



# SHEBOYGAN COUNTY

**Melody Lorge**  
*Clerk of Courts*

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February 6, 2020

Honorable Members of the Sheboygan County Board and County Administrator Adam Payne,

The Clerk of Courts Office was challenged in 2019 to continue to provide timely and efficient services. Despite the fact that overall case load decreased in the number of cases filed, it was challenging because of reduced staff due to another retirement. We are fortunate to have dedicated, trained staff who continue to accomplish this.

In 2019, ordinance and traffic cases saw a decrease of 1,104 citations for a total case load of 5,717. Felonies increased by 65 cases, criminal traffic matters decreased by 32 cases, misdemeanors increased by 70 cases for a total criminal case load of 2,308 cases in 2019. In total, we received filings of 13,547 cases – a net decrease of 841 over 2018. During 2019 the staff disposed of 13,463 cases. We processed 31 appeals and filed 268 liens and transcripts of judgment. We had an increase of 3 jury trials in 2019, a total of 42, and the average number of days per trial increased taking 85 days to hear them. The total jury trial cost of \$69,350 is an increase of 20% over 2018 and an average cost of \$815 per day, an increase when compared to \$800 per day last year.

The collections of fines, forfeitures and filing fees increased by \$56,997 of the \$747,750 budgeted; due to our daily collection efforts and bond forfeitures. Of the total dollars we collected, \$2,291,621 was forwarded to the State and \$39,587 was distributed to municipalities within the county. County departments were credited with \$973,252 which is a decrease of \$24,838 in county-retained revenue.

I look forward to meeting the challenges that continue to result from the County's and State's budgets while still fulfilling our responsibilities. As a department, we will continue to look for more ways to improve efficiency and reduce costs as we have done in the past. I also look forward to continuing the partnership with the County Administrator, the County Board of Supervisors and most specifically the Law Committee, in order to provide the resources our department needs to carry out our responsibilities for the courts and the community.

Respectfully submitted,

Melody Lorge

## **Mission Statement and Summary of Responsibilities**

*To effectively and efficiently facilitate the administration of justice.*

The Clerk of Circuit Courts is a public official elected every four years, whose basic duties are enumerated in Sections 59.40 and 753.30 of the Wisconsin Statutes; myriad other responsibilities are scattered throughout the Statutes. The Clerk is the administrator of the Clerk of Circuit Courts Office and carries the responsibility of budgeting and administering trial court resources, developing effective policies and procedures, and maintaining competent staff.

Statutes require the Clerk of Circuit Courts Office to maintain a record of all documents filed with the courts, schedule all matters in court, keep a record of all court proceedings and collect the various filing fees, court costs, assessments, surcharges, fines and forfeitures ordered by the court or specified by statute through all means provided for by statute.

The Clerk also provides support personnel for each of the five Circuit Courts, as well as for the Court Commissioner and all outside judges who hear cases in Sheboygan County. The staff is responsible for scheduling court appearances, taking minutes in the courtroom and preparing all notices, judgments of conviction, jail and prison papers, driver's license suspensions, juvenile placement orders and all other documentation and orders as required by statute. The Clerk is also responsible for filing and maintaining the judgment and lien docket, as well as preparing reports to many other agencies of determinations made in the courts.

Jury management is another function of the Clerk of Circuit Courts Office. The Clerk's Office is responsible for qualifying, selecting and notifying potential jurors for service to the five Circuit Courts. Annually, in excess of 5,000 questionnaires are mailed to county residents, and from the responses four different jury pools are created for each of the thirteen four-week terms of service.

## **Goals and Objectives Achieved in 2019**

Mandatory eFiling was implemented on July 5, 2017 for all case types except juvenile, probate, mental commitments, temporary restraining orders, judgments and liens. In September 2018 we added voluntary eFiling for the last case types just mentioned. As of November 2019, all case types are now mandatory eFiled. This transition continues to go smoothly and has proven to be more efficient in receiving and distribution of documents. We continue to review and streamline office procedures as needed to effectively and efficiently facilitate the administration of justice.

