

**State of the Judiciary Address
Chief Justice Shirley S. Abrahamson**

**1996 Judicial Conference
Lake Geneva, Wisconsin**

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Welcome to the 1996 meeting of the Wisconsin Judicial Conference. I am honored to be Chief Justice of Wisconsin and to be delivering this my first State of the Judiciary Address.

I want to thank conference chair Judge John Murphy of the Circuit Court for Sheboygan County, as well as the planning committee, the staff in the Office of Judicial Education, and PPAC (the Planning and Policy Advisory Committee), especially Court of Appeals Judge Gordon Myse, PPAC's vice-chair, for what promises to be an excellent program.

As my good friend Chief Judge Judith Kaye of the New York Court of Appeals reminds us, the State of the Judiciary rests on three pillars.

- First, the fair and efficient adjudication of disputes and administration of justice, which are the primary functions of the judicial system.
- Second, a partnership with the public, whose confidence is essential to the work of the courts.
- Third, a collaboration with our partners in government—the executive and legislative branches

of state government and the county governments— which like the judicial branch have a duty to serve the people effectively, efficiently and above all else fairly.

We are fortunate that in Wisconsin the three pillars supporting our judicial system are strong. This allows us to focus on building on our strengths. But such building cannot proceed without the participation, dedication and hard work of our judges, our entire staff and the Bar. Nor can we build on our strengths if we neglect the essential mortar of our system: openness, accessibility, and public understanding.

The judicial system must be open, seeking the advice and suggestions not only of the judges, the staff and the Bar, but also of the public. We must invite and encourage the participation of all. The judicial system must be user-friendly and accessible to those who need it. And the judges and staff must strive for public understanding of the judicial system.

Let me report to you on the status of the pillars and mortar of our system. I hope that what you hear will make you proud of what we have accomplished and at the same time inspire your continuing dedication to our common mission.

I.

Fair and Efficient Adjudication and Administration of Justice

Courts are crucial to the peaceful functioning of our democracy. In this country, people who need protection and relief turn to the courts rather than taking to the streets. They do this because our courts are known to be impartial, independent tribunals where cases are decided according to the law, not according to whim, prejudice or the latest opinion poll.

We judges shape the law with each decision we make. The court staff supports us in our decision-making function and carries out the administrative tasks essential to the smooth functioning and continued development of our justice system.

All of us, judges and staff, must never forget that the decisions we make and the work we do touch the lives of real individuals, families and businesses. We must be ever vigilant in our efforts. We bear an awesome responsibility.

Fair and efficient adjudication depends in large part on the quality of our judges. Throughout my 20 years on the bench I have been impressed with the high quality of Wisconsin's judiciary.

It is a tradition at the Judicial Conference to take notice of the changes that have occurred within our judicial family.

We note with sadness the passing of four judges who served Wisconsin with distinction:

John Bolgert - Sheboygan County

Earl (Bucky) Morton - Kenosha County

Patrick Rude - Rock County

W. Patrick Donlin - Court of Appeals, District III

While we express sadness at losing colleagues, there is joy in welcoming new colleagues. We extend a warm welcome to new members of the bench:

At the Supreme Court, we welcome N. Patrick Crooks of Green Bay. He is known to you all as a former Brown County Circuit Judge. I speak for all the justices when I say he is a wonderful addition to the Supreme Court, adding strength to all three pillars of the court system.

At the Court of Appeals, the first district welcomes Patricia Curley, who served with distinction for 18 years as a Milwaukee County Circuit Judge.

The fourth district welcomes two new members to whom I administered the oath this summer: Judge David Deininger, former Green County Circuit Judge and the Parliamentarian at our business meeting, who joined the court by gubernatorial appointment; and Attorney Patience Roggensack, a long-time Madison friend, who was elected to the Court of Appeals in April. They add circuit court and appellate practice experience to the fourth district.

