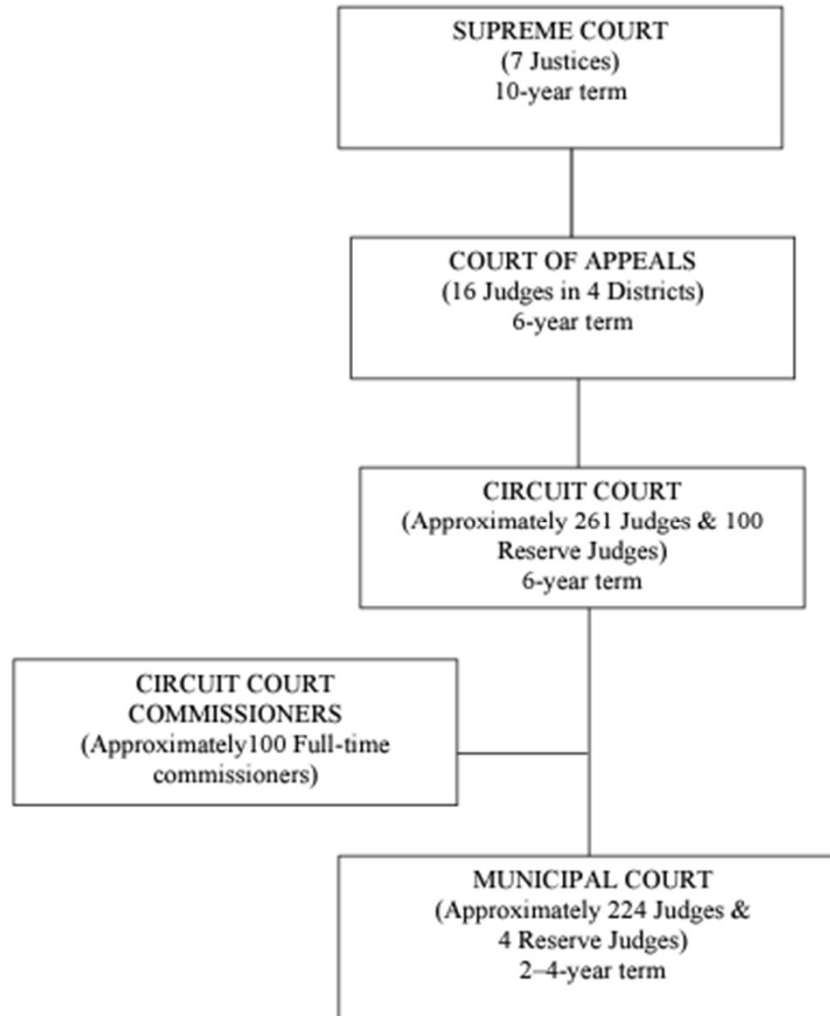


Understanding Our Municipal Court System

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

The Wisconsin Court System



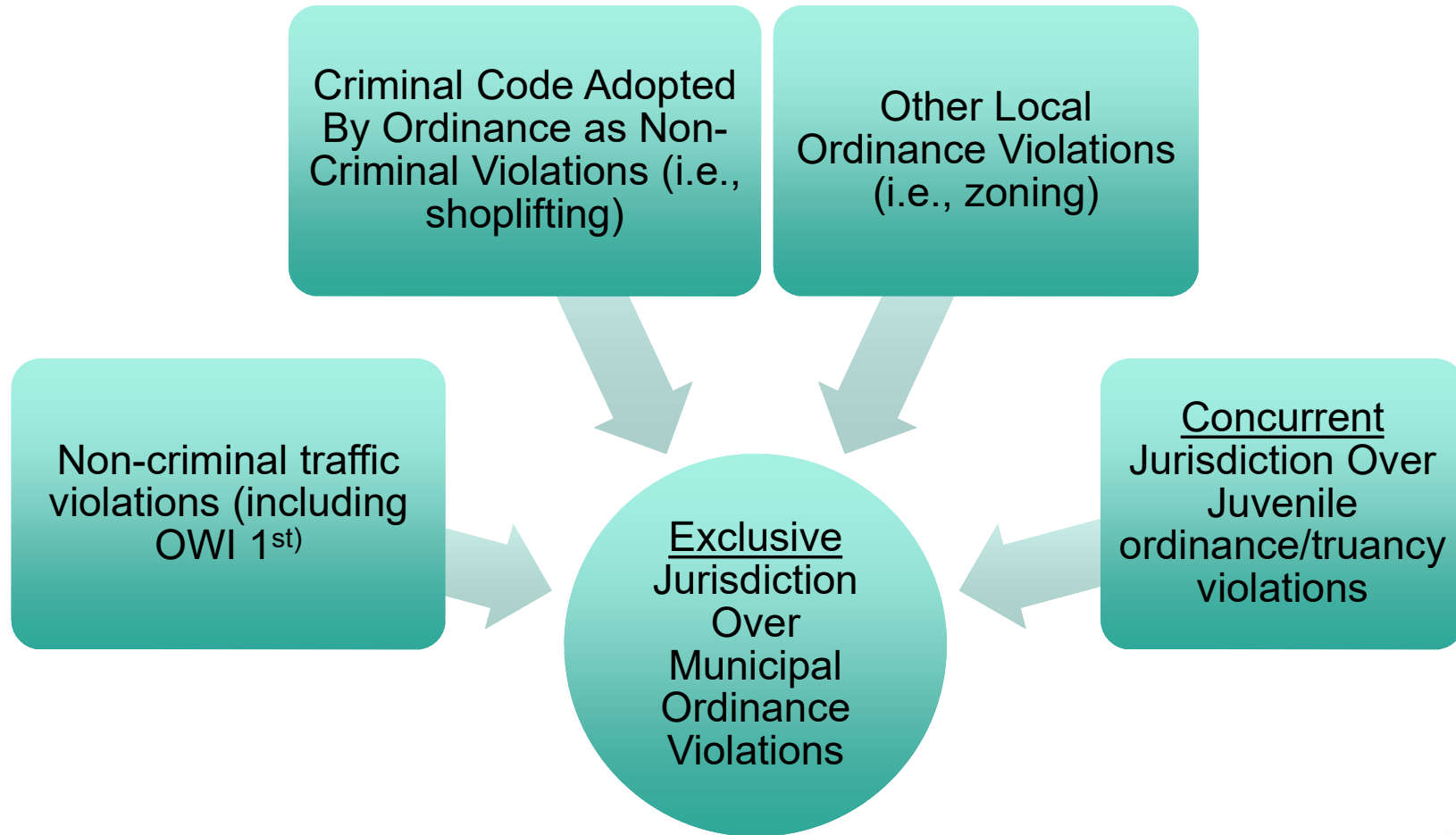
Wisconsin's Municipal Courts

- 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!