



CRIMINAL JUSTICE COORDINATING COUNCIL AGENDA

Date & Time of Meeting: **Thursday, September 21, 2023, at 8:00 a.m. – 9:30 am**

Meeting Location: **Courthouse Assembly Room, (B105), Courthouse, 500 Forest Street, Wausau WI**

Council Members: Chair Suzanne O’Neill, Vice Chair Kurt Gibbs, Lance Leonhard, Matt Bootz, Michelle Van Krey Chad Billeb, Ben Bliven, Theresa Wetzsteon, Kelly Schremp, Kat Yanke, Cati Denfeld-Quiros, Gary Olsen, Christa Jensen, Jane Graham Jennings, Kenneth Grams, Yauo Yang, Daniel Tyler, Liberty Heidmann.

Marathon County Mission Statement: *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)*

Council Mission Statement: *To improve the administration of justice and promote public safety through community collaboration, planning, research, education, and systemwide coordination of criminal justice initiatives.*

1. Call Meeting to Order

2. Public Comment *(not to exceed 15 minutes)*

A. Introduction of the new Marathon County Data Officer – Michal Schultz

3. Approval of the August 17, 2023, CJCC Meeting Minutes

4. Operational functions required by bylaws.

5. Operations Issues

6. Policy Issues for Discussion and Potential Council Action

A. Finalizing of recommendations regarding Opioid Settlement Funds

B. CJCC Approval of the Defense Attorney Whitepaper

7. Educational Presentations/Outcome Monitoring Report

A. Information on grant funding available for treatment – Sheriff Billeb

B. Back to school update on Truancy Court and Mental Health Services – Christa Jensen

8. Adjournment

**Any person planning to attend this meeting who needs some type of special accommodation to participate should call the County Clerk's Office at 261-1500 or e-mail countyclerk@co.marathon.wi.us one business day before the meeting*

SIGNED: /s/, Judge Suzanne O’Neill
Presiding Officer or Designee

EMAILED TO: Wausau Daily Herald, City Pages, and other Media Groups

EMAILED BY: Toshia Ranallo

DATE & TIME: 9/15/2023 At 6pm

NOTICE POSTED AT COURTHOUSE

BY: Toshia Ranallo

DATE & TIME: 9/15/2023 at 6pm



MARATHON COUNTY

CRIMINAL JUSTICE COORDINATING COUNCIL MINUTES

Thursday, August 17, 2023, at 8:00 a.m. – 9:30 am

Courthouse Assembly Room, (B105), Courthouse, 500 Forest Street, Wausau WI

Members	Present/Web-Phone	Absent
Chair Suzanne O’Neill	X	
Vice Chair Kurt Gibbs	X	
Lance Leonhard	X	
Matt Bootz		X
Michelle Van Krey		X
Chad Billeb	X	
Ben Bliven		X
Theresa Wetzsteon	X	
Kelly Schremp	X	
Kat Yanke		X
Cati Denfeld-Quiros	X	
Vicki Tylka	X	
Christa Jensen	X	
Jane Graham Jennings	X	
Daniel Tyler		X
Yao Yang	X	
Kenneth Grams		X
Liberty Heidmann	X	

Also present: Aaron Ruff, Hannah Schommer, Laura Scudiere, Nikki Delatolas, Ruth Heinzl, Lee Shipway, Laura Yarie.

1. Call Meeting to Order

The meeting was called to order Judge O’Neill at 8:00 a.m.

2. Public Comment (not to exceed 15 minutes)

No public comment is received.

3. Approval of the Minutes of the July 20, 2023, CJCC meeting

MOTION BY DENFELD-QUIROS, SECOND BY BILLEB TO APPROVE THE July 20, 2023, CJCC MEETING MINUTES. MOTION CARRIED.

4. Operations Issues and Potential Council Action- None

5. Policy Issues for Discussion and Potential Council Action-

A. Facilitated Discussion Regarding usage of Opioid Settlement Funds- By Marathon County Health Department.

Discussion:

Group participates in ranking strategies to determine recommendations for use of Opioid Settlement Funds. Review of indicators and strategies. Strategies ranked high, medium and low for leverage, reach, values and specificity.