Five circuit court judges were elected in April 1996:

Charles Constantine - Racine County

Robert Crawford - Milwaukee County

Dale E. English - Fond du Lac County

Patrick Haughney - Waukesha County

Daniel A. Noonan - Milwaukee County

Nine circuit court judges were appointed since our last judicial conference:

James Beer - Green County

M. Joseph Donald - Milwaukee County

Claire Fiorenza - Milwaukee County

William Griesbach - Brown County

J.D. McKay - Brown County

John Roethe - Rock County

Richard Sankovitz - Milwaukee County

Wilbur W. Warren, III - Kenosha County

Richard Werner - Rock County

The Supreme Court justices had breakfast with the new circuit judges this morning. I hope this greeting to our new judges will become a tradition.

This past August I met many of the new circuit judges at the Judicial College. Besides participating actively in the educational programs, they also wrote and acted in a skit. I said then, and I repeat now, the judges' class of 1996 has excellent legal and judicial skills—and they are fun to be with.

To the new judges I say, on behalf of all of us, "Welcome. May your judicial careers be rewarding, both to you and the people of Wisconsin whom we all serve."

There are more than enough cases to keep us all busy. The 1995 statistics for case filings and disposition in the circuit court, court of appeals and Supreme Court are available to you on the table in the lobby.

I will not bore you today with reading statistics. I prefer to speak about judicial system initiatives aimed at ensuring the fair and efficient operation of our courts. Several such initiatives aimed directly at maintaining the high quality of the Wisconsin judiciary are worthy of note.

1. Code of Judicial Ethics

One of the most important matters the Supreme Court acted on during the past term was the comprehensive revision of the Code of Judicial Ethics. Clear standards of judicial conduct are of great concern to both judges and the public.

As Chief Justice Roland Day promised you last year, the court spent a great deal of time reexamining the report of its Code of Judicial Ethics Review Committee, which the court declined to adopt when it was filed five years ago. The revised Code becomes effective January 1, 1997. A copy of it was sent to each of you. We have invited your comments, as well as the comments of others, to be filed by November 1, 1996, so that the court can take any necessary remedial action prior to the January 1, 1997, effective date. We welcome your contribution.

Two other matters concerning the new Code of Judicial Ethics deserve mention. First, the new Code does not revise

the current Code's provisions concerning the political and campaign activity of judges and candidates for judicial office. A committee composed of judges, lawyers and public members will examine the important ethical and practical issues applicable to an elective, nonpartisan judiciary and submit a proposal for ethical rules addressing those issues. The court will solicit comments from judges and the public on the committee's proposal and will hold a public hearing in the matter.

Second, the court intends to establish a Judicial Ethics Advisory Committee to advise judges who seek guidance on the propriety of contemplated conduct. I expect that the Advisory Committee will be in place soon after the new Code goes into effect.

2. A Judicial Exchange Program

Beginning in November of this year, a pilot program to exchange judges between the circuit court and court of appeals will be tested in north central Wisconsin. The Judicial Exchange Program will allow appellate judges to sit on the trial bench and circuit judges to sit on the court of appeals. Each exchange will last for a number of days, depending upon the type of cases assigned. The pilot will involve the third district of the court of appeals and the ninth judicial administrative district of the circuit courts.

The federal courts and some state courts are now employing a judicial exchange program. Federal judges who have participated have found the exchanges both rewarding and humbling. When U.S. Supreme Court Chief Justice William H. Rehnquist presided over a civil rights trial in Richmond, Virginia—marking the first time in this century that a U.S. Supreme Court justice had presided over a trial—he was overturned on appeal. Judge Richard Posner of the U.S. Court of Appeals volunteered to preside over a case involving copyright infringements and he, too, found his ruling reversed.

We have been talking about judicial exchange in Wisconsin for a long time. Judges from both the appellate and circuit courts in the pilot area are enthusiastic; they believe the program will give both the circuit and appellate judges an improved awareness of the issues faced by their colleagues. This program cannot help but improve both the quality of our judiciary and the quality of justice for the people of Wisconsin.

3. Judicial Programs Abroad

I have been in communication with several federal agencies, the National Center for State Courts, the American Bar Association's Central and East European Law Initiative (CEELI), and others, to facilitate the participation of Wisconsin judges in educational and technical programs abroad.

For example, the judges of the former Soviet states have been looking to the structure and operations of courts in other countries, including the U.S., as theoretical and practical models of judicial independence and separation of powers.