All attorneys are required by state statute to eFile. Self-represented litigants are not therefore we are still accepting paper documents and scanning them into the system. High volume agents filing on behalf of a business or corporation who file ten or more small claims cases per year and landlords who are an LLC are also required to eFile. The new mandatory eFiling rule does not apply to people representing themselves.

Due to another retirement in 2019 we continue to re-organize the office as a wealth of knowledge has left in the last several years. We are still training new employees and current staff learning new positions. The Clerk of Courts website was reviewed and revised.

In the Fall of last year, we were accepted by the State Debt Collection. In November, we starting implementing the use of the State Debt Collection for unpaid accounts receivables. We were told that it would take several months before we start receiving any payments. As of today, we have not received any payments.

We have met with the Sheboygan County Information Technology Director and a vendor regarding phase two of the sound system project adding the videoconferencing equipment to all courtrooms. We have seen a demonstration from the vendor regarding the videoconferencing capabilities. We were recently informed that the system we were looking at installing will be a much larger expense than anticipated. This has proven to be very challenging and we are still working on this project.

When the new phone system was implemented in April 2019, we tried for 9 months to not use a phone tree. It proved to be less efficient. Therefore, we revised and implemented a new phone tree in January 2020 and it is working more effectively.

## **Budget**

In 2019, our revenues increased by \$79,507 from the budgeted amounts the majority due to bond forfeitures, increased interpreter reimbursement and our daily collection efforts. We continue to face the challenge that our greatest expenditures outside personnel expense are for professional services, which are out of our control. The cost in 2019 to provide interpreters, psychologists, court appointed counsel and guardian's ad litem in criminal, juvenile, chapter 51's and family matters was \$672,405. This is an increase of \$115,286 from our 2018 expense. Our jury expense also saw an increase of over \$14,000 from the prior year.

Once again it was our state mandated expenses that we have no control over that hurt us the most. Our expenditures were more than \$189,842 over our budget of \$2,310,774. It is the increase of revenue that helped us, an increase of \$56,997, above our budgeted collections revenue of \$747,750. We also received a surplus of Guardian ad Litem money from the state of \$13,600. Unfortunately, the combination of the two areas resulted in \$110,335 negative change to the fund balance. We have not seen a negative change in four years. Prior to the last four years there had not been no positive change in 12 years.

The 2019 budget included the remaining amount of \$46,737 from the sound system project to add videoconferencing to the courtrooms. We have been in collaboration with the Information Technology Department and are still working on this project. A carryover of the remaining \$46,737 was approved and the project will continue in 2020. With this allocated amount of money, we will only be able to replace the current video conferencing in the B-10 courtroom as we are no longer able to maintain a maintenance contract due to age of the equipment. At this point, we plan on asking for additional funding in 2021 to complete this project.

The 2020 budget of \$2,534,376 includes our tax levy of \$1,131,835; it contains an increase in the collections revenue. We have enforced all means of collection, which has resulted in an increase of revenue in 2019. We strive to continue to meet or exceed this goal in 2020. Our greatest challenge will be our expenses for professional services, which continue to be out of our control.

Court appointed attorneys' expense will be increasing from \$70 to \$100 per hour as of January 1, 2020. With the increased property tax levy awarded us, we feel we are positioned to succeed in meeting our budget this year.

### **Issues and Challenges Ahead**

Our foremost concern in 2020 is staff allocation and training, since 2014 we have had twelve retirements. These long-term employees retired with an average of 31 years of service. While these positions have been filled, there is always a long learning curve. This is affording us the opportunity to restructure part of the office; the time it takes to train personnel has placed a strain on remaining staff.

The number of pro se litigants continues to increase, creating more and more of a demand on the Clerk of Courts office for assistance in procuring forms, answering procedural questions and guiding court users through the process of litigation. Each self-represented litigant requires more staff resources than ever before, yet this is occurring at a time when we continue to operate with less staff.

Meeting our budget will continue to be a source of concern; however, this year I believe we are positioned to succeed.

