



WISCONSIN

# SHEBOYGAN COUNTY

**Ryan O'Rourke**  
*Court Commissioner*

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March 1, 2024

Honorable Members of the Sheboygan County Board and County Administrator Alayne Krause,

I am pleased to present the 2023 Annual Report from the Court Commissioner's Department.

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 delegated duties to assist the circuit court judges.

Our Department 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 adhering to our primary mandate to be 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 Department 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 2024.

Respectfully Submitted,

Ryan O'Rourke  
Court Commissioner

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

*The Court Commissioner's Department 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 Department 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 to preliminary matters, this department 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 Department helps the courts is through mediation. Small claims disputes and child custody disputes are mediated through this department 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 litigants and the courts. In addition, the Court Commissioner is on call 24 hours a day to authorize search warrants in criminal investigations. The Assistant Court Commissioner also serves the courts by researching complex legal issues and advising the judges regarding how the law should be applied in particular situations.

## **Goals and Objectives Achieved in 2023**

The Department's caseload was similar to 2022. The work completed includes the following:

- 346 Paternity Pre-Trial Conferences or Initial Appearances
- 110 Temporary Order Hearings in divorce and paternity cases
- 203 Injunction Hearings
- 101 Mental Commitment, Guardianship and/or Protective Placement Probable Cause Hearings
- 199 Stipulated Divorce Hearings
- 125 Weddings
- 141 Family Court Mediation Referrals
  - 41 reached mediation agreements
  - 43 terminated due to impasse
  - 32 terminated for failure to attend or continue in mediation
  - 8 unnecessary due to stipulation filed with court, withdrawal of request, or finding that mediation is inappropriate because of history of domestic violence
- 451 Children in Between program participants
- 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

In 2023, the Court Commissioner’s Department expanded the mediator program to include attorneys. This increased the number of contracted mediators to four.

Additionally, the Department took over administrative duties related to the scheduling of small claims cases from the Clerk of Courts Department. This resulted in a significant improvement in scheduling and handling small claims cases in a timely manner. Our paralegal deserves recognition for taking on these additional responsibilities and making significant improvements over prior practice.

### **Budget**

	<b>2023 Budget</b>	<b>2023 Results</b>	<b>Variance</b>
<b>Revenues</b>	\$363,332	\$369,546	\$6,214
<b>Expenses</b>	\$363,332	\$356,198	\$7,134
<b>Total</b>	\$0	\$13,348	\$13,348

In 2023, the total budget was \$363,332, and the property tax levy was \$317,758. We ended 2023 \$13,348 under our budget.

The overall Department budget for 2024 is \$375,252, with \$328,660 in property tax levy.

### **Issues and Challenges Ahead**

Our Department’s primary concern for 2024 continues to be meeting budget goals. We will do all we can to find ways to control spending. However, most of our operating expenses are comprised of employee-related costs (76%) and interdepartmental charges (13%). 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 costs, without eliminating positions. The Court Commissioner’s 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.

### **Goals and Objectives for 2024**

In 2024, the Department will continue to assist the Sheboygan County Circuit Courts by completing all assigned tasks. More specific goals include the following:

- Operate within budget parameters.
- Continue to maximize available courtroom time to ensure all cases are heard in a timely manner.
- Continue to utilize available technology to find improvements for general court operations and the quality of court proceedings.
- Implement new procedures for hearings on Juveniles in Need of Protection or Services cases.
- Cooperate with the Sheriff’s Department to ensure a smooth transition for court security during upcoming personnel changes.