will:

- At the time of sentencing, attach a Victim Notification Card (CR-240) to the front of the case file prior to giving it to the judge [or have the court clerk provide it to the victim(s) who are present in court that day]. This applies ONLY to those inmates serving a life sentence imposed under §973.014 (1g) (a) 1 or 2 or a bifurcated sentence under §973.01.
- If the victim(s) are not present in court, mail a victim notification card, without charge, to the victim's last-known address.
- 3. Provide each victim a Victim Notice of Rights (CR-241) with the Victim Notification Card (CR-240) advising the victim of his/her right to be notified when an inmate files a petition for release to extended supervision. Instruct the victim(s) to complete and return the card and inform them of their need to update their address if they move so that the may be notified in the future if an inmate files a petition.
 - Print the case caption and case file number on the *Victim Notice of Rights (CR-241)* so that the correct file is updated.
 - As it could be many years (decades, in fact) before this document is used, and the victim may not remember the case number, it's particularly important to have the case caption and number on the card and the notice of rights form.
- 4. If the card is completed and returned to the clerk of court by the victim (the card must be returned to the court the inmate was convicted and sentenced in), place it in a sealed envelope, mark the envelope as confidential, and note "victim notification card" on it.
- Place the sealed envelope in the case file. If the file is retrieved for review as a public record, remove the sealed envelope until it is returned.
 - No court records or portions of records relating to a victim's mailing addresses are subject to inspection or copying under §19.35 (1).
- 6. If in 20 years victim notification is required due to an inmate filing a petition for release to extended supervision:

- · Retrieve the file;
- · Pull the most recent Victim Notification Card;
- Notify the victim via mail, phone or other appropriate communication.
- 7. Send a copy of the petition and, if a hearing is scheduled, a notice of hearing to the victim informing the victim that he or she may appear at the hearing. The notice must inform the victim how a written statement concerning the inmate can be made.
 - Send a copy of the petition to the victim's last-known address within 7 days of the petition's filing date;
 - If a hearing is scheduled, send the notice of hearing to the victim's last-known address at least 10 days before the hearing date.
- If unable to contact the victim, turn the available information over to the Department of Corrections' Office of Victim Services and Programs.

SEARCH WARRANTS

Within 48 hours after a search warrant is executed, the search warrant must be returned to the clerk designated in the warrant. The warrant shall be accompanied by a written inventory of any property taken [Wis. Stat. 968.17]. A search warrant that is not executed within 5 days after the issuance date is void [Wis. Stat. 968.15(2)]. An affidavit or complaint made in support of the issuance of the warrant, and a certified transcript of any electronically communicated oral testimony requesting a warrant, must be filed with the clerk within 5 days after the search warrant's execution date [Wis. Stat. 968.12(3)(d); Wis. Stat. 968.17(2)].

SW Case Type - Unexecuted Search Warrants Filed With the Clerk

According to Wis. Stat. 968.21, unexecuted search warrants should not be filed with the clerk. If an unexecuted search warrant is filed with the clerk, however, the unexecuted warrant and any accompanying documents must be kept as confidential records in the SW case type. Each unexecuted search warrant with its accompanying material should be given an SW case number within CCAP case management (i.e. 07SW1, 07SW2) based on issuance date. A separate file folder does not have to be created for each assigned SW case number. Unexecuted search warrants and accompanying material can be placed in one annual SW file folder (06SW, 07SW).

Once a search warrant has been executed it is no longer a confidential record. If a criminal complaint related to the executed search warrant is subsequently filed, transfer the executed search warrant and accompanying documents in the SW file to the new criminal case file. In CCAP case management, enter on the SW court record the criminal case number the executed search warrant was transferred to.

If the search warrant is executed, but never results in a criminal complaint being filed, then a GF case number should be opened and the contents of the SW file transferred to the new GF file. In CCAP case management, enter on the SW court record the GF case number the executed search warrant was transferred to. Executed search warrants should not be left as SW cases, as that case type is confidential and once executed, search warrants are public record.

If an unexecuted search warrant filed with the clerk is never executed, it permanently remains a confidential SW file. Search warrants involving juveniles are kept separate and confidential.

Executed Search Warrants Filed With the Clerk

If search warrants are handled properly and only filed for the first time with the clerk after being executed, assign the executed search warrant a GF case number. If a criminal complaint related to the executed search warrant is subsequently filed, transfer the contents of the executed search warrant from the GF file into the appropriate criminal file. In CCAP case management, enter on the GF court record the criminal case number the executed search warrant was transferred to. If no associated criminal complaint is ever filed, then the executed search warrant remains in the GF file.

JOHN DOE PROCEEDINGS [Wis, Stat. 968.26]

John Doe proceedings may be convened to determine whether a crime specified under Wis. Stat. 968.26(1b)(a) has been committed. John Doe cases are <u>not</u> automatically confidential records. (For more information about making a John Doe case confidential, see the "Secrecy Order" section below.)

Proceedings Filed Under the John Doe (JD) Case Type

There are only three class codes that should be filed in the JD case type:

- 1. 34001 John Doe cases commenced under Wis. Stat. 968.26(1m) or (2)
- 2. 34002 Coroner's inquests filed under Wis. Stat. 979.04
- 3. 34003 Requests to file criminal complaints under Wis, Stat. 968.02(3)

The following cases should not be opened as JD cases:

- Petitions to initiate a procedure to waive parental consent prior to a minor's abortion (a.k.a. "Jane Doe" cases) filed under Wis. Stat. 48.257
 - See "Waiving Parent Consent to Abortion" section of the Chapter 48
 Juvenile Model Recordkeeping Procedures on CourtNet for more information
- Criminal cases where a complaint is filed listing the unknown defendant as "John Doe." Open these using the applicable criminal case type and list the defendant party as "John Doe."

The following procedures outline how cases filed under the 34001 class code should be processed.

Initiating a John Doe Case Under Wis. Stat. 968.26

There are two ways a John Doe case may be initiated:

- A district attorney (including a Department of Justice Attorney or special prosecutor) may request a judge to convene a proceeding to determine whether a crime has been committed [Wis. Stat. 968.26(1m)], or
- 2. A person who is not a district attorney may complain to a judge that he or she has reason to believe that a crime has been committed [Wis. Stat. 968.26(2)].

Clerks should follow the appropriate procedure based on who initiates the John Doe case.

Opening a John Doe Case Filed by the District Attorney

If a district attorney makes a request for a John Doe proceeding, the clerk will:

- Open a JD case using the 34001 class code;
 - Note: This class code should also be used for cases filed by the Department of Justice or a special prosecutor.
- Enter the filings into CCAP using the MJDPD (Motion to request John Doe proceeding – filed by DA) court record event;
- · Enter the party names into the case;
 - Note: <u>Do not</u> simply enter "John Doe" for the party name. Party names are
 not automatically confidential and should be entered as the actual name of
 the party. The case caption will read "In the Matter of John Doe."
- Give the filing to the judge for his/her review. The suggested practice is to add a
 tickler to remind you to follow up with the judge at 30, 60, or 90 days depending on
 local practice.

<u>Judicial Review and Case Closing – Judge Finds There IS NOT Reason to Believe a</u> <u>Crime Has Been Committed</u>

For a John Doe Petition filed by the district attorney, if the judge determines there <u>is not</u> reason to believe that a crime has been committed, the clerk will:

- Close the case using the 1 (Case disposed) disposition code.
 - Enter the following explanation for the disposition in the additional text:
 "Judge did not find reason to believe a crime has been committed."

STOP: In this scenario, the JD case has concluded and it is not necessary to proceed to the next step.

<u>Judicial Review and Case Closing - Judge Finds There IS Reason to Believe a Crime</u> <u>Has Been Committed</u>

For a John Doe petition filed by the district attorney, if the judge determines that there is reason to believe that crime has been committed, the clerk will:

- Close the case using the 1 (Case disposed) disposition code after the criminal complaint is filed;
 - Enter the following explanation for the disposition in the additional text: "A criminal case was opened." If known, enter the criminal case number.
- · Open a criminal case using your local procedures;
- If you know the case was commenced as a JD case, cross reference the JD case and the criminal case;
- If there was a secrecy order in the case, the order is terminated at the initial appearance [Wis. Stat. 968.20(4)(c)]. If the case was sealed, unseal the case by

entering ORSR (Order to remove sealed record) and ORSP (Order to remove sealed party) into CCAP.

NOTE: It is <u>very</u> important that clerks close John Doe cases in a timely manner. Any case open longer than 6 months is subject to review under Wis. Stat. § 968.26(5).

John Doe Request Filed by Person Other Than the District Attorney [Wis. Stat. 968.26(2)]

Opening a John Doe Case by a Person Other than the District Attorney

If a person other than the district attorney makes a request for a John Doe proceeding, the clerk will:

- Open a JD case using the 34001 class code;
- Enter the filings into CCAP using the MJDPN (Motion to request John Doe proceeding—filed by non-DA) court record event;
- · Enter the party names into the case;
 - Note: <u>Do not</u> simply enter "John Doe" for the party name. Party names are
 not automatically confidential and should be entered as the actual name of
 the party. The case caption will read "In the Matter of John Doe."
- Give the filings to the judge for his/her review. The suggested practice is to add a
 tickler to remind you to follow up with the judge at 30, 60, or 90 days, depending on
 local practice.

<u>Judicial Review and Case Closing – Judge Finds There IS NOT Reason to Believe a</u> <u>Crime Has Been Committed</u>

For a John Doe Petition filed by a person other than the district attorney, if the judge determines there <u>is not</u> reason to believe that a crime has been committed and does not refer the matter to the district attorney, ¹ the clerk will:

- Close the case using the 1 (Case disposed) disposition code.
 - Enter the following explanation for the disposition in the additional text:
 "Judge did not find reason to believe a crime has been committed and did not forward to the district attorney."