### **Goals and Objectives for 2020**

Complete phase two of the sound system project, which is adding the videoconferencing equipment in all five courtrooms. We were informed by AT&T that due to the age of our videoconferencing equipment in our B-10 courtroom, they will no longer honor a maintenance contract on this equipment. Therefore, we will also need to look at replacing this equipment. We are in collaboration with our Information Technology Department to assist with researching vendors and equipment to accommodate our needs.

A new floor mounted Kiosk will be installed to assist the public in researching of court related hearings.

Determine and implement a way for prospective jurors called to serve on a jury trial to view an informational video before the voir dire process begins.

Myself along with my Chief Deputy, plan on working together to achieve more efficiency and finding ways to improve increasing collections of our unpaid accounts. We will also continue to implement more cross training within the office. We strive for good customer service and we will continue to look for ways to improve our service.

We will continue to update our Clerk of Courts website as needed.

With these goals in mind, 2020 will be a challenging but rewarding year.

<b>2018 - 2019 STATISTICAL REVIEW</b>				
<b>NEW CASES FILED WITH THE CLERK OF CIRCUIT COURTS OFFICE</b>				
<b>CASE TYPE</b>	<b>2018</b>	<b>2019</b>	<b>Increase</b>	<b>Decrease</b>
Felony	876	941	65	
Misdemeanor	894	964	70	
Ordinance	637	474		163
Criminal Traffic	435	403		32
Traffic	6,184	5,243		941
Civil	690	686		4
Small Claims	2,807	2,835	28	
Family	520	489		31
Paternity	118	156		38
Juvenile	477	550		73
Adoption	40	39		1
<b>CLERK OF COURTS CASELOAD</b>	<b>13,678</b>	<b>12,780</b>		<b>898</b>
Probate	244	241		3
Wills Filed	225	271	46	
Guardianship	40	67	27	
Mental Commitments	201	188		13
<b>REGISTER IN PROBATE CASELOAD</b>	<b>710</b>	<b>767</b>	<b>57</b>	
<b>TOTAL CASES FILED</b>	<b>14,388</b>	<b>13,547</b>		<b>841</b>
<b>JURY TRIAL STATISTICS</b>				
	<b>2018</b>	<b>2019</b>	<b>Increase</b>	<b>Decrease</b>
JURY TRIALS	39	42	3	
JURY TRIAL DAYS	69	85	16	
PER DIEM, MEALS, MILEAGE	<b>\$55,234.08</b>	<b>\$69,350.15</b>	<b>\$14,116.07</b>	
<b>FINES, FEES, SURCHARGES &amp; ASSESSMENTS COLLECTED</b>				
<b>COUNTY/CITY/MUNICIPALITIES/STATE DISTRIBUTION</b>				
	<b>2018</b>	<b>2019</b>	<b>Increase</b>	<b>Decrease</b>
COUNTY OF SHEBOYGAN	\$998,091.08	\$973,252.84		\$24,838.24
CITY OF SHEBOYGAN	\$34,693.88	\$29,684.96		\$5,008.92
OTHER MUNICIPALITIES	\$10,055.55	\$9,902.98		\$152.57
STATE OF WISCONSIN	\$2,242,248.18	\$2,291,621.42	\$49,373.24	
<b>TOTAL DISTRIBUTED</b>	<b>\$3,285,088.69</b>	<b>\$3,304,462.20</b>	<b>\$19,373.51</b>	
<b>2018- 2019 FINANCIAL COMPARISON</b>				
<b>RECEIPTS</b>	<b>2018</b>	<b>2019</b>	<b>Increase</b>	<b>Decrease</b>
BAIL, FINES, FEES, TRUST, PROBATE	\$6,596,553.93	\$5,180,346.36		\$1,416,207.57
<b>ACCOUNTS RECEIVABLE</b>	<b>2018</b>	<b>2019</b>	<b>Increase</b>	<b>Decrease</b>
FINES AND FORFEITURES	\$10,983,353.22	\$11,428,500.44		\$445,147.22