

MARY E. TRIGGIANO  
Chief Judge  
Telephone: (414) 278-5116

CARL ASHLEY  
Deputy Chief Judge  
Telephone: (414) 278-5316

WILLIAM S. POCAN  
Deputy Chief Judge  
Telephone (414) 278-4512

HOLLY SZABLEWSKI  
District Court Administrator  
Telephone: (414) 278-5115

STATE OF WISCONSIN

**FIRST JUDICIAL DISTRICT**

MILWAUKEE COUNTY COURTHOUSE  
901 NORTH NINTH STREET, ROOM 609  
MILWAUKEE, WISCONSIN 53233-1425

TELEPHONE (414) 278-5112  
FAX (414) 223-1264  
WEBSITE: [www.wicourts.gov](http://www.wicourts.gov)



DATE: February 18, 2022

TO: Chairwoman Marcellia N. Nicholson  
Milwaukee County Board Supervisors

Anthony Staskunas  
County Board Supervisor, District 17

Margaret Daun  
Corporation Counsel  
Milwaukee County

FROM: Chief Judge Mary E. Triggiano

RE: INTERIM CLERK OF CIRCUIT COURT APPOINTMENT

On February 8, 2022, Chairwoman Nicholson requested that the Chief Judge “submit an informational report to the County Board that explains how the Courts are responding to the Clerk’s retirement, the rules governing this position, and process being employed.” Below is that information.

Clerk of Court John Barrett submitted his resignation and resigned from office on January 23, 2022. The Clerk of Court is an elective office. The basic function of the Clerk of Court is to plan, direct, and supervise record keeping for the Milwaukee County Circuit Court, manage the court's jury system, plan and prepare the annual budget, supervise staff, provide administrative support for the court system, collect money on court ordered obligations, and perform other duties set forth in the Wisconsin Statutes, including Chapters 59, 753, and 814.

If there is a vacancy, under Wis. Stats. 17.21(4m) a majority of judges of the circuit court for the county shall appoint an interim Clerk of Courts. The Milwaukee County Circuit Court Clerk is being appointed by the county circuit court judges pursuant to Wisconsin Statutes section 17.21(4m) for the residual term of office through January 1, 2023. If the appointed candidate wants to remain in the position past this date, the candidate will need to run for election in the November 8, 2022 general election for the new four-year term beginning on January 2, 2023. The candidate must meet Wisconsin statutory requirements for county elected officials, which include that an eligible elector to be a U.S. citizen, 18 years of age or older, and resident in the election district or ward.

**17.21 Vacancies in elective county offices; how filled; term.** Vacancies in elective county offices shall be filled in the manner and for terms as follows:

**(4m) CLERK OF COURT.** In the office of clerk of circuit court, by appointment of the judge, or by a majority of the judges of the circuit court for the county, for the residue of the unexpired term of the clerk.

Until that appointment is made, the Deputy Clerk of Courts shall perform the duties of the Clerk of Courts until the vacancy is filled. Deputy Clerk of Court Anna Hodges is now functioning in that role.

**59.40 Clerk of court.**

**(1) CLERK OF COURT; DEPUTIES; CHIEF DEPUTY; DIVISION CHIEF DEPUTIES; CALENDAR DEPUTY CLERK IN CERTAIN COUNTIES.**

**(a) Counties of less than 500,000 population.** Every clerk of the circuit court shall appoint one or more deputies and the appointments shall be approved by the majority of circuit judges for the county, but shall be revocable by the clerk at pleasure, except in counties having a population of 500,000 or more. The appointments and revocations shall be in writing and shall be filed in the clerk's office. The deputies shall aid the clerk in the discharge of the clerk's duties. In the absence of the clerk from the office or from the court, the deputies may perform all the clerk's duties; or in case of a vacancy by resignation, death, removal or other cause the deputy appointed shall perform all such duties until the vacancy is filled.

The statutes do not prescribe a process for the selection of an interim clerk of court. The judges looked to other counties for examples. The following process was created by the judges to ensure the process is fair.