STOP: In this scenario, the JD case has concluded and it is not necessary to proceed to the next steps.

¹ A judge has a mandatory duty to refer a John Doe complaint to the district attorney only if the four corners of the complaint provide a sufficient factual basis to establish an objective reason to believe that a crime has been committed in the judge's jurisdiction. *Naseer v. Miller*, 2010 WI App 142, ¶ 11, 329 Wis. 2d 724, 793 N.W.2d 209.

<u>Judicial Review - Judge Finds There IS Reason to Believe a Crime Has Been</u> Committed

For a John Doe Petition filed by a person other than the district attorney, if the judge determines there is reason to believe that a crime has been committed, the clerk will:

- Following local procedure, forward a copy of the John Doe request to the district
 attorney and enter RTDA (Record transferred to District Attorney) into the CCAP
 court record. Set a future activity date for 90 days from the day the case is sent to
 the district attorney.
 - Note: Under Wis. Stat. 968.26(2)(b), the district attorney shall determine to issue or refuse to issue charges within 90 days of the judge sending the case. The suggested practice is to tickle a review of the case every 90 days. If, after a designated amount of time determined by your county, the district attorney has not responded to the request, ask the judge to write a letter asking for a response. Maintain a copy of the letter in the file, entering it into CCAP using the LETC (Letters/correspondence) court record event.

<u>District Attorney Review and Case Closing – District Attorney Issues Charges</u>

For a John Doe Petition filed by a person other than the district attorney, if the district attorney determines to <u>issue charges</u>, the clerk will:

- Close the case using the 1 (Case disposed) disposition code after the criminal complaint is filed;
 - Enter the following explanation for the disposition in the additional text: "District Attorney issued charges. A criminal case was opened," If known, enter the criminal case number.
- Open a criminal case using your local procedures;
- If you know the case was commenced as a JD case, cross reference the JD case and the criminal case;
- If there was a secrecy order in the case, the order is terminated at the initial
 appearance [Wis. Stat. 968.20(4)(c)]. If the case was sealed, unseal the case by
 entering ORSR (Order to remove sealed record) and ORSP (Order to remove sealed
 party) into CCAP.

STOP: In this scenario, the JD case has concluded and it is not necessary to proceed to the next step.

<u>District Attorney Review and Case Closing – District Attorney Refuses to Issue Charges</u>
For a John Doe Petition filed by a person other than the district attorney, if the district attorney returns the case to the judge and <u>refuses to issue charges</u>, the clerk will:

 Receive all law enforcement investigative reports, the DA's records and case files, and a written explanation for why the DA is refusing to issue charges and enter them into CCAP using the applicable court record events (e.g. LETC (Letters/correspondence), REP (Report), OP (Other papers), etc.);

- Enter RRDA (Record Returned from District Attorney) and DARIC (District Attorney Refuses to Issue Charges) in to the CCAP court record;
- Give the case to the judge for his/her review. The suggested practice is to add a
 tickler to remind you to follow up with the judge at 30, 60, or 90 days, depending on
 local practice;
- The judge may determine that it is necessary to convene a proceeding to determine if a crime has been committed [Wis. Stat. 968.20(2)(b)]. If the judge convenes a proceeding, enter any additional materials collected by the judge into the case;
- At the end of the investigation, the judge will either conclude the John Doe case or
 open a criminal case. Either way, close the JD case using the 1 (Case disposed)
 disposition code and enter a brief explanation of the disposition in the additional text
 (e.g. "Judge did not find reason to believe a crime has been committed" or "Criminal
 charges issued. Case number [insert case number] was opened."

NOTE: It is <u>very</u> important that clerks close John Doe cases in a timely manner. Any case open longer than 6 months is subject to review under Wis. Stat. 968.26(5).

Secrecy Orders

[Wis. Stat. 968.26(4)]

John Doe cases <u>are not</u> automatically confidential. The judge may enter a secrecy order upon a showing of good cause by the district attorney. [Wis. Stat. 968.26(4)(a)]

Because the statute does not define what is meant by "secrecy order," if one is issued, <u>it is</u> <u>important for the clerk to work closely with the judge</u> to determine what, exactly, is secret in the case (e.g. Are the court records sealed? Is there only a gag order in place? Are the party names sealed? Who is covered by the court order?).

If the secrecy order is terminated, the identity of the subject of the proceeding may not be disclosed without the subject's consent, unless a criminal case is subsequently filed. [Wis. Stat. 968.26(4)(b)] In cases where the secrecy order is terminated, again, it is important for the clerk to work closely with the judge to determine if the subject's name should be redacted from the file.

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Request for Extension of Time or Expansion of Charges

[Wis. Stat. 968.26(5)(a) and (b)]

Extension of Time

No John Doe proceeding may last longer than the time periods outline below, unless an extension of time is granted through a review under Wis. Stat. 968.26(5):

- 1. For cases initiated by the district attorney, the proceeding may last no longer than 6 months beginning on the day the district attorney files the request for a John Doe case [Wis. Stat. 968.20(5)(a)1.a.], or
- For cases initiated by a person other than the district attorney, the proceeding may last no longer than 6 months beginning on the day the district attorney forwards all reports, records and case files to the judge, and an explanation of his or her refusal to file charges [Wis. Stat. 968.20(5)(a)1.b].

Expansion of Charges

No John Doe proceeding may investigate a crime that was not part of the original request unless there is a review finding good cause to add specified crimes. [Wis. Stat. 968.26(5)(b)]

If the clerk receives a request for extension of time or expansion of charges under Wis. Stat. 968.26(5), contact your district court administrator.

EXPUNGING COURT RECORDS

Expunction is the legal procedure by which a person who was under age 21 at the time they committed a misdemeanor may have the court record of the action removed. The court may order expunction at the time of sentencing, if the court determines the defendant will benefit and society will not be harmed by the expungement, and dependent upon the defendant's successful completion of the sentence [§973.015].

Expunging a record does not require destroying the record [130 Wis. 2nd 376]. Expunging means that the court's official record is removed and kept in a separate, secure and restricted location [SCR 72.06]. It may only be viewed by court order.

§973.015(1)(a) is affected by two acts of the 2003 Wisconsin legislature, as merged under §13.93(2)(c), effective 9-30-05, to add: "This subsection does not apply to information maintained by the department of transportation regarding a conviction that is required to be included in a record kept under §343.23 (2) (a)."

The clerk will:

- When a case has been ordered expunged and the defendant has satisfied the
 expungement conditions, remove any index card and non-financial paper court record
 and place them in the case file, along with the order.
 - If the index and court record are on microfilm or microfiche, restrict access to the film/fiche or splice out/obliterate the image after placing a copy in the case file;
 - If the case is electronically or optically stored:

Open the case to be expunged. Enter EXP - Expungement on the court record. This will remove any identifying information from the case, caption, party name and address, attorney name and address, additional text in court record events, scheduled activities and disposition text.

If the expunged case has been optically imaged, remove the imaged documents from the image storage unit.

The above applies to electronic/optical records stored off-line or on backup media.

- 2. An individual must have "Seal/Expunge Authority" to expunge an electronic/optical record. Access to the record is restricted to those with seal/expungement authority.
- Seal the entire paper case file (tape shut or seal in a large envelope). Mark the folder "EXPUNGED FILE - OPENED ONLY BY COURT ORDER" and place in a secure area. Put an out-card or expunged file location if the county is using electronic file tracking with notation: "EXPUNGED FILE."
- Destroying expunged court records is done in accordance with SCR 72.

Wisconsin Department of Justice DCI

Interview 16-3772/13

Report Date: 11/02/2016

Primary Information

Description: Fond Du Lac County Clerk of Circuit Courts Ramona Geib

Occurrence From: 10/26/2016 09:50
Occurrence To: 10/26/2016 10:35

Reporting LEO: Jones, Shannon D (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Backup LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 11/14/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address

Interview Location 160 S Macy St Fond du Lac County Safety Building/Secure Detentio, Fond du Lac, Wisconsin 54935,

United States of America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Interviewed	Geib, Ramona (Governmental)		

Narrative begins on the following page.

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On Wednesday, October 26th, 2016, at 9:50 am, Special Agents (SAs) Shannon D. Jones and John Culver interviewed Fond du Lac County Clerk of Courts Ramona Geib at the City/County Government Center located at 160 S. Macy Street, Fond du Lac, Wisconsin.

SAs Jones and Culver identified themselves to Geib by presenting their credentials for her inspection and provided her with their business cards. SA Culver had advised Geib of the purpose of the interview when SA Culver had originally contacted Geib to arrange the meeting.

Geib provided the following:

Geib related she been employed with Fond du Lac County for the past 16 years. She indicated she was elected to the position of Clerk of Courts in 2012. Geib stated she has previously held the positions of Account Clerk and Deputy Clerk.

SA Culver asked Geib the following questions related to her position as Clerk of Courts:

Do you have a policy or procedure concerning the backdating case assignments or judicial transfers? Geib related cases are entered into Wisconsin Circuit Court Automation Programs (CCAP) and assigned to a Judge based upon case loads. Geib indicated CCAP has a settings option which allows the user to set the dissemination of cases to "Random" and this will also keep the distribution of cases at an equal amount. Geib stated some cases you can change the entry date on, but this practice rarely occurs.

Do you have a practice concerning the backdating case assignments or judicial transfer? Geib insisted backdating of cases is not done. Geib stated a case or information for cases are entered as soon as it comes into the office. Geib related in rare instances, items may come in the mail near close of business and these items may get entered the next day. Geib stated the procedures of entering cases and information for cases being entered daily are followed to avoid backdating.