As a result of our contacts, Judge Moria Krueger of Dane County last month participated in a program sponsored by the Lithuanian Court of Appeal and the Lithuanian Human Rights Center. While I am sure Judge Krueger contributed immensely to the Lithuanian program, the trip was also a significant educational experience for her.

In a review of her experience, Judge Krueger wrote, "I learned more during my five intense days than I have ever learned in [any] comparable period of time. . . . Much of what I was learning made me challenge assumptions which before I had thought of as immutable truths. . . . That process is still going on."

About half of the judges in the state have expressed interest in participating in programs abroad, and I hope all of you will be given a chance. Although I cannot predict when or where other opportunities will present themselves, I shall continue working on this program and I welcome any suggestions you may have.

4. Student Assistance to Judges

As our court statistics indicate, Wisconsin judges carry a heavy workload. We are in the midst of implementing two programs through which law students may provide judges with some much-needed relief. At the same time we judges can help educate the future lawyers of this state.

Notices will soon go out to all law schools in the country offering law students an opportunity to gain valuable experience by working this summer as volunteer interns in the chambers of circuit and court of appeals judges throughout the state. We will soon survey the judges to determine your interest in this program. Again, no guarantees. I cannot assure a student volunteer for every judge, but we will make as many matches as we can. Kathleen Murphy, Director of Court Operations, will manage this program.

The more high-tech sounding "cyber-intern" program will function somewhat differently. We are exploring, with State Law Librarian Marcia Koslov in the lead, a program to establish long-distance research relationships between judges and law students, first at the University of Wisconsin and then at Marquette. Students working for law school credit would conduct research and assist with document drafting, forwarding the results to judges electronically. Again, this program would provide assistance to judges, especially those working far from the law

schools, and would enhance the clinical education of law students.

5. Personal Involvement in Judicial Administration

I encourage all of you to become involved in the administrative aspects of the court system. I have a personal commitment to an open system encouraging input from all judges and staff. The courts and the public need your interest and participation.

I have sent to each judge a form on which to express interest in being appointed to one or more of the boards, commissions and committees to which the court and I appoint members. The court and I welcome your interest in the work of the court's boards and committees, and in other aspects of court administration. We invite you to participate actively in this work. Indeed, we plan to compile and distribute a "Catalog of Good Ideas," and to highlight selected ideas in each issue of the *Third Branch*, the court's quarterly newsletter. Your ideas will greatly facilitate the task of improving the administration of justice in Wisconsin.

Our judicial system does not rest on judges and decisions alone. We need an administrative staff both to assist us in the decision-making process and to implement the many programs that maintain and improve the functioning of our courts.

During my time on the bench, I have found that along with our judges, Wisconsin's administrative staff, whether based in Madison or elsewhere in the state, are top drawer. I look forward to working with the staff in new ways as Chief Justice. Here are just a few of the initiatives they are involved with.

1. Implementation of New Juvenile Code

This year a great deal of time and energy went into preparations for implementation of the new juvenile codes, Chs. 48 and 938. The Director of State Courts office and the Records Management Committee, composed of judges, district court administrators, clerks of court and other staff, took the brunt of the work.

I'm told that the members of the Forms Subcommittee spent up to 200 hours each to ensure that the materials would be ready for distribution before the July 1 effective date. The dedication of these tireless workers is worthy of special note and thanks.

Judge Allan Deehr, who has led the Records Management Committee since its inception in 1984, has just stepped down as chair. He deserves our thanks and a rest!

2. CHIPS Project; Wisconsin Families, Children and Justice

In 1995 the Wisconsin Supreme Court became eligible for funding under the federal Court Improvement Program to assess the effectiveness, timeliness and quality of Children

in Need of Protection or Services (CHIPS) proceedings in this state. The funding offers Wisconsin the opportunity to respond sensitively and innovatively to CHIPS cases.

The first phase is a statewide assessment of the strengths and weakness of our handling of CHIPS cases and is now nearing completion. Preliminary results of the assessment demonstrate that CHIPS cases must be viewed in the context of the entire family dynamic and the ways in which a family's other problems are being handled in the courts and in other governmental agencies.

Solutions must therefore be developed that take into account the needs and expectations of all the actors in the system—the judiciary, social workers, guardians ad litem, district attorneys, corporation counsel, and attorneys for parents and foster parents. Court Improvement Program funds will allow us, over the next four years, to build on the strengths and overcome the weaknesses uncovered by the assessment.