Action:

None taken.

Follow Up:

Health Department to draft final report of the group process.
Finalize recommendations at the September 21, 2023, CJCC Meeting.

6. Educational Presentations/Outcome Monitoring Reports – None

7. Adjournment

MOTION BY BILLEB, SECOND BY LEONHARD TO ADJOURN THE MEETING AT 9:30 A.M. MOTION CARRIED.



Determining the Use of Opioid Litigation Settlement Funds

Using the Results-Based Accountability Framework

Marathon County Criminal Justice Coordinating Council
September 2023

Opioid Litigation Settlement Funds in Marathon County

On October 17, 2017 the Marathon County Board of Supervisors passed Resolution #R-73-17 Approval of Execution of Engagement Letter to Join Other Wisconsin Counties in a Lawsuit Against Pharmaceutical Companies to Recover Costs Incurred by Marathon County Due to the Opioid Epidemic (see attached).

On February 25, 2022, the Wisconsin Department of Justice announced final approval of an agreement with the nation's three major pharmaceutical distributors (Cardinal, McKesson, and AmerisourceBergen) and Johnson & Johnson. Payments from the distributors will continue for 18 years. Payments from Johnson & Johnson will continue for nine years.

Wisconsin is due to receive more than \$400 million in total funding. 2021 Wisconsin Act 57 requires that the 87 local governments that participated in this litigation receive 70 percent of the funds, with the state receiving 30 percent of the funds. This means that the local governments will share \$280 million and the state will receive \$120 million, as well as \$9.6 million in additional restitution.

To learn more about Dose of Reality: Opioid Settlement Funds in Wisconsin, visit <https://www.dhs.wisconsin.gov/opioids/settlement-funds.htm>

DRAFT

Marathon County Payments & Projections

As of August 2, 2023, Marathon County has received a total of **\$698,139.58** of settlement payments with an additional projected allocation of **\$2,154,259.02** over the next 15 years.

Amount Received					
	Payment	Allocation	Amount Paid	Status	Date
1	Distributor Payment 1	\$98,255.53	\$98,255.53	Paid	8/31/2022
2	Distributor Payment 2	\$103,261.77	\$103,261.77	Paid	10/17/2022
3	Distributor Payment 3	\$103,261.77	\$103,261.77	Paid	8/2/2023
4	Janssen Payment 1	\$34,979.60	\$34,979.60	Paid	11/30/2022
5	Janssen Payment 2	\$81,608.11	\$81,608.11	Paid	11/30/2022
6	Janssen Payment 3	\$65,317.32	\$65,317.32	Paid	11/30/2022
7	Janssen Payment 4	\$100,292.22	\$100,292.22	Paid	11/30/2022
8	Janssen Payment 5	\$111,163.26	\$111,163.26	Paid	11/30/2022
Total Received			\$698,139.58		
Projected Allocations					
Payment Type			Projected Allocation Amount		
1	Distributor Projected Payment 4 (July, 2024)		\$129,246.73		
2	Distributor Projected Payment 5 (July, 2025)		\$129,246.73		
3	Distributor Projected Payment 6 (July, 2026)		\$129,246.73		
4	Distributor Projected Payment 7 (July, 2027)		\$129,246.73		
5	Distributor Projected Payment 8 (July, 2028)		\$152,009.73		
6	Distributor Projected Payment 9 (July, 2029)		\$152,009.73		
7	Distributor Projected Payment 10 (July, 2030)		\$152,009.73		
8	Distributor Projected Payment 11 (July, 2031)		\$127,779.52		
9	Distributor Projected Payment 12 (July, 2032)		\$127,779.52		
10	Distributor Projected Payment 13 (July, 2033)		\$127,779.52		
11	Distributor Projected Payment 14 (July, 2034)		\$127,779.52		
12	Distributor Projected Payment 15 (July, 2035)		\$127,779.52		
13	Distributor Projected Payment 16 (July, 2036)		\$127,779.52		
14	Distributor Projected Payment 17 (July, 2037)		\$127,779.52		
15	Distributor Projected Payment 18 (July, 2038)		\$127,779.52		
Total Distributor Projected Payments			\$1,995,252.27		
1	Janssen Projected Payment 6 (June, 2026)		\$19,839.89		
2	Janssen Projected Payment 7 (June, 2027)		\$19,839.89		
3	Janssen Projected Payment 8 (June, 2028)		\$19,839.89		
4	Janssen Projected Payment 9 (June, 2029)		\$25,259.65		
5	Janssen Projected Payment 10 (June, 2030)		\$25,259.65		
6	Janssen Projected Payment 11 (June, 2031)		\$25,259.65		
Total Janssen Projected Payments			\$135,298.62		
1	Mallinckrodt Projected Payment		\$23,708.13		
Total Projected Payments			\$2,154,259.02		