Is backdating cases assignments or judicial transfers common? Geib stated there is no backdating case assignments or judicial transfers taking place within her office.

What might be some reasons for backdating case assignments? Geib stated there is no backdating case assignments or judicial transfers taking place within her office.

Are there any documents / orders that the clerks regularly sign for the judges? Geib stated no one signs anything for the Judges unless the Judges have given prior authorization. Geib related all Judges set up electronic signature options for documents they want signed via the database. Geib indicated she and her deputies have been authorized to sign selected documents for judges and herself. Geib indicated she has been allowed to sign small claim default judgements for some of the Judges. Geib stated if the Judge does not electronically sign his

Page 1

assigned documents, he will then sign the original document. Geib related the Judges also provide their assigned Judicial Assistants stamps with their signatures to use in place of their official handwritten signatures.

How do they know which ones are okay for them to sign? Geib stated the Judges actually approve which documents will be electronically signed via CCAP (Maintenance Settings). Geib related this function also allows for the Judge to determine which documents he wants to review before the electronic signatures are entered as well.

Do all orders/ documents get discussed with a judge before they are signed? Geib stated most Judges do manually sign lots of their documents. Geib indicated most of the Judges do also utilize the electronic signature option within CCAP as well.

What happens if a new Judge comes in? Geib related when a new Judge is assigned to Fond du Lac County, he/she has been trained, mentored, and visited other counties to view case procedures. Geib stated there is also judicial training for the Judges that usually occurs annually or bi-annually and in most instances, CCAP is present. Geib indicated all new Judges are set up in CCAP and during this process, CCAP will role all old ("Open") cases from the presiding Judge into the new Judge's name.

Geib related Fond du Lac County "Intake Judge" rotation occurs every four weeks. Geib stated the Judges, during their intake rotation, hear all types of cases. Geib indicated that the cases assigned to the Judges during this rotation actually follow with the Judge after the completion of the four weeks, unless it's a Felony case. Geib related then the Judges will then do a "draw" to determine who the case shall be assigned to.

What are the procedures followed for the appointment of Deputy Clerks? Geib related all the clerks have taken an "Oath of Office" at the beginning of her term. Geib stated that if there were ever a need to hire a new Deputy Clerk, Human Resources of Fond du Lac County would post the position within the Clerk of Court's Office, county wide, then publicly.

Geib stated there are procedures for Fond du Lac County on how to get an individual deputized, but because of her elected official powers, she does not use them. Geib indicated she approves and appoints her deputies and no one else is needed.

Does anyone approve your appointments? Geib related there is usually no Judge involvement unless he/ she wants someone from outside the office to be considered for the position.

Geib indicated most of the Judges have Judicial Assistants. Geib related there is however, a need for approval from the Judges for the position of Judicial Assistant.

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How many Deputy Clerks do you have? Geib stated she currently has one Chief Deputy Clerk, one Accountant Clerk, and twenty-six Deputy Clerks.

What is your county's policy regarding "John Doe" cases? Geib stated her office comes into contact with "John Doe" cases via the front counter or mail. Geib indicated if they come in via the front counter or mail, the case is sent to the "Intake Judge". Geib related the case can then be assigned to another Judge or stay with the "Intake Judge". Geib added, most "John Doe" cases enter the system via the District Attorney's Office. Geib indicated under this process, the District Attorney will then take it to the "Intake Judge" to determine if there is a need for a hearing.

Geib related the "John Doe" case stays as such unless there are criminal charges. Geib indicated the case can be "secret" or "non-secret", the files are kept separate from others and locked up within the District Attorney's Office.

Geib concluded by stating "John Doe" case numbers are used within Fond du Lac County. Geib stated there is an auto-sequence numbering internal database system utilized and this numbering system can be manually altered /adjusted internally, if needed. Geib related for example, if the case number "JD#1" was pulled accidentally, Geib stated she could use the auto-sequence function within CCAP, set it to "0" and then reuse case number "JD1" for the next "John Doe" case.

The interview of Geib concluded at 10:35 a.m.

Wisconsin Department of Justice DCI

Interview 16-3772/14

Report Date: 10/26/2016

Primary Information

Description: Fond du Lac County Probate Register Ardell Klaske

Occurrence From: 10/26/2016 10:45
Occurrence To: 10/26/2016 11:42

Reporting LEO: Jones, Shannon D (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Backup LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 11/14/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address

Interview Location 160 S Macy St Fond du Lac County Safety Building/Secure Detentio, Fond du Lac, Wisconsin 54935,

United States of America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Interviewed	Klaske, Ardell (Governmental)		

Narrative begins on the following page.

09/14/2017 13:30:53 Page 1 of 5

On Wednesday, October 26th, 2016, at 9:50 am, Special Agents (SAs) Shannon D. Jones and John Culver interviewed Fond du Lac County Probate Register Ardell Klaske. Also present for this interview was the Deputy Probate Register, Brenda Woelfel. This interview took place at the City/County Government Center located at 160 S. Macy Street, Fond du Lac, Wisconsin.

SAs Jones and Culver identified themselves to Klaske and Woelfel by presenting their credentials for their inspection and provided both with their business cards. SA Culver had advised Klaske of the purpose of the interview when SA Culver had originally contacted Klaske to arrange the meeting. Woelfel remained present for the entire interview and assisted in the responses to questions asked by SA Culver.

Klaske, assisted by Woelfel, provided the following responses:

Klaske related she been employed with Fond du Lac County for the past 43 years. She indicated she was appointed to the position of Deputy Probate Register in 1999 and then Probate Register in 2003.

Woelfel related she has been employed with Fond du Lac County for the past 21 years. She stated she has held the position of Deputy Probate Register for the past 12 years.

SA Culver asked Klaske and Woelfel the following questions related to their positions as Probate Register and Deputy Probate Register.

Questions regarding changing the status of probate cases:

Under what circumstances are probate cases changed from an "Informal" status to a "Formal" status? Klaske stated all "Informal" cases are maintained by the Probate Register or the Deputy Register. Klaske related if the case is contested, if there is a demand for a "Formal" status, or there is an objection to a will, then it will go before a Judge. Klaske stated there is nothing in local court rules that allows the Probate Register to change it.

Are probate cases ever changed from "Formal" back to "Informal" statuses? Why? Klaske continued by stating if the case is changed to the "Formal" status and assigned to a Judge, the assignment would be to the "Intake Judge". Klaske stated once the issues are resolved, the assigned Judge can change the "Formal" case status back to "Informal" status and Klaske would then resume the possession of the case.

Klaske indicated a case can be changed from an "Informal" status to a "Formal" status if it's requested by an attorney. Klaske stated the request could be in the form of a hearing or a written document. Klaske related a hearing will then occur and the change of the status of the case from "Informal" to "Formal" could take place, but would only occur with a Judge's order.

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Klaske stated the date becomes critical in that if the item is not file stamped with the date, it could end up backdated.

How much involvement does a Judge have in a probate case? Klaske stated the Judge can authorize actions on a case, and has done so in instances where parties needed extensions of time or inventories for a will to be completed. Klaske indicated there would be no change in the case status ("Informal" to "Formal") needed during these actions.

Klaske stated four out of the five Judges for Fond du Lac County handle the extensions of their cases themselves. Klaske related the final Judge has given her authority to handle extensions for him. Klaske again indicated Judges will only need to handle extensions on a case, if the case is in a "Formal" status.

Klaske related if she were a Court Commissioner, she would be able to review "Formal" cases. Klaske stated in some counties the Register in Probate is also a Commissioner. Klaske stated to be a Court Commissioner, one must be an Attorney and the majority of the Judges have to agree on your appointment. Klaske stated there is no requirement for a Chief Judge's signature/approval.

Klaske stated a Judge will only become involved in a probate case if it is in a "Formal" status. Klaske indicated the order of procedures for Medical Evaluations and Guardianships is they will be initially heard by a Commissioner. Klaske stated a Commissioner can preside over hearings, but not final orders. If the case then needs to be heard by a Judge, then one will be assigned. Klaske related a "Guardian Ad Litem" can be appointed by a Judge or Corporation Counsel, as needed.

Klaske indicated they engage in no practices of changing dates within the system to get a different Judge. Klaske stated they would never cancel a court date or extend a deadline to get a different judge assigned to a case. Klaske again related if a Judge is needed, their procedures are to seek assistance from the "Intake Judge".

Does the Registrar in Probate handle extension requests or do they go through the Judge? Does it matter whether it is in the "Formal" or "Informal" status? Klaske stated the Judge hearing the case is the only individual that may issue an extension on a case. Klaske related there could be a change in status from "Informal" to "Formal" made, but only if so decided by the Judge.

How long do probate cases typically take to process through the system? Klaske stated on an average, her office deals with approximately 200 "Informal" and 6 "Formal" Probate cases per year. Klaske related 95% of the cases stay in the "Informal" status.

Klaske indicated the 'Informal' cases are handled within her office and this makes the processing of the case more simple for the Attorneys and parties involved. Klaske stated this process is also time efficient for the public.

Is there pressure on the Probate Register and/or Judge to get these cases processed in a certain amount of time? Klaske stated a probate case typically takes 14 months to process through the system. Klaske indicated there are exceptions to this window of time and some would be cases that involve civil litigation on the Federal level, selling real estate, or medical malpractice. Klaske also stated cases involving guardianship have a 30-60-90 days window and cases involving Mental Evaluations have a 72 hour deadline for probable cause and 14 days for a hearing. Klaske added that adoptions can last up to six months.