Resolving family problems and assisting families in crisis are among the most important functions of the court system, and we must ensure that services to the families involved in court proceedings are adequate.

Therefore in connection with the CHIPS project, we are also exploring a comprehensive state-wide effort called Wisconsin Families, Children and Justice to consider a range of issues affecting families and children in court. A planning meeting, organized with the help of Judge Gerald

Ptacek of the Racine County Circuit Court, has been scheduled for November 15. It will consider a statewide conference to develop a coordinated short- and long-range approach to family law issues.

As an outcome of this statewide conference we envision a series of conferences, manuals, pilot programs, training and other action programs including all the actors in the system and focused on families and children in the Wisconsin courts and the nature of the problems courts face in serving them adequately.

3. Juror Use and Management Standards

The American Bar Association's Standards Relating to Juror Use and Management are scheduled for implementation on July 1, 1997. The overall goal of these standards is to ensure an effective jury system, one which provides the courts with the jurors necessary to resolve disputes, without causing those summoned to suffer undue hardship or inconvenience.

Under the new standards a person's availability for jury service will be reduced from six months to 31 days and actual service will be limited to five days, except when a particular case requires more time for completion. Judge Barland will make a presentation on the new standards at Thursday's business meeting, and leaders in this project will be recognized Thursday evening.

4. Security/Security Training Conference

We have been working towards providing a safe and secure environment in the courthouse for the public and for judges and court staff. In 1995 the court adopted the Security and Facilities Rule (SCR 70.39). Sixty-nine of the 72 counties have reported their level of compliance with the stated standards. During the second reporting period 52% of the counties identified areas of progress made in the first six months of 1996.

In response to a need for security training for courthouse staff, the court system—with Steve Steadman as point person—is leading an effort to provide training to county teams. A conference that will address developing cost-effective solutions to security needs is planned.

5. IT Strategic Plan

Acknowledging the increasing importance of technology in the work of the courts, the judicial branch has established and is committed to implementing an Information Technology Strategic Plan. The plan will assist the court system in understanding the role information technology will play in the future of the court system and help us get from here to there. All Supreme Court department heads under Denis Moran's supervision put in long hours on this project with John Voelker pulling it all together.

6. Alternative Dispute Resolution

In 1993 the court adopted a rule for court-annexed alternative dispute resolution. The court's rule included a review of its operation after three years' experience. In 1994 the Executive Committee of the Judicial Conference appointed a committee to learn the experiences and results of other states implementing mediation systems and to recommend standards for the training and certification of mediators. You will hear from the committee in Judge Haase's report tomorrow.

I have named some of the court staff members who have played key roles in the initiatives I have described. I want to pause here to remind you that many unnamed staff have made equally important contributions. To all of them, too numerous to mention, our heartfelt thanks.

II.

Partnership with the Public

I turn now to the second pillar, our partnership with the public. This year, to check on the health of that partnership, we administered a consumer survey to randomly selected individuals from 10 counties who participated in civil, family, small claims and traffic cases. Our response rate was nearly 40%.

The preliminary results of our survey are in and it appears that we are doing a good job; in general the public approves of the way things are handled in our courts.

Although we should take this opportunity to congratulate ourselves about this customer satisfaction, we should not become complacent. There's room for improvement.

We will be exploring the survey results more thoroughly and using them to identify areas where we can be more responsive. We know that making the courts user-friendly and accessible to the people begins with an acknowledgment that the litigants and the bar are consumers of our services; it is necessary for judges and staff to look at our roles from the perspective of those who appear before us, and of the entire community we serve. Their views do not dictate how we rule, nor would that be desirable. But their impressions of the system of justice are all important—whether they are treated fairly and with respect; whether their claims are promptly and efficiently resolved according to the law;

whether, in short, our courts are seen as this society's chosen forum for resolving disputes and achieving justice.

Most judges and lawyers today recognize that true openness in the judicial system requires the active participation of the public in the work of the courts, not merely a courtroom open to the public. One of the goals of the Wisconsin Supreme Court is to foster court-community collaboration, to create a true partnership for justice. This partnership has two facets:

- Outreach—the judiciary working with citizens to help them become better informed about the work of the courts, and
- Input—direct public involvement in the work of the justice system.

