



# SHEBOYGAN COUNTY

**Ryan O'Rourke**  
*Sheboygan County Family Court Commissioner*

February 17, 2016

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

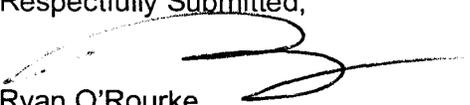
Dear Supervisors and Mr. Payne:

I am pleased to present the enclosed 2015 Annual Report from the Court Commissioner's Office. A number of faces have changed in our Department, but the standards set by Commissioner Persick remain.

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 case load comprised of small claims, criminal, divorce, paternity, juvenile, mental commitments, protective placements, guardianship, traffic, ordinance, 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 2016.

Respectfully Submitted,

  
Ryan O'Rourke  
Court Commissioner

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**COURT COMMISSIONER'S OFFICE  
2015 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 2015**

This office experienced significant turnover during the second half of 2015. Commissioner Persick was elected as Circuit Court Judge for Branch 4, and I replaced her in August. In addition, one paralegal retired and another left for employment closer to home. We are now back to a full staff and managed to navigate the second half of the year without any major disruption to the services our office provides the public and the court system. I want to thank our former paralegal Jill May for going above and beyond to assist during the transition period, Assistant Court Commissioner Schaubel for taking on extra responsibility, and finally our new paralegal, Dayna Mulder, who has done a fantastic job stepping into her new role.

I have continued to serve on the Pre-Trial Risk Assessment Committee. The committee is aimed at refining ways to reduce the number of incarcerated individuals prior to conviction while simultaneously enhancing community safety and reducing the costs associated with incarceration. The programs developed by the committee have created a valuable set of options available to this office, to achieve the above goals, when making bond decisions in criminal cases.

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 case load remained comparable to 2014 levels with increases in some areas, but decreases in others. The work completed includes the following:

- 300 Paternity Pre-Trial Conferences or Initial Appearances
- 161 Temporary Hearings in divorce cases
- 194 Injunction Hearings
- 72 Mental Commitment, Guardianship and/or Protective Placement Probable Cause Hearings
- 147 Stipulated Divorce Hearings
- 132 Weddings
- 207 Family Court Mediation Referrals
- 502 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 2015, there was a relatively large budget surplus. The surplus was largely due to changes in compensation due to new staff, and savings accrued due to the paralegal position being vacant for a time. The Department's total budget was \$343,834.00. The property tax levy for 2015 was \$268,016. Overall, the Court Commissioner's Office operated under budget by \$13,189.94. In addition, the department met its 2016 budget target, with a property tax levy of \$273,102 and an overall budget of \$347,852.

#### **ISSUES AND CHALLENGES AHEAD**

The department's primary concern for 2015 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 near future, Wisconsin courts will be moving forward with 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 2016**

In 2016 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.
- Add information about the family court mediation process, as well as an application for mediation services, to the County website.
- Create a more professional look with regard to signs that convey information to the public.
- Review office hardware, files, and miscellaneous equipment with an eye toward repurposing, donating to other departments, or disposing of unnecessary or outdated items.

Respectfully Submitted,

Ryan O'Rourke  
Court Commissioner