Klaske stated there is more pressure on the time lines for Mental Evaluations and guardianships.

Klaske stated the 14 month rule is monitored in all other types of cases by the Chief Judge and the District Court Administrator (DCA).

Questions regarding appointing a Deputy Probate Register:

Do you have a written policy or procedure for appointment of s Deputy Probate Register? Klaske stated Fond du Lac County Human Resources posts the information for the position of Deputy Probate Register. Klaske stated after Human Resources gathers the applications, she reviews the applications with them. Klaske indicated she would then conduct the interviews and would then seek the approval of all five Judges prior to appointment.

How many Deputy Probate Registers do you have? Klaske stated she only has one Deputy Probate Register. Klaske identified her as Brenda Woelfel.

What kind of powers does the deputy have? Klaske indicated Woelfel has the same powers as the Probate Register, except for the budget (which is solely Klaske's responsibility) and a couple of reports that are generated for the County of Fond du Lac and the State of Wisconsin. Klaske identified her personal job descriptions as handling all probate cases that are "Formal", "Informal", "Special Administration", "Summary Assignment" "Summary Settlements", "Confirmation of Marital Property", guardianships, medical evaluations, adoptions, and the budget.

Are the judges involved in appointing a Deputy Probate Register? Have they been involved in the past? Klaske stated the Judges have the final word on the appointment of the Deputy Probate Register. Klaske indicated Human Resources would not allow the appointment to occur if the Judges did not all approve to the appointment. Klaske related once an individual is approved, a "Letter of Appointment" is generated and signed by the new Deputy Probate Register

and Judges. Klaske stated the Deputy Probate Register completes an "Oath of Office" and once signed, a copy is filed in the Clerk of Courts office.

The interview of Klaske, in the presence of Woelfel, concluded at 11:42 a.m.

Wisconsin Department of Justice DCI

Interview 16-3772/15

Report Date: 11/09/2016

Primary Information

Description: Washington County Register/Registrar in Probate Denise Kist

Occurrence From: 11/06/2016 10:30
Occurrence To: 11/06/2016 10:55

Reporting LEO: Jones, Shannon D (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Backup LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 11/14/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address

Interview Location 432 E Washington St Washington County Justice Center, West Bend, Wisconsin 53095, United States of

America

 Subjects
 Bio
 DOB

 Relationship
 Name
 Bio
 DOB

 Interviewed
 Kist, Denise (Governmental)

Narrative begins on the following page.

09/14/2017 13:30:55 Page 1 of 4

On Monday, November 6, 2016, at 10:30 a.m., Special Agents (SAs) Shannon D. Jones and John R. Culver, Jr. interviewed Washington County Register/Registrar in Probate Denise Kist. This interview took place at the Washington County Justice Center located at 432 E. Washington Street, West Bend, Wisconsin.

SAs Jones and Culver identified themselves to Kist by presenting their credentials for her inspection and provided her with their business cards. SA Culver had advised Kist of the purpose of the interview when SA Culver had originally contacted Kist to arrange the meeting.

Present with Kist during this interview was Washington County Deputy County Attorney Chris Ohlis.

Kist provided the following:

Kist related she has been employed with Washington County for the past 27 years. Kist stated she had held the position of Deputy Register/Registrar in Probate since 2006.

SA Culver asked Kist the following questions:

Questions regarding changing the status of probate cases:

Under what circumstances are probate cases changed from an "informal" status to a "formal" status? Kist stated before 2010, there were "INF" numbers used for numbering cases. She indicated "formal" and "informal" cases were kept in separate folders. Kist stated since 2010, "PR" numbers are assigned to cases and everything is kept together in one case file.

Kist indicated a case can be changed from an "informal" status to a "formal" status if there is a petition filed as a request for such a change or if ever a judge becomes involved with an "informal" status case. Kist stated once a judge becomes involved, the "informal" case status is immediately changed to a "formal" case status.

Kist stated neither the Register/Registrar in Probate nor any of the Deputies have the authority to change an "informal" case to a "formal" case status.

Kist also related an "informal" status case can be changed to a "formal" status case when there has been a petition or a motion filed. Kist stated this would require a judge to review and the case status would change after the judge issues an "Order to Change" from "informal" to "formal".

Are probate cases ever changed from "formal" back to "informal" statuses? Why? Kist stated a "formal" case status can only be changed back to an "informal" case status by a judge. Kist related the judge is the only individual that can authorize this change in status and the judge

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usually does this by issuing an order that states, "Back to Informal" case status. Kist indicated most judges follow this procedure as best practice.

How much involvement does a judge have in a probate cases? Kist stated a judge has no involvement in "informal" status cases.

Kist stated a judge will become involved in all "formal" status cases. Kist related the extent of the judge's involvement would be contingent on the issues involved.

Kist stated a judge only becomes involved in a case if it's under the "formal" case status. Kist related there is never any changing of case statuses from "informal" to "formal" and then back to "informal", without a judge's approval.

Kist indicated if anyone in Kist's office or any other individual needed to seek an adjournment, they would need to speak with a judge first. Kist related the judge would hear these requests after a "Notice to Adjourn" had been filed. Kist stated in most instances cases are completed within 18 months, unless there is a "Good Cause of Delay" presented to a judge.

Kist stated a judge can issue any type of deadline or extension they feel is appropriate.

Does the Registrar in Probate handle extension requests or do they go through the judge? Does it matter whether it is in the "formal" or "informal" status? Kist stated that the judge presiding over the case is the only individual that may issue an extension on a case. Kist related she has the authority to approve extension requests on "informal" status cases. Kist stated if the parties involved are not in complete compliance, Kist could request a "Demand to Make Formal" for lack of compliance. Kist related once the case is in the "formal" status, the assigned judge is the only individual who can issue any extensions.

How long do probate cases typically take to process through the system? Kist related her office handles about 200 estates per year. Kist stated of these 200, 10 were "formal", 120 were "informal", and the remainder were under the "Special" cases category. Kist indicated the "Special" case category could include long-term cases like foreclosures or asbestos suits.

Kist stated the completion of most cases within the office is usually less than two years, but some are completed within nine months.

Is there pressure on the Probate Register and/or a judge to get these cases processed in a certain amount of time? Kist stated a probate case typically takes 18 months to process through the system per guidelines. Kist related there are no external pressures demanding the timely completion of these cases. Kist also related there is never any involvement from the District Court Administrator (DCA), except when the DCA runs reports on the ages of cases.

Questions regarding appointing a Deputy Registrar in Probate:

Do you have a written policy or procedure for appointment of a Deputy Registrar in **Probate?** Kist stated there is currently no written policy or procedure for the appointment of Deputy Registrar/Register in Probate.

Kist stated there is a hiring process that is followed by Human Resources of Washington County. Kist related Human Resources would post the position and select a pool of candidates from the outside (public) or current court assistants within the County. Kist stated the pool of candidates would then be interviewed by Kist and Clerk of Circuit Courts, Theresa Russell. Kist indicated when a selection of a candidate is completed, Kist would have the candidate take an "Oath of Office". Kist stated the candidate will then sign the "Oath of Office" and before this becomes an official document, Kist stated the Presiding Judge needs to approve and sign the "Oath of Office" for the candidate. Kist related the document is then filed within the Clerk of Circuit Courts Office.

How many deputies do you have? Kist stated there are currently four Deputy Registers/Registrars in Probate assigned to her office. Kist related these individuals also maintain the duties and title of Deputy Clerk of Juvenile Court.

What kind of powers does the deputy have? Kist related the Deputy Registers/Registrars in Probate have total administration of cases assigned to them. Kist stated her Deputy Registers/Registrars in Probate handle "Statements of Informal", "Domiciliary Letters", "Signature or Surety Bonds", "Orders for Extension (Informal)", and "Notices to Creditors".

Are the judges involved in appointing a deputy registrar of probate? Have they been involved in the past? What is their involvement? Kist stated the latest process took place in 2016. Kist indicated at that time, all four judges and DCA Mike Niemon all signed off on the appointments/approvals of the four Deputy Registers/Registrars in Probate. Kist concluded by relating this was the first time this process was followed.

The interview of Kist, in the presence of Deputy County Attorney Chris Ohlis, was completed at 10:55 a.m.

Interview 16-3772/16

Report Date: 12/09/2016

Primary Information

Description: Washington County Clerk of Circuit Court Theresa M. Russell

Occurrence From: 11/07/2016 09:30
Occurrence To: 11/07/2016 10:25

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Jones, Shannon D (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Approved Status: Approved Approved Date: 12/20/2016

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address
Interview Location America

Address
432 E Washington St Washington County Justice Center, West Bend, Wisconsin 53095, United States of America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	DOB
Interviewed	Hoefert, Wendy (Governmental)		
Interviewed	Russell, Theresa M (Governmental)		
Related	Ohlis, Christine E (Governmental)		

Narrative begins on the following page.

09/14/2017 13:30:56 Page 1 of 4

Wisconsin Division of Criminal Investigation Case Report Case/Report Number: 16-3772/16 Interview with Washington County Clerk - Theresa Russell

On Wednesday, October 26th, 2016, at 9:50 am, Special Agents (SAs) Shannon D. Jones and John Culver interviewed of Washington County Clerk of Circuit Court Theresa M. Russell at the Washington County Justice Center located at 432 East Washington Street, West Bend, Wisconsin.

At approximately 9:30 a.m., SAs Culver and Jones met with Russell and Washington County Deputy County Attorney Christine E. Ohlis in a meeting room inside the Clerk of Courts Office. SAs Culver and Jones identified themselves to Russell and Ohlis by presenting their credentials for their inspection and provided Russell and Ohlis with their business cards. SA Culver had advised Russell of the purpose of the interview when SA Culver had originally contacted Russell and arranged the meeting. SA Culver explained the purpose of the interview again for Ohlis' knowledge.