Examples of outreach include the following:

1. Court with Class

In cooperation with the State Bar, high school students from every public and private school in the state have been invited to come watch a Supreme Court oral argument and meet with a justice over the noon hour. Response has been overwhelming, and we are now booking classes into 1998.

Perhaps circuit judges and the court of appeals should consider adopting court with class programs.

2. Justice on Wheels

Next week, the Supreme Court will hit the road again, this time to Milwaukee. We are expecting 1500 people to turn out to watch oral arguments. In conjunction with the trip, local judges and attorneys have gone out to schools ahead of time to prepare the students. We also conducted an essay contest for fifth graders. Finally, we sponsored a "Day in the Life" program for eighth graders.

In the latter program, eighth graders from 32 Milwaukee schools were matched with court employees in the Milwaukee County Courthouse and given notebooks and cameras to record their experiences. Their essays and pictures reveal that they learned a great deal in one day. One student wrote, "The real trial was nothing like the movies. The people on the witness stand would not break down in tears and confess everything." Another wrote, "I realized that whether it is unpaid bills or selling drugs, these problems matter. That is the true meaning of the judicial system." The Supreme Court will be meeting with these students and their teachers when we are in Milwaukee.

3. Localized Court Visitors' Guides

In cooperation with the State Bar, we have extended to every courthouse in the state the opportunity to have a visitors' guide to the county courthouse designed and typeset at no cost to them. The State Bar and the Court Information Officer provide editing, layout and design and

return the camera-ready copy to the local committee for printing.

Jackson County, thanks to Chief Judge Radcliffe and Clerk of Court Claudia Singleton, has already taken advantage of this program and now has a guide complete with a courthouse map, phone numbers, historical information, and information on the state and federal court systems. The whole thing cost them about \$270. Other counties in Wisconsin as well as other state court systems have expressed interest in this program.

We are also working with the state and local bar associations, the circuit judges and the district court administrators to arrange a formal open house in each county courthouse on Law Day, May 1, 1997.

4. Brown County Information Resource Center

In a pilot project aimed at helping people gain equal access to justice, the State Bar has funded the development of an information center within the Brown County Courthouse. Special thanks to Judge Dilweg and all of the Brown County judges for their cooperation in this effort.

Courthouses and court proceedings are bewildering and intimidating to the uninitiated. As the number of poor people with legal problems continues to grow and as more people resort to pro se litigation, we must try harder to help people gain access to the courthouse and help them understand some of the legal proceedings they may encounter.

The Brown County Project is an attempt to help people gain access.

We believe that many components of this pilot project will be directly transferable to other communities. Plans are underway to fold some components of the Brown County pilot project into the Milwaukee Legal Resource Center Project, which I shall discuss later.

5. Speakers Bureau

The Speakers Bureau continues to be very active, setting up speeches for judges around the state. Amanda Todd, the Court Information Officer, has been coordinating this program, and the other public information activities I'm talking about today.

6. Media Coordinator Training

For the first time since the camera rule went into effect 17 years ago, we are offering a training session for media coordinators to help them do a better job for the public and the circuit judges. Developed in cooperation with the State Bar's Media-Law Relations Committee, the training is being held in conjunction with this conference.

During the upcoming year we are also planning, in cooperation with the Society of Professional Journalists and others, to launch educational efforts to help journalists learn more about covering the courts and to help us learn about the work of journalists.

7. Electronic Bulletin Board and Interactive Media

The Wisconsin Supreme Court recognizes the importance of embracing new technologies to reach out to the community. Today's new communications tools are especially valuable to the courts because they allow them to speak directly with the public.

In this regard an on-line bulletin board to enhance access to the calendar and opinions of both the Supreme Court and Court of Appeals has been established with Marilyn Graves' help. This information is accessible to anyone with a computer and a modem. Until the court system is able to upgrade computer systems to support a home page on the World Wide Web, items such as the *Third Branch* and a synopsis of upcoming Supreme Court cases are being provided through the State Bar Association's web site.

