

Sauk County, Wisconsin

Register in Probate / Juvenile Clerk of Court Annual Report

2015 Mission:

The mission of the office of Register in Probate / Juvenile Clerk of Court is to maintain records and perform statutory functions pertaining to Formal and Informal Probate; Trusts, Juvenile and Adult Adoptions; Juvenile and Adult Guardianships; Juvenile and Adult Mental Commitments; Juvenile Termination of Parental Rights; Children in Need of Protection and Services; Juveniles in Need of Protection and Services; Juvenile Delinquencies.

Departmental Program Summary:

Within the given parameters of the Wisconsin State Statutes the Register in Probate / Juvenile Clerk of Court will strategize to effectively manage filings for all cases types with the goal facilitating filings by legal counsel or pro-se petitioners and to promote unrepresented individuals filing proceedings to independently complete all requirements or secure legal counsel to assist them.

2015 Goals Review

2015 GOALS REVIEW

OBJECTIVE	WAS THIS OBJECTIVE REACHED IN 2014?
	Yes or No (If no, please provide comment)
Effectively and efficiently manage the processing and destruction of juvenile and guardianship case filings – without firearm restriction – attaining the appropriate date of destruction.	No – Ongoing process evaluated annually.
Decrease the allotted time expended for processing in-office filings for pro se documents, increase staff availability to work with walk in customers.	No – Ongoing process evaluated annually for financial feasibility of adding part-time or full-time position.
Determine strategies to manage pro se juvenile guardianship case filings as related to State Statutes.	No – Evaluated on an ongoing basis in conjunction with Guardians ad Litem.
Determine alternate strategies to juvenile guardianships in accordance with state statutes in lieu of CHIPS filings.	No – Reviewed and evaluated on an ongoing case by case basis. Ongoing process evaluated annually.
Increase court staff/public/legal counsel accessibility to all case filings via CCAP.	Yes – Scanning to be initiated on January 2, 2015.

Changes / Accomplishments:

The Probate/Juvenile Clerk of Court office continued to perform operations within all parameters of statutory requirements for filings. No significant statutory changes were noted during calendar 2015 as related to case types and filings. Case filings remained at the same level or slightly higher than 2014.

The office experienced an overrun in the amount of \$27,298.00 (approximate) in the annual budget as a result of the compensation study, the retirement of the department's long term Deputy Register, and the hiring of a new Deputy. As a result, the actual budget percentage used was 112.58% of the actual 2015 budget allotted for the Register in Probate/Juvenile Clerk of Court. The Judiciary Oversight Committee and the Sauk County Finance Committee were kept apprised throughout the year in regard to the overrun and a written report regarding the overrun was submitted to both committees prior to the Register in Probate appearing before the Finance Committee in July, 2015. The 2016 budget addressed the financial impact of the changes within the department.

The office initiated scanning of documents filed in all case types effective January 2, 2015. This followed discussions with Judge James Evenson and the submission of a Scanning Use Plan to CCAP (Consolidated Court Automation Programs), and approval of one bulk scanner for office use. Although limited to one bulk scanner within the department staff have been able to manage the process of scanning in a timely manner. Hard files will be maintained for an indefinite period to continue assessment of the process prior to a gradual destruction of identified cases .

Juvenile Guardianships continued to pose a significant challenge for the office. Many petitioners are referred to the office for filing of juvenile guardianships by the Department of Human Services (DHS) as a result of child abuse and/or neglect investigations which result in DHS finding insufficient grounds to file CHIPS (Child in Need of Protection or Services) petitions or establishing that a fit and willing relative is able to provide for the care of the child/children. Due to the complicated nature of juvenile guardianships and the documents required, petitioners are strongly encouraged to consult with legal counsel. The majority of petitioners request to proceed with pro se filings, predominantly due to a stated lack of funds to secure legal counsel. However, contested guardianships require legal counsel to intervene on the part of the petitioner. The office and DHS are unable to provide legal advice or to assist in the completion of the documents.. Guardians Ad Litem are required to provide assistance only to the minor ward, but have frequently been enlisted to assist the petitioner and court in reviewing and completing documents. Thus a greater amount of time is expended by staff in the explanation of requirements and processing the documents when submitted for filing and a greater amount of time is expended by the GALs in the performance of their duties.