**JUDICIAL PROCESS FOR SELECTING INTERIM CLERK OF CIRCUIT COURT**

1. County Human Resources Posts position internally on county website and externally (over 60 job boards – including Indeed, LinkedIn, Milwaukee jobs, circa). See postings below. Submission deadline: **February 7, 2022.**
2. Applications (resume and cover letter) submitted to county HR.
3. HR sends all applications received to Chief Judge: **February 7, 2022.**
4. CofC Committee reviews applicants:
  - Determine if threshold qualifications met.
  - Committee will review all applications and will determine candidates who will be interviewed. Any decision not to move an applicant forward to the interview process must be unanimous. Otherwise, the applicants will be interviewed.
5. Committee determines questions for candidates; each candidate answers same questions.
6. Interview qualified candidates via zoom: tentative date **February 17<sup>th</sup>** over lunch hour
  - 4 interviews per lunch hour; 20 minutes each
  - Opening and closing statement
  - 4-5 questions for each candidate
  - Chief Judge asks questions; no follow up
  - All Judges desiring to listen to interviews can via zoom format; recorded and accessible for Judges unable to attend.

7. Ballot emailed to judges: **February 18<sup>th</sup>**.
8. Deadline to physically submit vote: **February 21<sup>st</sup>** voting starts at 8am; voting concludes **February 22<sup>nd</sup>** at 5pm.
  - Secret ballot submitted to Chief's office in ballot box. Names checked off once ballot received.
  - Can vote by proxy, asking another judge to drop off your ballot. Children's Court judges may give their ballots to Judge Crivello who will put them in a sealed envelope. Either Holly can pick them up or Judge Crivello can bring them to 609CH.
  - Committee counts ballots.
  - If there are more than two candidates, and no candidate obtains the 24 votes necessary to have a majority of the 47 votes available, the two candidates with most votes are then put forth for an additional vote. New ballot emailed **February 23<sup>rd</sup>** and deadline to submit **February 24<sup>th</sup>** by 5pm - same process for delivery and counting above.
  - Committee counts ballots – candidate announced if majority votes reached.
  - If no candidate reaches 24 votes, the Clerk of Courts position will continue to operate under Wis. Stats. 59.40.
9. If majority of judges select candidate, prepare appointment order. Order should spell out process for selection and that a majority vote was reached. Signed by Chief Judge. (CAUTION: SELECTED APPLICANT MUST PASS BACKGROUND CHECK. DO NOT SIGN APPOINTMENT ORDER UNTIL RECEIVING CONFIRMATION CHECK IS COMPLETE AND CANDIDATE PASSED.)
10. Issue press release announcing appointment

Retain:

- announcement/posting
- all applications received
- interview questions
- interview schedule
- meeting communication/notices
- original judge ballots
- appointment order
- press release

COUNTY HR POSTING INFO:

We have an exciting new opportunity for an **Interim Clerk of Circuit Court** at Milwaukee County. This posting will close on February 7, 2022 at 12pm.

The Interim Clerk of Circuit Court will plan, direct and supervise record keeping for the Milwaukee County Circuit Court, manage the court's jury system, plan and prepare the annual budget, supervise staff, provide administrative support for the court system, collect money on court ordered obligations, and perform other duties set forth in the Wisconsin Statutes, including Chapters 59, 753, and 814.

The Milwaukee County Clerk of Circuit Court is being appointed by the county circuit court judges pursuant to Wisconsin Statutes section 17.21(4m) for the residual term of office through January 1, 2023. If the appointed candidate wants to remain in the position past this date, the candidate will need to run for election in the November 8, 2022 general election for the new four-year term beginning on January 2, 2023.

The candidate must meet Wisconsin statutory requirements for county elected officials.

Please forward and share this email with your colleagues and friends who may be interested. **If you are an internal candidate please apply thru Careers on County Connect.**

Link to apply: [Interim Clerk of Circuit Court - 2811 Administration - Career Portal \(dayforcehcm.com\)](#)

Thank you!