8. Public Access to Legal Research On-line

We are working toward public access to on-line legal research. The Wisconsin State Law Library has applied for a grant to install public terminals with access to the Internet both in the State Law Library and the Milwaukee Legal Resource Center (described below). Library staff are also active in training judges and lawyers in on-line research, and have conducted seminars for public librarians seeking a better understanding of legal materials.

The Wisconsin court system's efforts to build public understanding of the courts provide a foundation for direct citizen involvement in the justice system. Examples of how the judicial system is fostering public involvement—public input—include the survey I discussed before and appointment of public members to court boards and commissions. A new initiative by the Supreme Court is our Volunteers in the Courts program.

Last winter three workshops introduced the judiciary, the bar, court staff and community groups to the idea of increasing the use of citizen volunteers in the courts. From the workshops came several important findings about Wisconsin's courts:

- Resources may exist outside the court system for the development of court volunteer programs and for the recruitment, training and management of court volunteers. Indeed, we are now working with the AARP on a guardianship monitoring program.
- A number of courts in Wisconsin are already running successful programs with volunteers. These include programs such as small claims mediation in Eau Claire and Winnebago Counties, Volunteers in Probation, and Milwaukee's Child Advocacy Monitoring Program (CHAMPS).
- Several counties are ready and willing to serve as sites for a pilot program using volunteers in the

courts. Waukesha, Dane, Eau Claire and Sauk counties will serve as pilot counties for the AARP guardianship monitoring program I just mentioned.

Following the workshops on volunteers, we established a multidisciplinary coordinating committee to foster court volunteer programs. The committee's first task was to determine what kinds of programs are already operating on the local level. The survey data has been collected and the results are being analyzed.

By nurturing and expanding existing court volunteer programs and establishing new ones, the courts can forge a relationship with the community based on mutual understanding and trust. These programs can enable the courts to satisfy currently unmet needs and will result in establishing a stronger relationship between the courts and the communities they serve.

The late Justice Thurgood Marshall's words 15 years ago ring true today: "We must never forget that the only real source of power that we as judges can tap is the respect of the people."

III.

Collaboration with the Legislative and Executive Branches

I turn now to the third pillar, collaboration with our *Intro*
partners in government. While divided into three branches,
separate and independent each from the other, the three
branches of our state government have a common goal—to
serve the public. All too often the legislative, executive
and judicial branches go their separate ways, each having to
live with the sometimes burdensome consequences of the
other's actions. All too often the branches do not make much
of an effort to understand the others' unique yet
complementary roles in our scheme of government or their
respective obligations and institutional limitations.

The three branches must learn to communicate with and
understand each other better. Although separate and
independent, they must find ways to work together to the end
of serving the people of Wisconsin.

In Wisconsin we are finding new opportunities for
better communication, cooperation and collaboration with our
partners in the legislative and executive branches of state
government and also with our partners in county and local
government. A few examples follow:

1. Milwaukee Legal Resource Center

The Milwaukee Legal Resource Center (MLRC) is an
exciting new collaboration with a county government. The

3. Commission on Judiciary as a Co-Equal Branch

Created by the State Bar of Wisconsin, the Commission with co-chairs David Saichek and Justice Jon Wilcox, has brought together members of the legislative, judicial and executive branches, lawyers, and the public to discuss issues relating to the courts. The commission's report is due this Spring. I hope it will have suggestions for innovative programs for court collaboration with our citizen and government partners as well as with the Bar.

4. CCAP/BJIS Partnership

A unique partnership in computerization has been forged between the judicial and executive branches of government. CCAP, our Circuit Court Automation Program, has agreed to assist the Department of Administration's Bureau of Justice Information Systems (BJIS) in the delivery of the first phase of the District Attorney information technology project. The Bureau of Justice Information Systems is relying upon CCAP's recognized expertise in automated systems implementation and support. The arrangement will be fully funded by the Bureau; CCAP will provide initial implementation and support services. Once BJIS is sufficiently staffed and prepared, CCAP will return the project to the Bureau.

5. Three-Branch Discussion Group

The Bureau of Justice Information Systems partnership I have just described is an outgrowth of an informal discussion group Chief Justice Day, Senator Huelsman and I organized last year. Several judges from around the state, legislators from both parties, and high-level members of the executive branch meet quarterly to learn more about our respective governmental operations and to discuss subjects of mutual interest.