Prioritization Process

The Criminal Justice Coordinating Council (CJCC) has been tasked with determining recommendations for how Opioid Litigation Settlement Funds should be utilized in Marathon County. The principal mission of the CJCC is to improve the administration of justice and promote public safety through community collaboration, planning, research, education, and system-wide coordination of criminal justice initiatives. The CJCC's prioritization process included representatives from law enforcement, human services, public health, the justice system, and the community.

The CJCC's work was guided by *Exhibit E: List of Opioid Remediation Uses* (see attached), a settlement document that contains a non-exhaustive list of Opioid Remediation Strategies that can guide states and political subdivisions in the spending of settlement funds. These funds can be used for a wide variety of opioid prevention, treatment, and recovery strategies that are listed in the settlement (Exhibit E).

Public Health Educators with the Marathon County Health Department facilitated five meetings using the Results-Based Accountability (RBA) Framework, an evidence-based decision-making model to determine a Result, select Indicators, and rank Strategies for how Marathon County government will utilize Opioid Litigation Settlement Funds in Marathon County.

Criminal Justice Coordinating Council (CJCC) prioritization process meeting participants:

- Suzanne O'Neill, Branch 1 Judge, Chair
- Kurt Gibbs, Chair of Marathon County Board of Supervisors, Vice Chair
- Matt Bootz, Chair of Public Safety Committee
- Michelle Van Krey, Chair of Health & Human Services Committee
- Matt Barnes, Deputy Chief, Wausau Police Department
- Todd Baeten, Patrol Captain, Wausau Police Department
- Kathryn Yanke, Public Defender's Office Manager
- Chad Billeb, Marathon County Sheriff
- Laura Yarie, Justice System Coordinator
- Theresa Wetzsteon, Marathon County District Attorney
- Ruth Heinzl, Diversion Coordinator, Marathon County District Attorney's Office
- Nikki Delatolas, Diversion Specialist, Marathon County District Attorney's Office
- Lee Shipway, Interim Executive Director, Peaceful Solutions Counseling
- Lance Leonhard, Marathon County Administrator
- Kelly Schremp, Marathon County Clerk of Court
- Cati Denfeld-Quiros, Department of Corrections local officer supervisor
- Christa Jensen, Department of Social Services Director
- Vicki Tylka, North Central Health Care Managing Director of Community Programs
- Jane Graham-Jennings, The Women's Community Executive Director
- Laura Scudiere, Marathon County Health Officer
- Yaou Yang, Citizen Representative
- Liberty Heidmann – Citizen Representative
- Daniel Tyler – Citizen Representative

Timeline

Meeting Date	Deliverables
April 20, 2023	Health Educators facilitated the crafting of the Result and selecting of the Indicators.
May 18, 2023	Health Educators facilitated the evaluation of factors from 'Exhibit E' document by completing the Driving Factor Matrix.
June 15, 2023	Health Educators facilitated the refining of Strategies.
July 20, 2023	Health Educators facilitated the refining of Strategies.
August 17, 2023	Health Educators facilitated the ranking of strategies, determining timeline and organization responsible for implementing the Strategies.

