



Wauwatosa, WI

Committee of the Whole

Meeting Agenda - Final

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, April 22, 2025

6:30 PM

Council Chambers and Zoom:
<https://servetosa.zoom.us/j/273225010>,
Meeting ID: 273 225 010

HYBRID MEETING INFORMATION

Members of the public may observe the meeting in-person or via Zoom at the link above. To access the Zoom meeting via phone, call 1-312-626-6799 and enter the Meeting ID.

CALL TO ORDER

ROLL CALL

COMMITTEE OF THE WHOLE ITEMS

1. Presentation by Wauwatosa Municipal Judge Krista LaFave on an overview of Wisconsin's municipal court structure, Wauwatosa Municipal Court operations and data, and collection of forfeitures

[25-0667](#)

ADJOURNMENT

NOTICE TO PERSONS WITH A DISABILITY

Persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (414) 479-8917 or send an email to tclerk@wauwatosa.net, with as much advance notice as possible.



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Staff Report

File #: 25-0667

Agenda Date: 4/22/2025

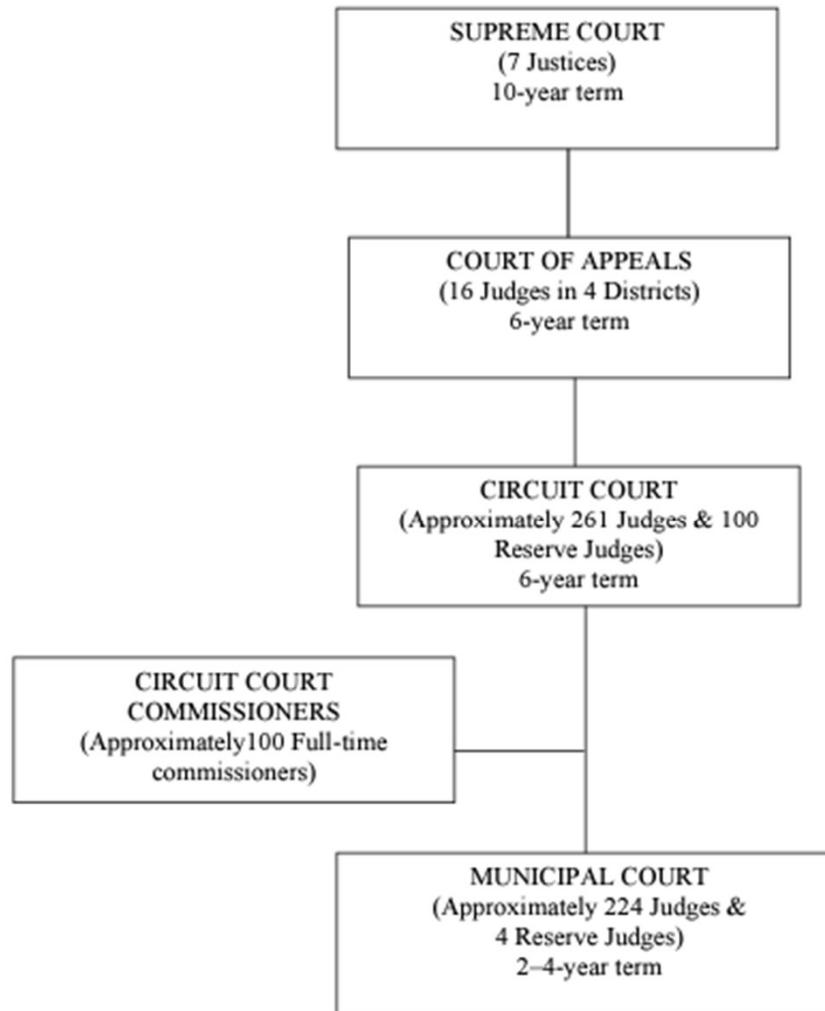
Agenda #: 1.