A request from the executive and legislative members of this discussion group that the judges arrange a CCAP demonstration took us all to the Dodge County Courthouse. The Dodge County circuit judges and court staff and our Madison CCAP staff, led by Rick Godfrey, put on a marvelous demonstration of CCAP and the use of computers.

In the spirit of establishing a cooperative and mutually beneficial relationship between the judicial, legislative and executive branches, I relayed to the legislative and executive members of the discussion group the Court's offer to assist the other branches with our computer expertise to the extent that our resources allowed. The Department of Administration took us up on our offer.

We hope that this informal discussion group and the computer partnership with the Bureau of Justice Information Systems are the beginnings of an increasingly productive relationship with the executive and legislative branches,

and we look forward to more joint ventures in areas of mutual interest for the public good.

6. The Biennial Budget

Rick Chandler, Director of the State Budget Office in the Department of Administration, is a member of our discussion group and attended the CCAP presentation. In November the group will meet at Mr. Chandler's office for a presentation on the operations of his office.

As you all know, we have just submitted our 1997-99 biennial budget to the executive branch. As the budget was being developed, the court solicited suggestions from the judges of the state and from PPAC. Those responses were important in completing the final budget request. When we prepare the next budget, we will again ask you all for your comments.

Since all of you have received a summary of the budget from the Director of State Courts' Office, I will not review our budget at this time. I will just point out what you know only too well—the bottom line is that the courts must be adequately funded.

The legislature has the power to tax and spend but it also has the responsibility to ensure that the courts have sufficient funding to operate effectively and to serve the people. The legislature should, in exercise of its independent judgment, give deference to the requests of the judiciary, a co-equal branch of government, just as the

judiciary, in its adjudicative functions, gives the legislative branch deference.

Several budget areas are of the utmost concern:

1. Funding for Court Technology

Funding looms as one of the most pressing issues facing the judicial branch in our efforts to provide automated solutions for the data-management needs of the courts. With more than \$16 million in equipment and software installed throughout the court system, the need to maintain, upgrade and replace aging equipment places an ever-increasing burden on current court automation budgets. Often we are forced to choose between maintaining existing infrastructure and pursuing new initiatives. If current funding levels continue, we will soon be unable even to run in place.

As we enter the biennial budget process, the court and I will press for sufficient funding to permit the courts to both maintain our existing automated infrastructure and pursue the new electronic initiatives necessary to sustain and enhance our effectiveness in the future.

2. The Judicial Council

Although not part of our budget the court system is concerned about the continued vitality of the Judicial Council. Since 1951 the Council, composed of judges, lawyers, legislators, law faculty, the state public defender, the attorney general and two citizens appointed by

the governor, has conducted studies, has drafted proposed rules and bills, advised the court in its rule-making function regulating pleading, practice and procedure, and made recommendations to the legislature about the business of the courts. The Supreme Court has unanimously urged Secretary Klauser to support funding for the Council. I hope you will join us in this effort, so that the Council may continue to perform its vital function.

3. Funding for Judges and Judicial Staff

Once again we are seeking funds for law clerks for the circuit judges. We are also seeking statutory changes to increase reserve judge salaries.

Not part of the budget bill but of financial impact are new judgeships and compensation. The legislature must provide judgeships and staff as needs dictate, as well as judicial compensation sufficient to attract and reward quality and to assure parity with other state-paid legal professionals. The results of our new weighted caseload study will bolster our efforts to secure additional judgeships. We will renew our efforts to secure additional judgeships and appropriate compensation in the coming legislative session.

Conclusion

Challenges and opportunities lie ahead. We judges recognize that we are only one part of a system of justice that includes thousands of men and women who work in law enforcement and corrections, in social services, in court administration and as attorneys. All of us carry the responsibility to maintain public safety and order, to protect the rights of the many and the few, and to apply the law fairly and promptly.

I know that this state's outstanding judges and court personnel are equal to the task of assuring justice to the people of the Wisconsin. We shall continue to seek the support and help of the public and our governmental partners.

I look forward to working with you all in the years ahead. I'm in the book. Give me a call. I need and welcome your help.