Using the Results-Based Accountability (RBA) Framework

Results-Based Accountability (RBA) is a systematic framework that emphasizes achieving desired outcomes and continuously measuring progress toward those outcomes. It helps clarify the result we want to achieve, track our performance through data indicators, and, most importantly, improve our effectiveness in creating positive change.

By utilizing RBA, the aim is to:

- **Clarify Objectives:** Clearly define the intended results and the impact to be achieved, making it easier for everyone to understand the shared purpose. This is identified below as our "Result".
- **Measurable Outcomes:** Set specific, measurable indicators to track progress and determine whether the desired impact is achieved.
- **Informed Decision-Making:** Use data and evidence to make informed decisions, ensuring our efforts are focused on what works and adjusting strategies when necessary.
- **Transparency and Accountability:** Communicate results transparently, both internally and externally, and hold accountability for achieving the outcomes set.

Result

The end conditions of wellbeing in a geographic area

Marathon County residents are free from the physical, emotional, social, and economic impacts on opioid misuse.

Indicators

Data used to measure the result

1. [Number of Suspected Opioid Overdoses](#) (Click to view on Marathon County Pulse)

This indicator is the number of suspected opioid overdose cases in Marathon County as determined by Wisconsin ambulance run reports.

The CJCC prioritized and selected this indicator because the Wisconsin Department of Health Services, Office of Health Informatics tracks the number of suspected opioid overdoses monthly, giving an accurate and real-time depiction of the impact of suspected opioid overdose on individuals and Emergency Medical Services (EMS) in Wisconsin counties. There is also breakout data available for age, gender, and race/ethnicity.

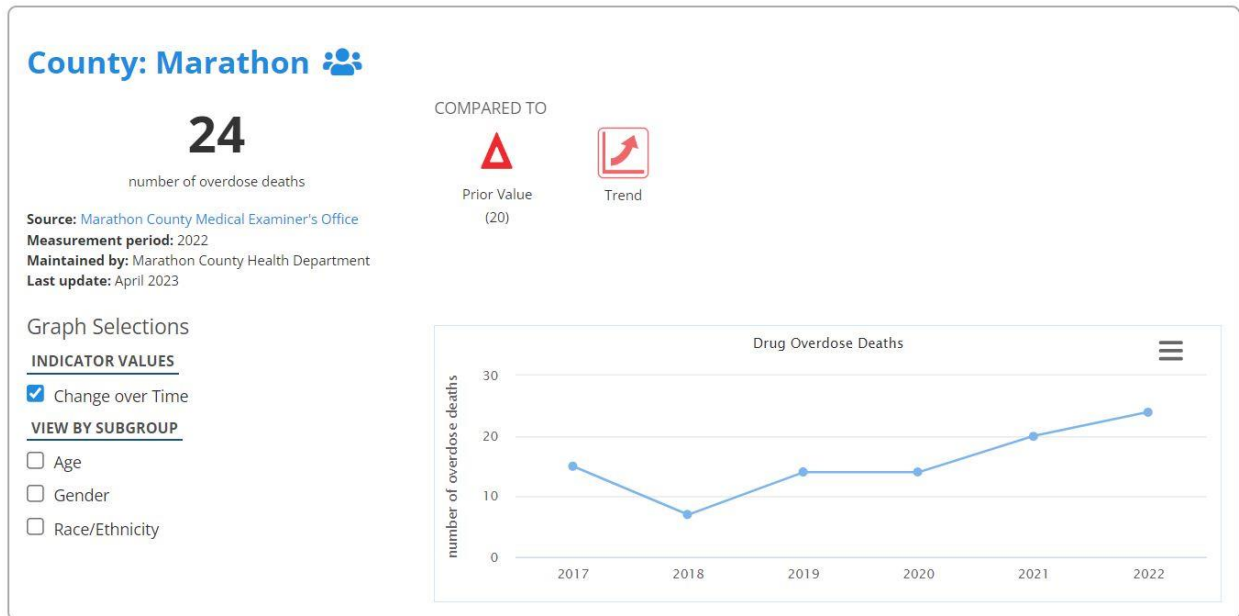
Suspected opioid overdoses have been increasing significantly in Marathon County from 2018 to 2022. Reducing the number of suspected opioid overdoses in Marathon County will have an impact on achieving the Result.



