



City of Wauwatosa Municipal Court
The Honorable Krista G. LaFave

October 30, 2023

Dear Finance Committee Members and Mr. Archambo:

The Wauwatosa Municipal Court is the third branch of our local government, overseen by the Judge and maintained at the expense of the municipality. The Judge determines “the hiring, termination, hours of employment, and work responsibilities of the court personnel.” Wis. Stat. § 755.10. I disagree with the plan proposed by the City Administrator, both for staffing and moving the court office. The interests of Wauwatosa are best met by staffing my court with 2.0 FTE or, at a minimum, 1.6 FTE who are two employees.

I note in the budget that there is not a reduction in the City Clerk budget for the .6 FTE that will be assigned to the court.¹ The current plan will disrupt the City Clerk’s office, their staff, and my court. Despite multiple meetings and phone calls, I observe that this plan saves the City approximately \$15,000 but comes at the expense of staffing the court, having well-trained court clerks, efficiently processing citations and orders, undertaking collection activities, and risks issues related to suspensions and warrants. If staffing is to be shared, I must meet these individuals, approve of them, appoint them, and have them work in the court office for the .6 hours that they are assigned to court.

Historical Information

The letter from Mr. Archambo contains historical data that both the City and I have previously agreed is not as relevant given the court’s move to the TIPSS computer program. Given advances in technology and taking credit card payments, this is a fair assessment. The City Administrator’s average for FTE over 20 years is, therefore, incorrect. Looking at the past 10 years in citation data provides a different picture:²

YEAR	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Citations	9,935	9,398	9,233	8,185	8,069	8,629	3,569	2,678	3,672	5500
Court Clerks	3	2.6	2.6	2.6	2.6	2.6	1.6	1.6	1.6	1.6
# Citations per FTE	3312	3615	3551	3148	3103	3319	2231	1674	2295	3438

Average Citations Per FTE: 3,050³

Based on this historical data, looking to 2024 where it is assumed citations will be between 5500-7000, we need 2.0 FTE court clerks.

¹ It is concerning to me whether there are actually three individuals who have an extra 8 hours each week of time to devote to court business. One of the City Clerk’s assistants is already shared with the City Assessor (p. 35 of the budget).

² In 2019, the Court proposed managing the parking tickets given the number of employees and the new TIPSS program. The City conducted a study and determined that it would save a considerable amount of money. However, the decision was made not to make that change. In 2020, the Court lost 1.0 FTE, the Court went to 1 night a week, and Court hours changed to 8:00-4:00.

Additional note: police officers staffing the Milwaukee Regional Medical Complex typically write citations for disorderly conduct or theft, not for traffic. One of our trials in 2022 was for disorderly conduct at Froedtert.

³ This removes the highest and lowest numbers to get an accurate average.

Sufficient Staffing Looking Ahead

The computer software used by the Court, TIPSS, advises that generally it takes a court clerk 1 hour of time to process 100 citations each week. If we look at a range of 5,500-7,000 citations, that means 55-70 hours per week simply to process citations. Even if the average became 125 citations per hour, that would be 44-56 hours per week only to process citations. This does not take into consideration the hours spent processing my orders after court, following up with defendants, scheduling trials, scheduling motion hearings, reviewing correspondence from defendants, undertaking collection efforts, and more. Court has been once a week, but we are facing the likelihood of court being twice a week. Even last week, court was on Monday and Wednesday. An additional 4-8 hours can safely be assumed for court.

Even with the TIPSS program, an individual must spend time on each citation. The court clerk must review each citation individually and ensure accuracy and speak with the Police Department for incorrect or invalid citations. SDC and TRIP interfaces for collections still require the court clerk to review the citation for pending court action and review the court file. Online payments require reviewing the citation, and additionally cancelling any suspensions or warrants.

A 2.0 FTE is the solution for Wauwatosa to provide the outstanding customer service that it prides itself on. The City provides citations not just to its own residents, but also non-resident individuals. These individuals need to feel confident that their citations are handled with care and concern by well-trained individuals who understand the court processes. All estimates point to 5500 citations this year and likely an increase next year. Given this, even 1.6 court clerks is not sufficient staffing. And 1.0 Court Clerk and .6 “shared” clerks is definitely not sufficient.

Moving the Court Office

As I previously stated, I am not in agreement to move the Court office. Wis. Stat. § 755.11 is clear that the court records shall be kept separate from all other records. “The judge shall store all records in the office of the court clerk or in another appropriate facility designated by the council or board. Access to the records shall be restricted to court personnel except as authorized by the judge or by law.” The Court Clerk utilizes paper records on a daily basis. Preparing for court requires preparing the court files and docket, which includes citations, police records, juvenile records, fingerprints, and more. This plan will require Robin to carry her files back to the court office every day to abide by the statutory requirements. There has been no conversation with myself or Robin regarding space needed for records or how she uses the records on a daily basis. It is unclear how the city clerk’s office is preparing for this move without speaking with the court.

Additionally, if the Court is not staffed with 2.0 FTE and remains at 1.6 FTE, any concerns regarding payment while the office is closed for illness, training, or extenuating circumstances can be met by another department having TIPSS Cash Register.⁴ There is only a small cost in the future for the annual license, and it makes sense to have an individual in finance be trained on this program.

⁴ This program gives the user very limited access to the court program. Many courts use this for finance to take payments. It was not previously purchased by the City of Wauwatosa due to a cost concern. My understanding from previous meetings is that there is sufficient funds to purchase this now.

I believe customer service is best rendered at the Court office. The defendants who appear in person are entitled to have privacy while discussing the sensitive issues that bring them to City Hall. They are also entitled to have the court clerk have their records available to review, not have to walk down the hall to obtain the records that are restricted in the court office. If the decision is made to have floaters cover the .6 position, they can spend their hours working in the court office on court items.

Conclusion

I request that the Financial Affairs Committee make an amendment to the budget to provide an additional \$37,883 to change the .6 FTE to a 1.0 FTE. Alternatively, it is my request that the Committee make an amendment to provide an additional \$14,694 to the Court to reinstate the .6 FTE as one person.

Thank you for your time and consideration.

Respectfully yours,



Krista G. LaFave