Russell stated she has been employed with Washington County for the past 28 years and that she has been the Clerk of Circuit Court for the past six years. Russell stated she has previously held the positions of Accountant and Administrative and Accounting Supervisor (during her prior 22 years of service with Washington County).

Ohlis stated she has been the Deputy County Attorney (formerly known as the Deputy Corporation Counsel) since 1995.

Russell provided the following:

SA Culver asked the following questions:

Do you have a policy or procedure concerning backdating case assignments or judicial transfers? Russell stated each judge has their own judicial assistant, who each work with District Court Administrator (DCA) Michael Niemon. Russell indicated her Deputy Clerk, Wendy Hoefert would be able to assist Russell in answering this question. Russell left the meeting room and returned with Hoefert.

SAs Culver and Jones identified themselves to Hoefert by displaying their credentials for her inspection and provided Hoefert with their business cards. SA Culver explained the purpose of the interview to Hoefert. Hoefert stated she has been employed with Washington County for the past 43 years.

SA Culver asked Hoefert if they have a policy or procedure concerning backdating case assignments or judicial transfers. Hoefert stated, "No."

SAs Culver continued the interview with the following questions:

Do you have a practice concerning the backdating case assignments or judicial transfers?

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Wisconsin Division of Criminal Investigation Case Report Case/Report Number: 16-3772/16 Interview with Washington County Clerk - Theresa Russell

Hoefert stated when a case is opened it is assigned to a judge. Hoefert stated once in a while someone may forget to assign a case to a judge, except in the case of "group files", but this does not happen very often and the length of time that may pass would be less than 10 days. Hoefert stated documents are file stamped with a date or electronically filed through the State system.

Is backdating cases assignments or judicial transfers common? Hoefert stated, "No." **What might be some reasons for backdating case assignments?** Hoefert indicated backdating case assignments or judicial transfers is very rare. Hoefert stated based on her experience that once every 10 years it is discovered that a case has a missing document that shows up in another case file which could cause a delay in assigning a case. Hoefert stated when new judges are elected, cases get reassigned from the previous judges and turned over to the new judges.

Are there any documents/orders that the clerks regularly sign for the judges? Hoefert stated documents or orders in small claims cases, such as financial disclosures, are regularly electronically assigned for judges.

How do they know which ones are okay for them to sign? Russell stated, and Hoefert concurred, the Judges actually approve which documents will be electronically signed via the CCAP signature authorization settings within the judges' CCAP Maintenance Settings.

Do all orders/documents get discussed with a judge before they are signed? Hoefert stated for items the judges had authorized for electronic signature, there is not a lot of discussion.

What happens if a new judge comes in? Hoefert indicated when a new judge comes in, their judicial assistant and/or Russell and Hoefert, or other Deputy Clerks of Court, work with the judge on their CCAP settings. SA Culver asked if the judges would travel to the CCAP office in Madison to set up any CCAP settings. Russell and Hoefert stated Russell and Deputy Clerks help the judges, in their chambers, with most of their initial CCAP settings. Russell and Hoefert indicated they review the judges' case assignments every year to ensure the even distribution of case assignments, as applicable. Hoefert and Russell had stated the only rotation the judges are involved in is the rotation of the intake judge assignment, in that all four judges are assigned all types of cases instead of having a rotation between different types of case assignments.

What are the procedures followed for the appointment of Deputy Clerks? Russell stated the open positions are posted by Human Resources to the general public. Russell stated she and the supervisor, from whichever division of the Office of the Clerk of Court to which the candidate would be assigned, interview the candidates. Russell stated, per State Statute, all four judges sign an approval to hire candidates. The Deputy Clerks take their oath on their first day. The oath and approval is signed by the Deputy and the four judges, and filed in a group file in the Clerk of Courts Office.

Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 16-3772/16 Interview with Washington County Clerk - Theresa Russell

Does anyone approve your appointments? Russell stated only the judges approve the appointments.

How many Deputy Clerks do you have? Russell stated she believes she currently has 28 Deputy Clerks.

What is your county's policy regarding John Doe cases? Russell stated most case assignments go through the intake judge. The intake judge is determined by a monthly rotation. Russell and Hoefert indicated there are not a lot of John Doe cases.

Hoefert stated, in regards to case assignments to judges, if a case is assigned to a judge the judge is notified via e-mail or another form of notification to enable the judge to look at cases for any conflicts. If a judge cannot hear a case, the DCA assigns the case to a different judge by working with the judicial assistants.

SA Culver asked Russell and Hoefert if, in a John Doe case, it would be possible to open one, close it and delete it without the judge, to whom it was assigned knowing this had taken place. Hoefert stated it would be possible, but that this would never be done. Russell stated if a John Doe case was deleted, it would be "gone", as the records are stored electronically. Russell stated for the opening of John Doe cases, the judicial assignment is done by a random selection of a judge in the CCAP program.

SA Culver asked Russell and Hoefert if a John Doe case is opened in error and closed, would the auto sequence function in the CCAP program allow the case number to be used again? Hoefert stated it would but the court record (for the John Doe case number) would read, "opened in error". Russell and Hoefert indicated that other than a case being mistakenly opened as a John Doe case, they did not know of a scenario where a John Doe case would be opened, assigned to a judge, closed, then deleted.

The interview of Russell and Hoefert concluded at 10:25 a.m.

Memo to File 16-3772/17

Report Date: 12/22/2016

Primary Information

Description: Contact with Chief District Judge Randy Koschnick on 12/15/2016

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved Approved Date: 01/03/2017

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Synopsis

On Thursday, December 15, 2016, District Court Judge Koschnick contacted SA Culver by phone. Judge Koschnick asked SA Culver about the status of the investigation. SA Culver advised Judge Koschnick that AAG Michelle Viste had analyzed and summarized the information regarding backdated cases (cases with backdated dates of judicial transfers) in Ozaukee County, from data obtained from CCAP personnel for the number of backdated cases for each of the three Ozaukee County Circuit Court Judges. SA Culver advised Judge Koschnick that this analysis showed a relatively even percentage distribution across the board for each of the three judges in regards to backdating. SA Culver referred to report #11 in this case file when explaining this data to Judge Koschnick. SA Culver advised Judge Koschnick that SA Culver had interviewed Clerks of Circuit Court and Registrars/Registers in Probate in Walworth, Fond Du Lac and Washington Counties regarding their standard practices in their respective offices.

SA Culver advised Judge Koschnick the information gathered in these interviews indicated that backdating cases is not, or is only in a few rare cases, ever done in these counties.

SA Culver advised Judge Koschnick that, after SA Culver and AAG Viste had recently discussed the investigation, SA Culver would interview Mary Lou Mueller and Connie Mueller in the near future.

09/14/2017 13:30:58 Page 1 of 1

Interview 16-3772/18

Report Date: 12/22/2016

Primary Information

Description: Ozaukee County Clerk of Courts/Probate Registrar Mary Lou Mueller on 12/22/2016

Occurrence From: 12/22/2016 14:10
Occurrence To: 12/22/2016 15:25

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Windorff, Ryan M (Appleton Narcotics DCI / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 01/07/2017

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses
Relationship Address

Interview Location 1201 S Spring St Ozaukee County Justice Facility, Port Washington, Wisconsin 53074, United States of

America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Interviewed	Mueller, Mary Lou (Person)	White, Female	
Mentioned	Mueller, Connie L (Governmental)		

Narrative begins on the following page.

09/14/2017 13:30:58 Page 1 of 6

On Thursday, December 22, 2016, Special Agents (SAs) John R. Culver, Jr. and Ryan M. Windorff interviewed Ozaukee County Clerk of Circuit Court/Registrar in Probate/Clerk of Juvenile Court Mary Lou Mueller in her office. This interview took place at the Ozaukee County Criminal Justice Center located at 1201 S. Spring Street, Port Washington, Wisconsin. Ozaukee County Attorney Rhonda Gorden was present during the interview.

At approximately 2:06 p.m., SAs Culver and Windorff verbally identified themselves to Mueller as Special Agents with the Wisconsin Department of Justice-Division of Criminal Investigation's Milwaukee Regional Office and presented their credentials for her inspection. Mueller invited SAs Culver and Windorff into Mueller's office. SAs Culver and Windorff provided Mueller with their business cards. SAs Culver and Windorff advised Mueller of the purpose of the interview. Mueller asked SAs Culver and Windorff if they were recording the interview. SA Culver advised Mueller they were not recording the interview. Mueller stated, since she was representing the County she would like to have the County Attorney present during the interview. Mueller called County Attorney, Rhonda Gorden to Mueller's office. Gorden arrived in Mueller's office within several minutes.

SAs Culver and Windorff verbally identified themselves to Gorden as Special Agents with the Wisconsin Department of Justice-Division of Criminal Investigation's Milwaukee Regional Office, presented their credentials for her inspection, and each gave Gorden a copy of their business card.

As SAs Culver and Windorff again explained the purpose of the interview, SA Culver advised Mueller that her participation in the interview was completely voluntary and that Mueller was not under arrest. As SAs Culver and Windorff continued briefly explaining the portion of the investigation which relates to the backdating of judicial case assignments, Gorden asked SAs Culver and Windorff, since they are criminal investigators, which possible criminal charges could be applicable such as "falsification of records". SA Culver indicated a criminal investigation is being conducted and stated Assistant Attorney General (AAG), Michelle Viste, who is assigned to the investigation, would review the information gathered and determine what, if any, criminal charges could be considered applicable.