Presentation by Wauwatosa Municipal Judge Krista LaFave on an overview of Wisconsin's municipal court structure, Wauwatosa Municipal Court operations and data, and collection of forfeitures

Understanding Our Municipal Court System

Wauwatosa Municipal Court Judge Krista G. LaFave
April 22, 2025

The Wisconsin Court System



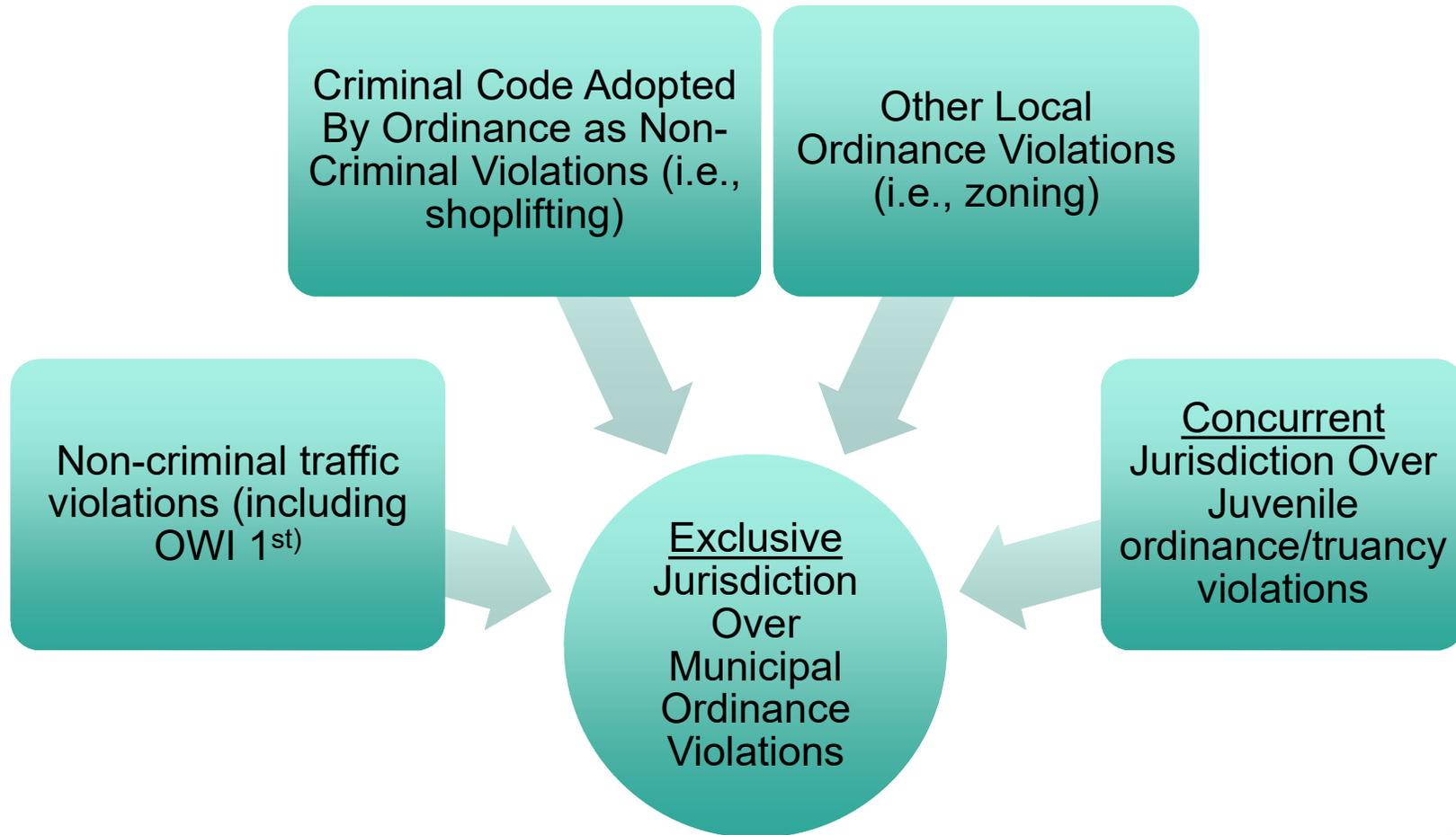
Wisconsin's Municipal Courts

- Community-based alternative to the criminal justice system, not a criminal court.
- Defendants are not accused of committing a crime.
- Anyone convicted in municipal court is convicted of a civil forfeiture infraction, not a crime.
- National model of accountability while complying with constitutional rights
- Wisconsin statutes and court procedures (if followed) comply with constitutional mandates and U.S. Department of Justice guidelines and recommendations

Municipal judges have the power to...

