COUNTY OF MILWAUKEE

Inter-Office Communication

Date: April 22, 2022

To: Marcelia Nicholson, Chair, Milwaukee County Board of Supervisors

From: George Christenson, Clerk of Circuit Court

Subject: Request to Temporarily Waive Sec. 9.05(3)(a) for Deputy Court Clerk Positions

File Type: Action Report

The Office of the Clerk of Circuit Court is requesting authorization to waive Section 9.05(3)(a) of the Milwaukee County Code of General Ordinances, to allow Deputy Court Clerks to return to work within the Clerk of Circuit Court on a temporary contract basis. The request is to waive Section 0.05(3)(a) for a period of 24 months.

Policy Issue

Section 9.05(3)(a) of the Ethic Code of the Milwaukee County Code of General Ordinances states:

"No former county public official or employee, for twelve (12) months following the date on which he/she ceases to be a public official or employee, shall, for compensation, on behalf of any person other than a governmental entity, provide any contractual services to the county…The county board committee on finance may waive the contractual services prohibition of this section , first effective for county public officials or employees that separate service after April 1, 2016, upon the petition of the administrator seeking services with the former public official or employee that the need is critical to county operations."

Background

Combined Court Operations faces a number of operational challenges due to the COVID-19 pandemic as well as various action and inaction of previous leadership, including an ineffective recruitment strategy, a lack of urgency, and the retirement/resignation of several employees due to low morale. This has resulted in persistent understaffing (67 vacancies) which is now being remedied under my leadership. Working closely with Human Resources, we have conducted a robust hiring

effort with new recruitment strategies resulting in the addition of more than 20 new hires/promotions. However, we still have more work to do.

Milwaukee County received ARPA funds ($15,879,000) from the State of Wisconsin for the purposes of expanding court operations. By resolution, Milwaukee County is authorized to process appropriation transfers to recognize and increase revenues and expenditures by $14,719,000 to Combined Court Operations, for the purpose of expanding courthouse operations and to address the criminal case backlog, and to establish a pilot night court program. As part of that expansion, Courts will need to staff seven (7) Deputy Court Clerks, five (5) Clerical Specialists in the criminal division. The objective is to create, hire, and train staff to fill these roles.

Request

Court hearings cannot proceed unless a Deputy Court Clerk is present in the courtroom. The Deputy Court Clerk is responsible for processing documents and entering a case summary. We are asking that to temporarily fill gaps in the hiring process, provide training support and to meet the needs of the judiciary, that the one year prohibition be waived for the next 24 months for the position of Deputy Court Clerk. This will allow the Clerk of Circuit Court's Office to contract on a temporary basis with recently retired Deputy Court Clerks in order to staff court hearings while we continue our permanent hiring efforts.
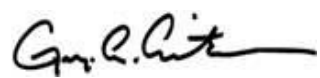
Fiscal Effect

The cost for the waiver will be paid with American Rescue Plan funds designated for use to address the backlog in criminal cases and to establish a night court program.

Recommendation

It is respectfully requested that the Finance Committee of the Board of County Board of Supervisors approve a waiver of Section 9.05(3)(a) of the Ethics Code in the Milwaukee County Code of General Ordinances in order to permit the Clerk of Circuit Court to contract retired Deputy Court Clerks on a temporary basis for the purpose of supporting expansion of courtroom operations.

Committee Action

This report should be referred to and reviewed by the Committee on Finance for action.

George Christenson, Clerk of Circuit Court