Mueller provided the following:

Mueller stated she has been employed with Ozaukee County since May of 1999. Mueller stated she was elected to the position of Clerk of Circuit Court in January of 2011, and was re-elected in 2014. Mueller stated that up until January of 2011 Mueller was a Commissioner for probate matters. Mueller stated in addition to being the Clerk of Circuit Court she is also the Probate Registrar, Register in Probate and the Clerk of Juvenile Court.

SA Culver advised Mueller that there were several cases which SAs Culver and Windorff intended to discuss with Mueller, beginning with 2013PR000130, particularly the transaction record detail report SA Culver had obtained from CCAP personnel. SA Culver advised Mueller

Page 1

that these records showed that judicial case assignments had been backdated, which SAs Culver and Windorff would further explain to Mueller.

SA Windorff displayed two transaction record detail reports for this case to Mueller (and Gorden). As Mueller (and Gorden) examined these records, SA Windorff pointed out in the judicial case assignment to Judge Joseph W. Voiland, in the first transaction record detail report, the discrepancy between the "event date" and the "date record was added" was approximately 20 months. SA Culver further explained to Mueller that this record showed that on 03/31/2016 the "insertedDate" (date the record was added), by (the person with) the user ID " (located at the bottom of the report) had assigned this case to Judge Voiland, and manually entered the "eventDate" (date of this case assignment) to Judge Voiland as 07/13/2014.

SA Windorff pointed out to Mueller in the judicial case assignment to Judge Paul Malloy, in the second transaction record detail report, the discrepancy between the "event date" and the "insertedDate" (date record was added) was approximately 29 months. SA Culver further explained to Mueller that this record showed that on 03/31/2016 the "insertedDate" (date the record was added), by (the person with) the user ID " (located at the bottom of the report) had assigned this case to Judge Malloy, and manually entered the "eventDate" (date of this case assignment) to Judge Malloy as 10/18/2013.

After viewing these transaction record detail reports, Mueller stated she had been "cleaning up records". Mueller stated she had first gone to Judge Paul Malloy and had then gone to Judge Voiland. Mueller stated these (types of) cases are all opened at the "front desk" by Nicole Jozwowski, and that Jozwowski had opened this case as a formal probate case, when it should have been opened as an informal probate case. Mueller stated she had "missed it", when Jozwowski had mistakenly opened this case as a formal probate case. Mueller stated Jozwowski had "opened it up wrong".

SA Windorff asked Mueller to explain the difference between a probate registrar and a register in probate. Mueller stated the probate registrar is the court official for informal court proceedings and the register in probate is the keeper of the record.

Mueller stated the judges have two year assignments in their rotations, stating that the judge assigned to the probate rotation would get all probate cases assigned to him/her. Mueller stated Judge Malloy had decided to keep some of his probate cases after his probate rotation was completed. Mueller stated 2013PR000130 should have been assigned to a judge "right away".

SA Windorff asked Mueller when Judge Voiland started. Gorden stated Judge Voiland started working in August of 2013, after having been elected in April of 2013. Mueller stated 2013PR000130 had been opened during Judge Malloy's (probate) rotation. Mueller stated Judge Voiland started his probate rotation on 08/01/2014.

Page 2

SA Windorff asked Mueller in what circumstances a probate case would be changed from informal to formal. Mueller stated if the case was in a "contested posture", if someone had filed waivers, if someone contested something resulting in a demand which would cause the case to go to the Court, as a formal case must be assigned to a judge. SA Culver asked Mueller if a formal probate case could be assigned to a Court Commissioner. Mueller stated it could not, but indicated the Court Commissioner could preside over hearings for a formal probate case.

SA Windorff asked Mueller under what circumstances a probate case might change in status from formal to informal. Mueller stated the statutes state such a change would require a "demand".

SA Windorff asked Mueller how, in an informal probate cases, extensions are granted. Mueller stated if they are set for a hearing and ran over their timeline, the Court would grant an extension.

SA Windorff asked Mueller how, in a formal probate case, extensions are always granted through a judge. Mueller stated, "It depends on the judge." Mueller indicated that some judges had directed her to grant extensions in formal cases so they wouldn't have to take the time to take care of them. Mueller noted that Mueller had been a commissioner in regards to informal probate cases in 2011.

SA Windorff showed Mueller the CCAP court record events for 2013PR000017, in which the record showed that Mueller had granted an extension while this case was in formal status. Mueller viewed the record and stated she had granted this extension on 11/2/2015 as she had done previously with the approval of other judges. Then Mueller stated she had a phone conference with Judge Voiland, who was assigned this case, and Judge Voiland told Mueller she should not have granted an extension in this case. Mueller stated this was the first time any judge had told her not to grant such an extension. Mueller stated she sent the extension to Judge Voiland for Judge Voiland to order the extension. Mueller stated her past practice of granting such extensions was based on the wishes of the other judges not to be "bothered with extensions".

SAs Windorff and Culver discussed electronic signatures with Mueller. Mueller stated that each judge sets up their authorizations for the use of their electronic signatures by court staff with different preferences in the CCAP settings. Regarding the extension in 2013PR000017, SA Windorff asked Mueller who signed the document authorizing the extension. Mueller stated she digitally signed the document for the extension. SA Windorff asked Mueller, "Didn't you look to see if it was formal or informal?" Mueller stated, "No. I didn't."

Mueller stated she had a discussion with Deputy Director of State Courts, Sara Ward-Cassady about how the dates of which cases were to be assigned to judges. Mueller stated Ward-Cassady told her cases were to be entered on the date the Court signed them. Mueller indicated when her office received cases, they were date stamped the day they were received, but that was not always the date on which they were assigned to a judge.

Page 3

Mueller stated if Judge Voiland had these concerns, that Judge Voiland should have brought them up to Mueller, but Judge Voiland couldn't be bothered and was always busy.

SA Culver asked Mueller if the District Court Administrator (DCA) assisted Mueller with handling probate cases or other matters in her office. Mueller stated the DCA is Mike Neimon, and stated he is not involved a lot in matters in her office but that Neimon works with judicial case assignments or re-assignments which go outside the County or district which may take place due to conflicts.

SA Culver asked Mueller if a John Doe case had been opened by mistake, instead of another intended case type, what the record would show. SA Windorff showed CCAP printouts for Ozaukee County John Doe cases16JD1 and 16JD3 and asked Mueller if she knew why 16JD2 was missing. Mueller stated, in reference to 16JD2, that 16JD2 was mistakenly opened as a JD case type, instead of another case type. Mueller stated she didn't know what to do, and "held it" (16JD2).

SA Windorff showed Mueller the transaction record detail reports for 16JD1, 16JD2 and 16JD3.

SA Windorff showed Mueller (in Transaction #1459518042360) that on April 1, 2016 16JD2 had been deleted by Deputy Clerk of Courts Connie Mueller, after it had been assigned to Judge Voiland on March 10, 2016 (in Transaction #1457641489718). Mueller stated she had directed Connie Mueller to delete 16JD2.

SA Culver asked Mueller how the rotation worked for judicial assignments for JD cases. Mueller stated Judge Voiland wouldn't have necessarily been next in the rotation (for the judicial assignment for 16JD2) in that the rotation didn't go "one, two, three", as the computer would do the assignment. SA Culver asked Mueller if Mueller was referring to the CCAP settings for judicial assignments. Mueller stated that was correct. Mueller stated if the setting is "auto assigned", the case is assigned to whomever the computer assigns the case to. Mueller stated 16JD4 would have been randomly assigned to Judge Malloy. The related forms showed that 16JD3 was opened on 4/22/2016 and 16JD4 was opened on 4/27/2016.

SA Culver asked Mueller if she had any questions or anything to add. Mueller stated in Branch II there have been an unprecedented amount of substitutions requested by people involved in cases. SA Culver asked Mueller which Judge was assigned to Branch II. Mueller stated Judge Voiland is assigned to this branch. Mueller stated Judge Malloy had complained about getting too many family and civil cases assigned to him, due to these substitution requests. Mueller stated Judge Williams had stated her docket was overloaded and she is on trial number 14 (in 2016). SA Culver asked Mueller why there were so many substitutions requested in Judge Voiland's Court. Mueller stated, "If you are a woman, you want to get out of his court room." Mueller also stated, in regards to trials in Judge Voiland's Court, people had indicated if anything is complicated that no one wants to be in Judge Voiland's Court.

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The interview of Mueller concluded at 3:25 p.m.

Interview 16-3772/19

Report Date: 12/22/2016

Primary Information

Description: Deputy Clerk of Courts Connie L. Mueller on 12/22/2016

Occurrence From: 12/22/2016 15:30
Occurrence To: 12/22/2016 16:00

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Windorff, Ryan M (Appleton Narcotics DCI / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 01/07/2017

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses
Relationship Address

Interview Location 1201 S Spring St Ozaukee County Justice Facility, Port Washington, Wisconsin 53074, United States of

America

Subjects			
Relationship	<u>Name</u>	Bio	<u>DOB</u>
Mentioned	Mueller, Mary Lou (Person)	White, Female	
Interviewed	Mueller, Connie L (Governmental)		

Narrative begins on the following page.

09/14/2017 13:30:59 Page 1 of 3

On Thursday, December 22, 2016, Special Agents (SAs) John R. Culver, Jr. and Ryan M. Windorff interviewed Ozaukee County Deputy Clerk of Circuit Court, Connie L. Mueller in her office. This interview took place at the Ozaukee County Criminal Justice Center located at 1201 S. Spring Street, Port Washington, Wisconsin. Ozaukee County Attorney Rhonda Gorden was present during the interview.