- Issue civil warrants to enforce matters. Wis. Stat. § 755.045(2).
- Issue warrants for inspection of building, electrical, plumbing, and more assessments. Wis. Stat. § 755.45(2).
- Issue summons to defendants to appear in court. Wis. Stat. § 800.02(4).
- Issue subpoenas in Wisconsin for either witness attendance or production of evidence. Wis. Stat. § 885.01, 885.04.
- Punish contempt of court. Wis. Stat. § 800.12.
- Perform marriages in Wisconsin. Wis. Stat. § 765.16(1m)(f).
- Perform notarial acts. Wis. Stat. § 140.10(1)(e).
- Exercise inherent authority.

Municipal Court Jurisdiction



Advantages of Municipal Court

- **Prompt/efficient/cost-effective adjudication of cases**
 - Municipal trials not “stacked” at the bottom of the circuit court trial calendar.
 - Less police overtime/waste of prosecutor time
- **Community-based justice**
 - Municipal court cases/defendants get individual attention.
 - Municipal court more aware of/responsive to community interests and priorities.

Advantages of Municipal Court

- **Fiscally responsible**
 - Less costs to defendants than if citations sent to circuit court
 - \$38.00 court cost per citation
 - Greater flexibility in collecting unpaid court obligations (one size does not fit all)
 - License suspensions/permit denials
 - Close monitoring of payment plans
- **Example: \$30 speeding ticket**
 - Circuit court = \$175.30 – City keeps \$25.00
 - Municipal court = \$98.80 – City keeps \$63.00

How does court work?

- Statutes provide guidance, but each Court is run differently
- Initial Appearance / Return Date
- Motion Hearings
- Pre-trial Conferences
- Juvenile Court

Next steps...

- Trial
- Default judgment for non-appearance
- What happens after the court enters a judgment?
 - Appeal from decision
 - Motions to reopen
 - Motions for poverty hearing
- Collection of forfeiture

Enforcement of Court Orders

- Debt collection practices (SDC, TRIP, assignment of income, docketing of judgments)
- Suspension of driver's license
- Summons
- Writ of commitment
- Withholding of city licenses or permits

MUNICIPAL STATISTICS SUMMARY*

YEAR: 2022

	<i>PARKING</i>	<i>TRAFFIC</i>	<i>OWI/BAC</i>	<i>ADULT/ NON-TRAF</i>	<i>JUVENILE NON-TRAF</i>	<i>TOTAL</i>
TOTALS	9,957	292,524	8,173	62,733	16,617	390,004

All Municipal Courts in Milwaukee County in 2022: 115,161 cases filed

Milwaukee County Circuit Court cases 2022: 107,618 cases filed

Statewide County Circuit Court cases in 2022: 731,454 cases filed

Court of Appeals cases in 2022: 2,116 cases filed

Supreme Court in 2022: 78 opinions

Wauwatosa Court Data - 2024

- 5,554 citations adjudicated
 - 743 Adult Non-traffic
 - 238 Juvenile Non-Traffic
 - 73 OWI
 - 253 Parking citations
- 48 trials scheduled
- 4 building code violations
- 2 health department violations
- Where are defendants from?
 - 3,123 Milwaukee
 - 341 Wauwatosa
 - 119 West Allis
 - 70 Brookfield
 - 39 Waukesha
 - 90 out of state

2024 Top Citations

Adult Court (includes juvenile driving violations)	Juvenile Court
<ol style="list-style-type: none">1. Exceeding zone and posted limits2. Operating after suspension3. Failure to stop at stop sign4. Violate red traffic sign or signal5. Non-registration of auto	<ol style="list-style-type: none">1. Retail Theft2. Loitering on school property (aka school disorderly conduct)3. Disorderly Conduct4. Possession of marijuana5. Loitering/prowling prohibited

Questions?

Thank you for
supporting our
municipal court!