2. [Drug Overdose Deaths](#) (Click to view on Marathon County Pulse)

The CJCC prioritized and selected this indicator because drug overdose deaths are preventable and have profound impacts on individuals, families, and community resources.

Drug overdose deaths in Marathon County have continued to rise from 2017 to 2022. Reducing the number of drug overdose deaths in Marathon County will have an impact on achieving the Result.



Factor Analysis

Determine what key driving factors will make the most difference moving the indicators

Below are the key driving factors from *Exhibit E: List of Opioid Remediation Uses* that the CJCC prioritized as having the biggest impact on the indicators.

Schedule A

Factor B: Medication-Assisted Treatment (“MAT”) distribution and other opioid-related treatment

Factor F: Treatment for incarcerated population

Schedule B

Factor A: Treat opioid use disorder (OUD)

Factor B: Support people in treatment and recovery

Factor D: Address the needs of criminal justice-involved persons

Factor G: Prevent misuse of opioids

Strategies

What works to improve the indicators

Utilizing *Exhibit E: List of Opioid Remediation Use*, CJCC members developed strategies for each key driving factor and refined them with following RBA Framework criteria:

- **Specific:** Describe specifically how this strategy will contribute to the Result.
- **Scale:** What scale is necessary to move a Key Driving Factor at a population-level?
- **Measurable:** How will you measure the success of the Strategy? Consider how much, how well, and is anyone better off?
- **Agreed Upon:** Who has vetted, agreed upon already, or will need to agree on it?
- **Relevant:** Which Key Driving Factor does this target? What data or evidence base led you to choose this?
- **Time-bound:** When will you begin the Strategy? What milestones will there be?

Strategies were then ranked as **High/Medium/Low** using the following attributes:

- **Leverage:** How much of a difference will this strategy make on the Result and Indicators?
- **Reach:** Is this strategy feasible? Can this be done? Is this affordable/sustainable? Will this positively impact tax levy spending?
- **Values:** Is this strategy consistent with personal and Marathon County community values? Is this a role for Marathon County government?
- **Specificity:** Is this strategy specific enough to implement?

Strategies in Rank Order:

*Please note: Strategy #2 and Strategy #3 were ranked High and Medium, but additional funding has already been secured to carry out each strategy. Both strategies were assessed by the group as having high influence on the Indicators and are anticipated to play significant roles in Marathon County's overall plan to achieve the Result.

High:

1. Conduct gap analysis assessment of the continuum of care for treatment and recovery in Marathon County.
2. *Expand Marathon County Sheriff's Office deflection program and Wausau Police Department's Police Assisted Addiction Recovery Initiative (PAARI) to route low-level drug offenders to treatment instead of the criminal justice system. *(Additional funding already secured)*

Medium:

3. *Expand Medication Assisted Treatment (MAT) in the Marathon County Jail by creating a full-time case manager to oversee the program. *(Additional funding already secured)*
4. Provide stable, sober housing in Marathon County.
5. Expand the number of MAT providers in Marathon County by providing fellowships for addiction counselors, offering scholarships and support for workers in MAT, and providing funding and training for clinicians to obtain waiver under the Federal Drug Addiction Treatment Act.

6. Explore a co-responder model (like CART or chaplain program) that pairs a law enforcement officer with and therapist to address OUD/SUD-related calls.
7. Support early intervention programs for at-risk students in Marathon County school districts.

Low:

8. Support and expand peer recovery coaching in Marathon County.
9. Explore a community-wide “Naloxone Plus” strategy, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services.