Gorden led SAs Culver and Windorff to Mueller's office. Mueller invited SAs Culver and Windorff and Gorden into Mueller's office. At approximately 3:30 p.m., SAs Culver and Windorff verbally identified themselves to Mueller as Special Agents with the Wisconsin Department of Justice-Division of Criminal Investigation's Milwaukee Regional Office, and presented their credentials for her inspection. SAs Culver and Windorff each provided Mueller with their business card.

SAs Culver and Windorff advised Mueller of the purpose of the interview. SA Culver advised Mueller that neither SA was recording the interview. SA Culver advised Mueller that her participation in the interview was completely voluntary. Mueller acknowledged and indicated she understood.

SA Windorff asked Mueller if Mueller recalled what had happened with Ozaukee County John Doe case, 16JD2. Mueller indicated she was not too familiar with that case. SA Windorff asked Mueller if she recalled deleting a John Doe case. Mueller stated she had opened 16JD2 as a John Doe case, in error. Mueller stated she had entered this as a duplicate of either 16JD1 or 16JD3 and stated it wasn't supposed to be entered.

Mueller stated she would have put the (CCAP settings) case sequence in change, so 16JD3 would not have been opened.

SA Windorff asked Mueller who 16JD2 was assigned to. Mueller stated it would have been assigned to the intake judge for that month, as the intake judge gets assigned John Doe cases during the monthly intake judge rotation.

SA Culver asked Mueller if there would be any other reason to change a John Doe case assignment. Mueller did not know of any other reason.

SA Culver asked Mueller if there are paper files maintained for John Doe cases, and if so where they would be kept. Mueller stated with a new John Doe case, as with all other cases, they scan the documents into the electronic case file, keep the scanned documents for 48 hours and then discard them. Mueller stated there are no paper case files in the office for John Doe cases and that all documents are electronically stored.

SA Windorff asked Mueller what the description was for a case type, "IP". Mueller stated this case type is "incarcerated person". Mueller stated to look at the IP case which was opened right

Page 1

after 16JD2. Mueller stated the JD case was opened in error when it should have been opened as an IP case.

SA Windorff asked Mueller when 16JD2 was closed, did 16JD3 go to a random case assignment. Mueller stated when JD2 was closed, JD3 would have been assigned to the intake judge at that time, as they were not using the random JD case judicial assignment setting (in CCAP settings) until after 16JD3.

SA Windorff asked Mueller who the duty judge was in March of 2016. Mueller stated she believed it would have been Judge Malloy. Mueller stated they didn't have a good policy on IP and JD cases, as to whether they were randomly assigned to a judge or whether they were assigned to the intake judge.

SA Windorff showed Mueller a transaction record detail report for 16JD4. Mueller stated April was the month for Judge Voiland to be the intake judge. Mueller stated Judge Williams was assigned this case, as Judge Malloy was named as a respondent in this case.

Mueller stated that according to the intake judge rotation, both 16JD2 and 16JD3 should have both been assigned to Judge Malloy.

In further examining the intake judge rotation, Mueller and Gorden determined that in November of 2016 Judge Voiland was the intake judge, and therefore in April 2016, Judge Williams would have been the intake Judge.

Mueller stated the judicial assignment of John Doe cases depends on when the cases come in, and who the intake judge is at that time.

The interview of Mueller concluded at approximately 4:00 p.m.

Interview 16-3772/20

Report Date: 02/15/2017

Primary Information

Description: Judge Paul V. Malloy on 2/14/2017

Occurrence From: 02/14/2017 10:00
Occurrence To: 02/14/2017 10:53

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Backup LEO: Gibbs, Raymond R (Milwaukee Special Assignments DCI / Wisconsin Department of Justice DCI)

Approval Status: Approved
Approved Date: 02/19/2017

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Addresses

Relationship Address

Interview Location 1201 S Spring St Ozaukee County Justice Facility, Port Washington, Wisconsin 53074, United States of

America

Subjects			
Relationship	<u>Name</u>	<u>Bio</u>	<u>DOB</u>
Mentioned	Mueller, Mary Lou (Person)	White, Female	

Narrative begins on the following page.

09/14/2017 13:31:01 Page 1 of 3

On Tuesday, February 14, 2017, Special Agents (SAs) John R. Culver, Jr. and Raymond R. Gibbs interviewed Ozaukee County Circuit Court (Presiding) Judge, Paul V. Malloy, in his chambers at the Ozaukee County Criminal Justice Center, 1201 S. Spring Street, Port Washington, Wisconsin.

SA Culver had made the appointment for this interview with Judge Malloy's assistant on Thursday, February 9, 2017.

At approximately 10:00 a.m., SAs Culver and Gibbs verbally introduced themselves to Judge Malloy, and presented their credentials for his inspection. Judge Malloy invited SAs Culver and Gibbs into his chambers. SA Culver provided Judge Malloy with SA Culver's business card. SAs Culver and Gibbs advised Judge Malloy the purpose of the interview was to gather information about how certain records are kept. SA Culver advised Judge Malloy he was not a target of the investigation.

SA Culver asked Judge Malloy what procedures were followed for granting extensions in probate cases. Judge Malloy indicated a probate case is in formal status when there is a disputed issue in an estate, but when the issue is resolved the status of the case can be changed to informal. Judge Malloy stated when a judge is assigned to the probate rotation, the judge handles estates, guardianships, and mental commitments and added the probate rotation lasts for two years, changing in August. Judge Malloy stated the case assignments transfer to the next judge in the rotation, unless a judge leaving the probate rotation decides to keep a case.

Judge Malloy stated a judge may choose to keep a formal probate case after having done substantial work on the case. SA Culver asked Judge Malloy if a judge's decision to keep a formal probate case, when leaving the probate rotation, required the approval of the presiding judge. Judge Malloy stated the decision to keep a formal probate case is made by the individual judge, and approval from the presiding judge was not required. Judge Malloy further stated a judge who is assigned a probate case, at the beginning of their probate rotation, can also recommend the judge previously assigned the case keep that case.

SA Culver asked Judge Malloy if the manner in which an extension was granted would depend on whether the case was a formal or informal probate case. Judge Malloy stated the Clerk might want to grant an extension to bring the case to the judge's attention and have the judge take a look at the case. SA Culver asked Judge Malloy under what circumstances would an extension be granted in a formal probate case. Judge Malloy stated if the Court had not received a closing certificate for the Department of Revenue, or there had been poor record keeping done by the parties involved in the estate. SA Culver asked Judge Malloy if a request for an extension would require that a motion be filed with the Court or if a letter to the Court could be filed. Judge Malloy stated he was not sure if there was a "CCAP form" or if a letter is used. Judge Malloy stated a lot of this is handled by the clerks, and that the judges don't see every letter that comes in.

Page 1

SA Culver asked Judge Malloy if he had ever given the Clerk (of Courts) the authority to grant an extension in a formal probate case, without talking to him. Judge Malloy stated, "I'm not going to say it never happened."

Judge Malloy stated that over time there was a huge transition from formal probate cases to informal probate cases, which was done under the auspices of the Register of Probate. Judge Malloy stated the number of lawyers involved in probate cases had decreased. Judge Malloy stated he was not going to say he had talked (with the Clerk) about every extension. Judge Malloy stated he doesn't have any concerns, and that there was not a fast or hard rule in place. Judge Malloy stated he has a lot of confidence in Mary Lou Mueller. Judge Malloy stated he had heard from law firms that Mueller had not lightly granted extensions, in that she had made the attorneys explain to her why they wanted an extension.

SA Culver asked Judge Malloy if he was aware of other judges doing the same (giving the Clerk the authority to grant extensions in formal probate cases without talking to them). Judge Malloy stated Judge Williams was a little less flexible in these matters. Judge Malloy stated he was unfamiliar with Judge Voiland's practices in this area while Judge Voiland was in the probate rotation. Judge Malloy stated Judge Malloy had dealt with estates while Judge Malloy was in private practice.

SA Culver asked Judge Malloy if the policies or practices regarding probate cases have changed over time or have remained the same. Judge Malloy stated they have remained the same, except for a few years when Sarah Haas was working for Ozaukee County. Judge Malloy stated Haas had a lot of experience and was very detail oriented, having kept file notes on probate cases. Judge Malloy stated the Register of Probate used to be a whole office, when there were a larger number of formal probate cases.

SA Culver advised Judge Malloy that SA Culver examined information obtained from CCAP which showed that Mary Lou Mueller had, in several different probate cases, changed the case status from formal to informal, granted an extension while in informal status, then changed the case status back to formal status without the legal authority to do so. Judge Malloy stated, "I can't say that never happened."

The interview of Judge Malloy concluded at approximately 10:53 a.m.

Memo to File 16-3772/21

Report Date: 09/29/2017

Primary Information

Description: Text messages between Judge Joseph Voiland and SA Culver

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approval Status: Approved Approved Date: 10/02/2017

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Synopsis

Judge Joseph W. Voiland had initiated A text message conversation with Special Agent (SA) John R. Culver, Jr. on June 16, 2016. The last exchange of text messages was on January 12, 2017. Judge Voiland had texted copies of several documents to SA Culver in these text messages. The text messages also served to arrange meetings with Judge Voiland where he provided SA Culver with evidence (USB Drive, item number 16-3772/2.1) and documents.

SA Culver captured screen shots of these text messages, emailed them to SA Culver's DOJ email address, and printed them (12 pages). SA Culver electronically attached these 12 pages to this report and sent the printed copies to DCIR (See Attachments Section).

10/30/2017 14:58:46 Page 1 of 1





Text Message Jun 16, 2016, 6:58 PM

(1/2) Hello sir. May I bring you a thumb drive later tomorrow (Friday)? Nathan suggested to follow up @ what works best for you. Happy to answer any follow up

(2/2) questions at your convenience.