Contested Probate proceedings also continued to be a challenging aspect of the office. Objections to Will contents, objections to appointment of Personal Representative, objections to claims filed, and objections to fees have been the primary basis for contested cases. As required by statute these situations shift Informal Proceedings to Formal Proceedings which then require court intervention, resulting in scheduled status

conferences and hearings which impact the court calendar. Contested probate proceedings frequently delay the process – extending the filing of Inventories/statutory filing fees as well as the benchmark closure date of the estate. The delay in the receipt of filing fees impacts the budget revenue for the office during the calendar year. To accommodate this the office has integrated the potential delay in revenue into the annual budget process.

On the horizon is the eventual transition to electronic filing for specific case types. Originally scheduled to begin January 1, 2016 the process has been delayed indefinitely. The office will continue to monitor developments as they are related by CCAP.

Statistical Summary:

OUTPUT MEASURES

DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 ACTUAL
Termination of Parental Rights	08	09	10
Adoption - Juvenile	20	13	24
Adoption – Adult	1	1	1
Guardianship - Juvenile	17	17	19
Guardianship – Adult	53	34	39
CHIPS	19	25	25
JIPS	3	5	12
Delinquency	40	32	38
Restitution	0	0	0
Injunction	11	4	8
Mental Commitments – Juvenile	21	24	27
Mental Commitments – Adult	81	92	92
Probate - Unclassified	9	6	0
Probate – Formal Administration	17	18	03
Probate – Informal Administration	98	106	116
Probate – Ancillary	0	0	1
Probate – Special Administration	14	15	22
Probate – Summary Administration	0	0	0
Probate – Summary Settlement	0	0	0
Probate – Formal Term of JT	0	0	0
Probate – Termination of LE	0	0	0
Probate – Determination of Descent	0	1	0
Probate – Trust	3	6	2
Probate – Wills Filed	106	121	186

OUTCOME AND EFFICIENCY MEASURES

DESCRIPTION	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL
Walk-in inquiries/filings	10-20 minutes – dependent on nature of inquiry/filing.	20% - 5-15 minutes processing 60% - 15-45 minutes processing 20% - 45+ minutes processing	20% - 5-15 minutes processing 60% - 15-45 minutes processing 20% - 45+ minutes processing
Mail Inquiries/filings	1-2 day response/return	80% - 1 day processing 20% - 2 day+ processing	80% - 1 day processing 20% - 2 day+ processing
Formal Probate	12 month closure-per statutes.	50% - closed within 12 months 30% - closed within 18 months 20% - closed after 18 months	50% - closed within 12 months 30% - closed within 18 months 20% - closed after 18 months
Informal Probate	12 month closure-per statutes.	70% - closed within 12 months 20% - closed within 18 months 10% - closed after 18 months	70% - closed within 12 months 20% - closed within 18 months 10% - closed after 18 months
Juvenile Delinquencies	30-60 days from filing of petition to disposition.	70% - disposition entered 30-45 days 30% - disposition entered 45+ days	70% - disposition entered 30-45 30% - disposition entered 45+ d
Juvenile Injunctions	Approximately 1 hour and 45 minutes to process, assign GAL(s), schedule hearing within 12 days of filing.	90% - up to 1.45 hrs processing 10% - 1.45+ hrs processing 100% - hearing within 12 days	90% - up to 1.45 hrs processing 10% - 1.45+ hrs processing 100% - hearing within 12 days
Juvenile/Adult Guardianships and Protective Placements	Pro-se: 15-30 minutes to disseminate info; explain process and forms. Temp. Hrg. 48 - 96 hours after filing Perm. Hrg. 3-4 weeks after filing.	70% - 20-60 minutes processing (Pro-se) 30% - 60+ minutes processing (Pro-se; with counsel) Temp.Hrg. Within 48 or after 96 hours after filing Perm. Hrg. 3-4 weeks after filing.	70% - 20-60 minutes processing (Pro-se) 30% - 60+ minutes processing (Pro-se; with counsel) Temp.Hrg. Within 48 or after 96 hours after filing Perm. Hrg. 3-4 weeks after filing
Juvenile/Adult Mental Commitments	Release from detention or scheduled PCH. within 72 hours of detention-excluding WE or holidays per state stat. Final Hearing within 14 days of detention-including WE or holidays.	70% - Scheduled for PCH within 72 hours (excluding weekends/holidays) 30% - Released from detention without hearing 80% - Settlement agreement signed at PCH 20% - Continued to final hearing	70% - Scheduled for PCH with 72 hours(ex weekends/holidays) 30% - Released from detention without hrg. 80% - SACAT signed at PCH 20% - Continued to FH