Strategy Descriptions:

Strategy 1:

Conduct gap analysis assessment of the continuum of care for treatment and recovery in Marathon County.

Summary:

Implementation Steps:

1. Map out current resources along the treatment continuum of care.
 - a. Identify gaps, opportunities, and funding recommendations.
2. Assessment of success of our existing models and evidence-based practices.
3. Create recommended scope (i.e. treatment level) and model of practice (i.e. total sobriety).
4. Implement strategies.

Funding Considerations:

Hire facilitator or consultant to conduct gap analysis assessment.

Strategy 2:

Expand Marathon County Sheriff’s Office deflection program and Wausau Police Department’s Police Assisted Addiction Recovery Initiative (PAARI) to route low-level drug offenders to treatment instead of the criminal justice system.

Progress could be measured by number of individuals that complete programming.

Summary:

Deflection and PAARI have started, and systems are in place, but work is needed to maximize each program. Case management for the MCSO’s deflection program will be transferred to the DA’s Office for case management.

Funding Secured:

The Marathon County Sheriff’s Office has a \$135,000/\$250,000 grant (waiting on confirmation of exact amount) to support the deflection program.

Strategy 3:

Expand Medication Assisted Treatment (MAT) in the Marathon County Jail by creating a full-time case manager to oversee the program.

Full-time position assigned to the jail could be:

- NCHC Social Worker or Therapist
- Public Health Nurse

Progress could be measured by the hiring of a case manager, and number of individuals that complete MAT.

Summary:

The Marathon County Jail provides MAT already, but program expansion is needed to have a greater impact and outcomes. Strengthening the continuum of care with counseling that supports treatment and wraparound services for incarcerated individuals is key. NCHC needs to be a key partner for “hand-off” after an individual is released from jail.

Funding Secured:

The Marathon County Sheriff’s Office has a \$400,000 grant funding from the Wisconsin Department of Health Services to support MAT in the jail.

Strategy 4:

Provide stable, sober housing in Marathon County.

Summary:

Support current sober housing facilities (NCHC Hope House, Gospel TLC, Catholic Charities, Bridget Street Mission, ATTIC Correctional Services). Expand sober housing by engaging additional non-profits into our area (ie. Apricity). Determine what organization will lead these efforts.

Progress can be measured through number of sober housing slots, number of individuals that transition out of sober housing.

Funding Considerations:

Determine funding needs for current sober housing facilities.

Strategy 5:

Expand the number of MAT providers in Marathon County by providing fellowships for addiction counselors, offering scholarships and support for workers in MAT, and providing funding and training for clinicians to obtain waiver under the Federal Drug Addiction Treatment Act.

Progress can be measured by the number of MAT providers.

Summary:

Current MAT providers include Wausau Comprehensive Treatment Center and Aspirus.

Funding Considerations:

Determine funding needs for current MAT providers.

Strategy 6:

Explore a co-responder model (like CART or chaplain program) that pairs a law enforcement officer with and therapist to address OUD/SUD-related calls.

Strategy 7:

Support early intervention programs for at-risk students in Marathon County school districts.

Summary:

Need input from school districts and truancy court system on what gaps exist for at-risk youth and where funding could be used to support early intervention. Youth in Marathon County are experiencing trauma that does not meet the criteria to be considered abuse/neglect, meaning they are not eligible for intervention from Social Services.

Funding Considerations:

Determine what supports and resources are currently provided through Mirror Image Supervision Services, LLC for students in Marathon County school districts.

Strategy 8:

Support and expand peer recovery coaching/specialists in Marathon County.

Summary:

There are two types of certified peer specialists in Wisconsin. Certified peer specialist is an individual with experience in the mental health and substance use services system trained to provide support to others struggling to find a path to recovery. Certified parent peer specialist is an individual with experience raising a child with behavioral health challenges trained to use their experience navigating services in support of other parents.

Funding Considerations:

Determine what organizations have funding and resources to support peer recovery specialists.