Yes, Judge. That would be fine. I can make that work. What time were you thinking?

7:00 PM

(1/2) Tomorrow may be late, I am waiting on a new thing from Judge Koschnick to include (emerged subsequent

7:25 PM















(emerged subsequent to our meeting in person last week). Alternatively,

(2/2) Monday (or the weekend) can meet you at any time and will have Koschnick info in hand. Your preference?

7:25 PM

How about Monday,
Judge? Any time is fine.

(1/2) I will aim for the Miller Lite bottle cap about 9 a.m. on Monday. I can provide any follow-up and answer any questions, for as long or as short as you

7:42 PM















(2/2) require. Thank you so much, truly.

7:43 PM

Ok. See you then Judge. Thank you.

Jun 21, 2016, 1:53 PM

Thank you greatly for meeting with me yesterday. May I share a copy of the thumb drive documents with Judge Koschnick to go over with?

1:58 PM

Thank you for coming to my office to do so Judge. I appreciate it. I don't see why you couldn't share any of the information with















Judge Koschnick. I just found a missed call from him this morning on my phone. I am going to try to reach him when I get to my office in approximately 45 minutes.

(1/2) Sounds good. I asked because Koschnick has probably less than half what I gave to you, so would like to get it all to him since he's offering an opinion.

2:49 PM

(2/2) Also wanted to get the OK from you.

2:49 PM

He talked to me today

2:50 PM















and set up tmrw a.m. to get the info.

Sep 14, 2016, 11:59 AM

Hello sir. Is there a good time I could drop of a handful of additional papers for you?

Sep 14, 2016, 1:47 PM

Sorry Judge, I was at SWAT training and just saw your text. I have a meeting outside the office tomorrow morning but will be back in the office at about 11am. I have an appointment in Pewaukee Friday morning and will be in

















morning but will be back in the office at about 11am. I have an appointment in Pewaukee Friday morning and will be in the office about 1230pm and have to leave for the day about 3pm.

Thank you for getting back to me. All sounds good. I will make it to you one of those times.

1:5701

1:59 PM

Ok. Very good. Thank you.

Sep 15, 2016, 1:28 PM

N THE MATTER OF:
THE APPOINTMENT
THE APPOINTMENT OF
EXPUTY COURT CLERKS & CHIEF DEPUTY

WHEREAS, Mary Lou Mueller, is the duly elected Clerk of Circuit Court in and for















€ OF WISCONSIN	THIRD JUDICIAL DISTRICT	OZAUKEE COUNTY 2016GF000008
THE MATTER OF:		APPOINTMENT
HE APPOINTMENT OF	CHIEF DEDITY	
EPOTT COURT CLERKS I	Chief Der Di i	
WHEREAS, Mary Lou zaukee County, Wisconsin	Muelier, is the duly elected Clerk of for the term of 2015-2018 and,	of Circuit Court in and for
HEREAS, I, Mary Lou Mue proval of the majority of Cli	ter appoint the following to the por roult Court Judges for Ozaukee Co	sition of Deputy Court Clerk upon ounty under Wis Stats §59.40.
error Muelar (Chief Deputy Clerk	of Court)	CariAren Mhaiko
sne Anderson	Retecta Freeland	Sarsh Pressler
urlyn Baunoch	Eller Haggerjos Nocie Jozepski	Constance Ronda
ren Boyd wan Britton	Debra Keels	Laun Vandenberg
ly Cawley	Roberta Lad3	Therese Wester
ie Fedder	Jaciyn McCoy	
AND WHEREAS, no f	ormal order had been created in a	accordance with previous appointments
der Sec. 59.40.;		2 2016
NOW THEREFORE,	effective immediately and nun pro	tune to January 4, 2010,
nnie Mueller (Chief Deputy Clerk	Rebecca Freeland	CarAvon Mitako
me Anderson	Ellen Happenios	Sarah Preister
nlyn Baunoch	Nicole Jorwowski	Constance Richde
ron Boyd von Britton	Decra Keele	Lauri Vandenberg
ly Canfey	Roberta Ladd	Therese Wester
a Fedder	Jactyn McCoy	
and haraby are appointed	d Deputy Clerk of Circuit Court f	or Ozaukee County pursuant to Sec.
40, WI Stats		0
40, VVI Suns	7	A 16 11.
	ma	uy Suhueller
ted August 2, 2016	Mary L	ou/Mueller
	Clark	of Circuit Court
The second second		
Approved this Lul de	ry of Aug. 2016	
THE CORRT . O.A.		
W.I.V	34	Sandy A. Williams, Br. 3
A Adulton Bart	Hon.	Sandy A. Williams, Br. 3
Paul V. Malloy, Br.1)	
- A III Malland Dr	2	
Joseph W. Volland, Br.		

Wed, Oct 19, 5:22 PM

John K. Borowski Jr. 3740 County Road O Saukville, WI 53080 262-689-8410

Authenticated/Filed Ozaukee County Circu

OCT 1 4 2016

tober 1, 2016

aukee County Circuit Court morable Joseph Voiland 01 South Spring Street tom 228 et Washington, WI 53074

Re: Case No. 2013FA000236

ear Honorable Voiland:

imely filed a motion for de novo review of the Commissioner's findings/order from August 19, 216. I filed the request on August 27, 2016 delivering copies for the court, myself, Ms. Gibson, at the Ozaukee County Child Support Agency. I asked the clerk to time-stamp the copies and di me when a date was scheduled so I could distribute a copy to the interested parties.

byiously a date was set for October 5, 2016 confirming that my de novo request was received, espite that no one notified me of the same. I became aware of the scheduled hearing by a need review CCAP records for another purpose on September 26. I intended to get the copies I left distribute but then became aware that on September 28, 2016 the de novo hearing was moved from calendar.











(414) 550-3163



Wed, Oct 19, 5:22 PM

John K. Borowski Jr. 3740 County Road O Saukville, WI 53080 262-689-8410

Authenticated/Filed Ozaukee County Circu

OCT 1 4 2016

Many Lou Mueller lerk of Circuit Court Register in Probate

tober 1, 2016

aukee County Circuit Court morable Joseph Voiland 01 South Spring Street som 228 rt Washington, WI 53074

Re: Case No. 2013FA000236

ear Honorable Voiland:

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his is not the first time one my motions has been incorrectly removed from the calendar. I have ad similar issues at other times after I filed a motion with the court. Despite having a time-tamped copy CCAP reflected no such filing, and the correct file associated with the case was systemiously void of the same. There has even been a complete loss of audio recordings of estimony as well. Combined they have interfered with the ability to advance my case, defend syself from the littgious behaviors of others, and destroyed due process.

have attached a copy of the de novo request that was received. It was not in error that the equest was scheduled for October 5. Rather it is in error that it was removed from the calendar. I m requesting that it be put back on the Court's calendar at this time.

na K. Borowski Jr.
D. Gitsson' Aty. Klusssendorf

Ozaukee 13FA236, letter dated Oct 14. Did the image come through and is it readable?

C:23 PM

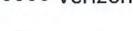
Yes, Judge it is readable













readable.

Thu, Dec 15, 3:33 PM

Judge, I wanted to advise you that we plan to try to I interview the Clerk of Courts Mary Lou Mueller and Deputy Clerk Connie Mueller on Monday 12/19 (without an appointment). Is there a way you could find out if both are working Monday without raising any suspicions? Also, Judge Koschnick called me today for an update and I advised him of these planned interviews. Thank you.















Thank you sir. Yes, I should be able to do that. It may be later today or in the morning. I am out of town at a Judicial conference.

4:05 PM

4:06 PM

Ok. I agree. Tomorrow would be fine. Thank you, Judge.

Fri, Dec 16, 7:40 AM

Monday and for the next two weeks one or the other is scheduled out. The only day both are scheduled in is Thursday December 22.

Fri, Dec 16, 10:33 AM

Ok. I will advise you















Ok. I will advise you when we decide which day we will attempt these interviews. Thank you, Judge.

Thu, Dec 22, 1:03 PM

Hello, Judge. I will be attempting those interviews at 130 pm in your building.

Sun, Jan 1, 6:30 PM

good 2017 to you.
before I am back at
work this week, are you
able to tell me if these
two interviews took
place?

Mon, Jan 2, 6:52 PM















Thank you Judge, and to you as well. We did complete the two interviews.

Thu, Jan 12, 10:41 AM

Forgot to tell you, the judicial commission dismissed the charges they (whoever) made against me. Don't know who exactly brought them.

11:34 AM

OK judge. AAG Viste contacted me and wants to meet with me about the case. I believe that meeting will take place next week Tuesday afternoon.











Case Closure 16-3772/22

Report Date: 09/29/2017

Primary Information

Description: Case Closure Report
Occurrence From: 09/29/2017 00:00

Occurrence To: 09/29/2017 00:00

Reporting LEO: Culver, John R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Approved Status: Approved Approved Date: 10/24/2017

Approved By: Klabunde, David R (DCI Milwaukee Field Office / Wisconsin Department of Justice DCI)

Narrative begins on the following page.

10/30/2017 14:10:27 Page 1 of 2

On September 26, 2017, Assistant Attorney General (AAG) Michelle Viste sent an email to Special Agent (SA) John R. Culver, Jr. and Special Agent in Charge (SAIC) David R. Klabunde in which she stated, "I am just writing to confirm with you that the DLS has closed the Ozaukee Co. case as a non-prosecution. Please let me know if you have any questions."

Since there will be no further investigative activity into this matter, I respectfully request this case be closed.