Good afternoon Chief Judge,

Here you is the link and it is posted now internal and external. All internal candidates need to apply thru County Connect. Let me know if you need any other assistance.

[Interim Clerk of Circuit Court - 2811 Administration - Career Portal \(dayforcehcm.com\)](#)

<b>STATE OF WISCONSIN, COUNTY</b>	For Official Use
<b>CIRCUIT COURT, MILWAUKEE</b>  IN THE MATTER OF THE APPOINTMENT OF:  _____  As Clerk of the Circuit Court, Milwaukee County	<b>ORDER OF APPOINTMENT</b>

Pursuant to the authority granted to the judges of the circuit court for the county under Section 17.21(4m) of the Wisconsin Statutes, we, the circuit court judges for Milwaukee County, Wisconsin, order that \_\_\_\_\_ is appointed the Clerk of the Circuit Court, Milwaukee County, Wisconsin as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and shall perform the duties of that office for the residue of the unexpired term of the clerk, which is through January \_\_\_\_\_, \_\_\_\_\_. The appointment is made to fill a vacancy in the elective county office of the clerk of circuit court.

Dated and signed at Milwaukee, Wisconsin on \_\_\_\_\_, \_\_\_\_\_.

**BY THE COURT:**

_____	_____
Judge Jack Dávila, Branch 1	Judge David Swanson, Branch 11
_____	_____
Judge Milton L. Childs, Sr., Branch 2	Judge David L. Borowski, Branch 12
_____	_____
Judge Katie B. Kegel, Branch 3	Judge Mary E. Triggiano, Branch 13
_____	_____
Judge Michael J. Hanrahan, Branch 4	Judge Christopher R. Foley, Branch 14
_____	_____
Judge Kristela L. Cervera, Branch 5	Judge J.D. Watts, Branch 15
_____	_____
Judge Ellen R. Brostrom, Branch 6	Judge Brittany Grayson, Branch 16
_____	_____
Judge Thomas J. McAdams, Branch 7	Judge Carolina Maria Stark, Branch 17
_____	_____
Judge William Sosnay, Branch 8	Judge Pedro A. Colon, Branch 18
_____	_____
Judge Paul R. Van Grunsven, Branch 9	Judge Kori Ashley, Branch 19
_____	_____

Judge Michelle A. Havas, Branch 10	Judge Joseph R. Wall, Branch 20
Judge Cynthia Davis, Branch 21	Judge Glenn H. Yamahiro, Branch 34
Judge Tim Witkowiak, Branch 22	Judge Frederick C. Rosa, Branch 35
Judge Lindsey Grady, Branch 23	Judge Laura A. Crivello, Branch 36
Judge Janet C. Protasiewicz, Branch 24	Judge T. Christopher Dee, Branch 37
Judge Stephanie G. Rothstein, Branch 25	Judge Jeffrey A. Wagner, Branch 38
Judge William Pohan, Branch 26	Judge Jane Carroll, Branch 39
Judge Kevin E. Martens, Branch 27	Judge Danielle L. Shelton, Branch 40
Judge Mark A. Sanders, Branch 28	Judge Audrey K. Skwierawski, Branch 41

<u>          </u> Judge Rebecca A. Kiefer, Branch 29	<u>          </u> Judge Reyna Morales, Branch 42
<u>          </u> Judge Jonathan D. Richards, Branch 30	<u>          </u> Judge Marshall B. Murray, Branch 43
<u>          </u> Judge Hannah C. Dugan, Branch 31	<u>          </u> Judge Gwendolyn G. Connolly, Branch 44
<u>          </u> Judge Laura Gramling Perez, Branch 32	<u>          </u> Judge Jean M. Kies, Branch 45
<u>          </u> Judge Carl Ashley, Branch 33	<u>          </u> Judge David Feiss, Branch 46
	<u>          </u> Judge Kristy Yang, Branch 47

Copy to: Milwaukee County Clerk  
Wisconsin Secretary of State