Strategy 9:

Explore a community-wide “Naloxone Plus” strategy, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services.

Summary:

Progress could be measured by referrals to treatment after overdose. Provide education at public health vending machines and naloxone drop boxes. Determine what supports overdose patients in hospital settings receive for resources/treatment. Determine what organization will lead these efforts.

DRAFT

*Criminal Defense Attorney Recruitment:
10 Ideas on How to Attract Attorneys to
Accept Court Appointments in Marathon County¹*

Marathon County has experienced a shortage of local attorneys for several years. This scarcity has resulted from the retirement of practicing attorneys coupled with the declining enrollment of law students and the allure of urban law practice. With the supply of attorney services limited, the demands for those services have significantly increased, causing local attorneys to carefully evaluate the hours they care to devote to pro bono work. Currently, only five Marathon County attorneys are willing to accept court appointments to represent indigent criminal defendants.²

Without a sufficient number of attorneys willing to accept court appointments, the Marathon County justice system struggles to timely process criminal cases while protecting the rights of litigants and victims. Defendants are entitled to the appointment of counsel at county expense when a defendant is indigent but does not qualify for the appointment of counsel through the State Public Defender.³ When the court is unable to timely appoint counsel for an indigent defendant, the case is delayed. As criminal cases linger, witnesses' memories fade, victims remain without any remedy or closure, and defendants are left unsure of their future. Defendants are often incarcerated pretrial at a significant financial cost to the county, as well as to the defendant, their family, their employer, and their community. Additionally, if the pretrial delay becomes so long that the defendant's due process rights are violated, the case may ultimately be dismissed.⁴ As the justice system recovers from the COVID-19 pandemic backlog, criminal cases continue to lag because the court grapples with the task of appointing available and effective counsel to represent indigent defendants. To improve the timely and fair disposition of criminal cases, more attorneys are needed to accept court appointments.

To satisfy that need, and thereby alleviate the delay caused by the unavailability of defense counsel, the county must entice additional local attorneys to accept court appointments, and it must attract new, qualified attorneys to practice law in Marathon County, particularly those willing to accept court appointments. To elicit such participation, the county should consider the following:

¹ The paper was drafted by Suzanne O'Neill, Marathon County Circuit Court Judge and Chair of the Marathon County Criminal Justice Coordinating Council. The ideas set forth were developed in consultation and collaboration with select Marathon County criminal defense attorneys who have accepted court appointments in the past, as well as the regional attorney manager of the Wisconsin State Public Defender.

² In addition to the five attorneys with an office in Marathon County who have been willing to accept court appointments in Marathon County, there are currently five additional attorneys from outside the county: two attorneys with an office in the Fox Valley, one attorney with an office in Merrill, one attorney with an office in Stevens Point, one attorney with an office in Chili (Wisconsin), and one attorney with an office in Madison.

³ *State v. Forbush*, 2011 WI 25, 332 Wis. 2d 620, 796 N.W.2d 741; *State v. Lee*, 2021 WI App 12, 396 Wis. 2d 136, 955 N.W.2d 424.

⁴ *Lee*, 396 Wis. 2d 136.

1. **Increase the rate of compensation:** One of the main reasons that private attorneys decline court appointments is because the compensation offered is too low. Marathon County currently pays court appointed attorneys \$100/hour, which equals the rate paid by the State Public Defenders Office and is similar to the rate paid by other neighboring counties. Increasing the rate of compensation to \$125/hour, could make case appointments in Marathon County more attractive to private attorneys.
 - a. **Target Population:** Attorneys approved to accept county appointments in criminal cases.
 - b. **Financial Investment Necessary:** An additional \$100,000 per fiscal year, for a total budget of \$700,000 per year.
 - c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

