



SHEBOYGAN COUNTY

Ryan O'Rourke
Sheboygan County Family Court Commissioner

WISCONSIN

February 17, 2017

The Honorable County Board of Supervisors and
County Administrator Payne
Sheboygan County Administration Building
508 New York Avenue
Sheboygan, WI 53081

Dear Supervisors and Mr. Payne:

I am pleased to present the enclosed 2016 Annual Report from the Court Commissioner's Office.

Each County is authorized to appoint Court Commissioners under Supreme Court Rule 75.02 and Sections 757.68 and 757.69 of the Wisconsin Statutes. Court Commissioners are attorneys with at least three years of experience who are appointed by the local circuit court judges for the purpose of carrying out certain delegated duties to assist the judges. My office has a large caseload comprised of small claims, criminal, divorce, paternity, juvenile, mental commitments, protective placements, guardianship, traffic, ordinance, and domestic abuse and harassment injunction cases. Most of the cases we handle involve families in crisis. We strive to offer the best service to people navigating the court process, while still being mindful of our ethical duty to remain impartial and unbiased. Providing litigants with efficient and fair access to the court system, while still maintaining procedural integrity, is a core value of our Department.

This office is proud to play a vital role in the Sheboygan County Court system. We are also proud to provide the important services we do while consistently meeting all budget targets. We look forward to continuing in 2017.

Respectfully Submitted,

Ryan O'Rourke
Court Commissioner

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**COURT COMMISSIONER'S OFFICE
2016 ANNUAL REPORT**

MISSION STATEMENT AND SUMMARY OF RESPONSIBILITIES

The Court Commissioner's Office aids the Sheboygan County Circuit Court and, thereby, the citizens of Sheboygan County by making the dispute-resolution system more efficient. Cases referred by the Circuit Court are to be dealt with quickly and fairly, whether through contested hearings or cooperatively through mediation.

The primary responsibility of the Court Commissioner's Office is to assist in the administration of the court system. This is usually done in one of three ways.

The first is to conduct preliminary matters in certain court proceedings. These include temporary order hearings in divorces; probable cause hearings in mental commitments; and bail hearings and/or initial appearances in criminal, traffic, small claims, ordinance, paternity, and juvenile court cases. In addition, I am on call 24 hours a day to authorize search warrants in criminal investigations. Assistant Court Commissioner Susan Schaubel also serves the courts by researching complex legal issues and advising the judges regarding how the law should be applied in particular situations.

In addition to preliminary matters, this office helps the circuit courts by rendering final decisions in stipulated divorces, domestic abuse and harassment injunction hearings, and most small claims cases.

The third manner in which the Court Commissioner's Office helps the courts is through mediation. Small claims disputes and child custody disputes are mediated through this office before they go to trial. If litigants are able to resolve matters through mediation, the time and expense of a trial will be avoided by not just litigants, but also the courts.

GOALS AND OBJECTIVES ACHIEVED IN 2016

The Court system has started the transition from paper files to electronic. The majority of the transition has been handled by the Clerk of Courts Office. However, our office has adjusted both internal procedures and courtroom procedures to make the transition from paper files to electronic files work. In addition, we have updated old literature and created new literature that provides information to the public on court procedure and resources. I provided presentations to both the Department Heads and the County Board on the responsibilities and role of our office in the court system and County government.

Finally, as noted below, the Department successfully operated within budget parameters. The Court Commissioner's Office also completed all assignments given to it by the Sheboygan County Circuit Courts. The caseload remained comparable to 2015 levels, with increases in some areas, but decreases in others.

The work completed includes the following:

- 255 Paternity Pre-Trial Conferences or Initial Appearances
- 185 Temporary Hearings in divorce cases
- 169 Injunction Hearings
- 78 Mental Commitment, Guardianship and/or Protective Placement Probable Cause Hearings
- 148 Stipulated Divorce Hearings
- 95 Weddings
- 228 Family Court Mediation Referrals
- 561 Referrals to the Remember the Children Program
- Initial Appearances/Bail Hearings in Criminal Cases were held on every business day that was not a County or State holiday
- Initial Appearances were held in traffic and ordinance cases every Wednesday
- Numerous search warrants were issued in criminal investigations
- Numerous research projects assigned by Circuit Court judges

BUDGET

In 2016, there was a relatively large budget surplus. The Department's total budget was \$349,508.00. The property tax levy was \$274,758.00. Overall, the Court Commissioner's Office operated under budget by \$14,564.07.

In addition, the Department met its 2017 budget target, with a property tax levy of \$281,880.00 and an overall budget of \$352,380.00.

ISSUES AND CHALLENGES AHEAD

The Department's primary concern for 2017 continues to be meeting budget goals. Budget constraints are a concern that confronts all departments. This Department will do all it can to cooperate with finding ways to control spending. However, most of our operating expenses are comprised of employee-related costs (72%) and interdepartmental charges (14%). The majority of our remaining costs are programs mandated by State law, such as mediation and parenting education in divorce cases. It will be difficult to cut any significant cost, without eliminating positions.

This Department is required by law to conduct certain hearings within specific time limits. If staffing were reduced, the ability to meet those statutory requirements, as well as to meet the needs of the public, would be severely compromised.

On a more positive note, the Court Commissioner's Office continues to get good support from the Law Committee, the County Board and County Administrator, as well as the Sheboygan County Circuit Court Judges.

In the next year, Sheboygan County will continue the transition to a paperless system and begin an e-filing system. Our office will work closely with the Clerk of Courts Office to make this change as seamless as possible when it occurs.

GOALS AND OBJECTIVES FOR 2017

In 2017, this department will continue to assist the Sheboygan County Circuit Court by completing all assigned tasks. More specific goals include the following:

- Operate within budget parameters.
- Review and update information that is provided to parties in divorce proceedings on local counseling and treatment resources.
- Work with the District Attorney's Office to implement more efficient procedures for Wednesday afternoon traffic and ordinance pleas.
- Continue to work with the Clerk of Courts Office to assist the County's transition to electronic filing.