

Register in Probate / Juvenile Clerk of Court Annual Report

2014 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 revised state statutes for guardianship and protective placement proceedings the Register in Probate / Juvenile Clerk of Court will strategize to effectively manage pro-se filings in these cases with the goal of reducing time expended by departmental personnel and the assigned Guardians ad Litem and promote individuals filing these proceedings to independently complete all requirements or secure legal counsel to assist them.

2014 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.
Increase court staff accessibility to all case filings via CCAP for purpose of in-court processing and increase public/legal counsel accessibility to open records 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 2014 as related to case types and filings. Case filings remained at the same level or slightly higher than 2013 filings.

The office stayed within budget for both Register in Probate and Juvenile Clerk of Court functions at 83.74% through December 31, 2014. An additional \$1500 was requested for Juvenile legal fees as a result of an unanticipated jury trial. This additional amount was subsequently allocated for the 2015 budget.

The office initiated the process to begin scanning all new filings as of January 2, 2015. A Scanning Use Plan was submitted by the office to CCAP. Following review CCAP approved the installation of a bulk scanner. The scanner was installed in September 2014. Implementation is on target for the identified start date and will include all case types. Hard files will be maintained for a minimum of six months – process will be monitored at that time regarding the disposition.

Juvenile Guardianships continued pose a 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 or establishing that a fit and willing relative is able to provide for care of the child/children. Due to the complicated nature of documents required, petitioners are advised to consult with legal counsel. The majority of petitioners request to proceed with pro se filings predominantly due to a 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 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 GALs in the completion of their role.

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. These situations shift Informal Proceedings to Formal Proceedings and require court intervention. Contested probate proceedings frequently delay the process – extending the filing of Inventories and the statutory filing fees and the benchmark closure date of the estate. The office has integrated the delay in revenue into the annual budget to accommodate.

Pat Fuller, Deputy Register in Probate, submitted her intent for retirement on Nov. 3rd. Her retirement date is slated for February 6 after 44 years of service to Sauk County and to the office. Recruitment for the position began in late December with publication of the vacancy. Applications were due on December 5th with a total of 104 applications received. Applications were reviewed and 30 finalists were slated for testing for January 15th. It is anticipated the selection process will be completed by mid January with a hiring date the week of January 26th.

Statistical Summary:

OUTPUT MEASURES

DESCRIPTION	2012 ACTUAL	2013 ACTUAL	2014 ACTUAL
Termination of Parental Rights	17	08	09
Adoption - Juvenile	20	20	12
Adoption – Adult	1	1	1
Guardianship - Juvenile	23	17	17
Guardianship – Adult	37	53	34
CHIPS	11	19	25
JIPS	15	3	5
Delinquency	53	40	32
Restitution	0	0	0
Injunction	02	11	4
Mental Commitments – Juvenile	22	21	24
Mental Commitments – Adult	110	81	92
Probate - Unclassified	5	9	6
Probate – Formal Administration	33	17	18
Probate – Informal Administration	85	98	105
Probate – Ancillary	2	0	0
Probate – Special Administration	21	14	15
Probate – Summary Administration	4	0	0
Probate – Summary Settlement	4	0	0
Probate – Formal Term of JT	0	0	0
Probate – Termination of LE	1	0	0
Probate – Determination of Descent	2	0	1
Probate – Trust	5	3	6
Probate – Wills Filed	107	106	121

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 days 30% - disposition entered 45+ days
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 Probable Cause Hrg. 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 within 72 hours (excluding weekends/holidays) 30% - Released from detention without hearing 80% - Settlement agreement signed at PCH 20% - Continued to final hearing

