

Sauk County, Wisconsin
REGISTER IN PROBATE / JUVENILE CLERK OF COURT ANNUAL REPORT

2018 Highlights: Change was the key word for 2018. To prepare for additional e-Filing in all case types the department initiated paperless filing for all additional case types as of January 2nd. As a department that historically maintained all files from seven to seventy-five years per statutory retention the process was some-what daunting at first, however, after several months we, legal firms, and court personnel became accustomed to the new processes.

In March we transitioned to mandatory e-Filing of all Probate cases filed by counsel. Having initiated voluntary e-Filing in June of 2017 the mandatory transition went extremely well. As with a change of this magnitude there were intermittent challenges, but with the flexibility of law firms/staff and the expertise of CCAP these were resolved with minimal difficulty.

The department initiated voluntary e-Filing of JG, GN, JM, ME cases in April. With prior experience in voluntary conversions in advance of mandatory dates this proved beneficial as all involved had the opportunity for trial and error. By the mandatory conversion in September all parties were generally familiar with the process.

In relatively rapid succession we then moved to the final stage of conversion by initiating voluntary e-Filing of AD, TP, JC, and JV case types in mid-December. Juvenile case types were delayed until the final stage due to the complexity of the cases and the need to integrate other systems into the process. For our department this posed the most challenging, due mainly to resistance from staff within the Department of Human Services. Issues relative to access by staff to the court record, party entry on cases, determination of parties eligible to file documents were among a number of concerns identified by staff. There was no procedural change from “paper” filing as these limitations were in place at that time. Requests were made to the Juvenile Clerk for copies of documents. Sauk County administration, Human Services management, Judges, Corporation Counsel, the District Court Administrator, and CCAP personnel provided input and support to assist in the resolution of identified issues. Mandatory conversion of these case types is slated for March 4, 2019.

In September, 2018 the Clerk of Court and Register in Probate / Juvenile Clerk of Court initiated informal discussions in regard to the feasibility of developing a closure working partnership in order to meet the expanding needs of Probate/Juvenile Clerk of Courts. Discussion with the Administrative Coordinator initiated the suggestions of an agreement between the two departments which would provide for the two departments to maintain their autonomy and specific functions while providing an agreement to allow for a defined association enabling a closer working partnership – regarding financials, in-court processing, and customer service. As a component of the agreement the Probate office would relocate to the second floor of the courthouse in a space currently occupied by the Clerk of Court. This would allow for the existing Probate office space to be converted to a jury gathering / meeting / and temporary

office space for mobile staff. It would provide greater security for the Probate office – currently having open access to the public - and access to additional support staff for Probate. The support services will allow the Register in Probate / Juvenile Clerk to have greater flexibility in scheduling appointments and managing supervisory responsibilities. Discussions followed with Administration, Personnel, MIS, and Building Services to determine the feasibility and logistics of this relocation. In November an agreement was drafted. The two departments then initiated the process of purging and organizing files. Probate files dated 1857 to 1943 are set to be transferred to the Wisconsin State Historical Society where they will be scanned and retained for historical and genealogical purposes. Those files not attaining the required 75- year retention date will be maintained in a designated storage area on the third floor of the historic courthouse. No identified date has been established for the move, however, it is anticipated that the move will occur within the first quarter of 2019.

OBJECTIVE	Was this objective reached in 2018?
	<i>Yes or No (If No, please provide comment)</i>
Purge JM-ME-JG-GN case files in accordance with Wisconsin retention schedule. Departmental staff and legal counsel / staff trained in electronic filing protocols thus eliminating paper files for all case types within the Register in Probate / Juvenile Clerk of Court department.	PR/JM/ME/JG/GN case types converted to mandatory electronic filing on 09-01-18. Goal accomplished – 09-01-18
Continue processing e-Filings for Probate cases on voluntary basis until 03-01-18 at which time cases will require mandatory e-Filing for all legal counsel	PR case types converted to mandatory electronic filing on 03-01-18. Paper copies purged after 48 hours. Goal accomplished – 03-01-2018
Refer pro-se filers to utilize the departmental website links and printed materials, as available, to assist in the preparation and filing of cases/documents for any case type not requiring filing by legal counsel. Determine alternate strategies to juvenile guardianships in accordance with state statutes in lieu of CHIPS filings. As one option increase utilization for the Delegation of Power by Parent document, when appropriate, as an alternative to Juvenile Guardianships.	This is an ongoing and evolving process evaluated annually based on current trends, statute revisions, and available resources.

Continue communications with the Wisconsin State Bar for assistance with pro-se guardianship filings for minors. Continue to monitor WI legislation for proposed statutory changes to juvenile guardianships.	To be evaluated by 12-31-2019.
Increase court staff, Guardians ad Litem, opted in counsel access to all case filings to which they are assigned. Increase public access to open records via CCAP through e-Filed cases.	To be evaluated by 12-31-2019

Changes / Accomplishments:

Through internal processes and by collaborating with the Clerk of Courts office we have continued to increase the reimbursement rate for Guardian ad Litem, Adversary Counsel, and Court Appointed Counsel fees paid by the two departments. Reimbursement for Guardian ad Litem charges have increased by our contacting the facility and guardian to obtain MAP or private payment from the ward’s assets. Judgements have been entered for unpaid amounts exceeding 90 days. Tax intercept and State Collections have been utilized to collect unpaid amounts as well.

We continue to work with Judges Screnock, Klicko, and Barrett to facilitate case assignments in order to facilitate consistency with one assignment per child or sibling group, extending it to include juvenile and adult wards. During 2019 Judge Klicko and this staff will review the current protocol and revise as necessary.

The department continues to work in collaboration with court personnel, county personnel, legal counsel and staff, other agencies, and the general public in order to accomplish the department’s vision and mission in accordance with Wisconsin State Statutes and to meet the needs of those we serve within the parameters of the statutes.

Statistical Summary:

OUTPUT MEASURES – Three-year comparison

	2016 ACTUAL	2017 ACTUAL	2018 ACTUAL
Termination of Parental Rights	11	14	07
Adoption (Child/Adult)	18/1	10/4	10/5
Guardianship (Adult)	45	45	39
Guardianship (Juvenile)	19	20	28
<i>Guardianship Filing Total</i>	64	68	74
Children in Need of Protection	27	32	26

CHIPS			
Juvenile in Need of Protection JIPS	08	09	06
Juvenile Delinquencies	33	44	37
Juvenile Injunctions	04	08	07
Juvenile Restitution	00	01	00
<i>Juvenile Filing Total</i>	83	76	93
Civil Commitments (Adult)	116	111	95
Civil Commitments (Juvenile)	27	32	353
<i>Commitment Filing Total</i>	143	143	148
Probate Unclassified	02	04	01
Probate Formal	05	04	05
Probate Informal	122	105	111
Probate Ancillary	01	00	00
Special Administration	24	21	19
Summary Assignment	01	00	02
Summary Settlement	00	00	00
Termination of Joint Tenancy	00	00	00
Termination of Life Estate	00	00	00
Determination of Descent	01	00	00
Trusts	06	03	00
Wills Filed – No Probate	143	129	146
<i>Probate/Will Filing Total</i>	304	267	283
Pro Se Filings	N/A	91	53
Attorney Filings	N/A	357	488
Electronic Filings	N/A	23	327
Paper Filings	N/A	425	214