2. **Offer CLE credits:** Attorneys are required to annually earn continuing legal education (CLE) credits to maintain their license to practice law in the State of Wisconsin. Offering attorneys educational opportunities to earn CLE credits and/or offering to reimburse attorneys for their attendance at CLE seminars in exchange for accepting court appointments can incentivize private attorneys to accept appointments.
 - a. **Target Population:** Attorneys approved to accept county appointments in criminal cases. The assistance would be offered to no more than twenty attorneys per year. To be eligible for assistance, the attorney must commit to accepting a minimum of 48 court appointments per year. If more than twenty attorneys apply to accept county appointments, assistance would be provided to those with the greatest seniority on the county appointment list.
 - b. **Financial Investment Necessary:** Not to exceed \$7,000 annually⁵
 - c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

3. **Offer to pay bar dues:** Attorneys licensed to practice law in the State of Wisconsin are required to annually pay dues to the State Bar. Membership dues for the 2023–2024 fiscal year are \$508 for those admitted to the bar prior to April 30, 2021, and \$291.50 for those admitted after. Payment of annual dues can be a significant expenditure for solo practitioners. Assistance with such payments could attract more attorneys to accept court appointments.
 - a. **Target Population:** Attorneys approved to accept county appointments in criminal cases. The assistance would be offered to no more than twenty attorneys per year. To be eligible for assistance, the attorney must commit to accepting a minimum of 48 court appointments per year. If more than twenty attorneys apply

⁵ The Wisconsin State Public Defender sponsors an annual conference at which attorneys can earn their yearly required continuing education credits. The 2023 tuition for the conference is \$350.

to accept county appointments, assistance would be provided to those with the greatest seniority on the county appointment list.

- b. Financial Investment Necessary:** not to exceed \$10,600 annually
 - c. Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

- 4. **Provide office resources:** Providing a space in or adjacent to the courthouse for private attorneys to meet with clients, witnesses, or others may entice attorneys who do not have local office space to accept appointments. Additionally, providing appointed attorneys with access to and free use of a printer/copy machine would simplify their work and reduce their costs, incentivizing their acceptance of court appointments.
 - a. Target Population:** Attorneys approved to accept county appointments in criminal cases. The assistance would be offered to all attorneys actively accepting criminal case appointments. To be considered an “active” attorney, the attorney would be required to accept no fewer than 12 appointments per year.
 - b. Financial Investment Necessary:** de minimis
 - c. Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

- 5. **Modify the appointment process:** Currently, attorneys on the county’s approved appointment list are randomly appointed cases by the court, without input by the attorney as to whether or not they feel comfortable accepting the appointment.⁶ Once appointed, the attorney is expected to provide effective representation. Modifying the appointment process to require contact with the private attorney before appointing the case may alleviate case management concerns of attorneys and encourage more private attorneys to accept court appointments.
 - a. Target Population:** Attorneys approved to accept county appointments in criminal cases.
 - b. Financial Investment Necessary:** none
 - c. Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

- 6. **Modify the reimbursement process:** Currently, court appointed attorneys submit an invoice to the clerk of court for payment upon completion of the case. Complex cases often take several months and sometimes more than a year to complete. Modifying the reimbursement process to allow for interim billing in complex cases may attract private attorneys to accept appointments of complex cases.

⁶ Attorneys can request to be added to the appointment list at anytime. Attorneys are added to the list upon approval of the Presiding Judge.

- a. **Target Population:** Attorneys approved to accept county appointments in criminal cases.
 - b. **Financial Investment Necessary:** de minimis
 - c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

- 7. **Pay Discovery/Records Fees:** The Marathon County District Attorney's Office bills all attorneys for the costs of producing discovery. The Marathon County Department of Social Services bills attorneys for the cost of producing records relevant to the defense. In a court appointed case, the attorney pays the discovery and records fees to the DA's Office and Social Services Office and then submits an invoice to the clerk of court, who then reimburses the attorney. Direct billing and payment of the fees between the DA's Office/Social Services and the clerk of court would simplify the process for all and may attract private attorneys to accept court appointments.
 - a. **Target Population:** Attorneys approved to accept county appointments in criminal cases.
 - b. **Financial Investment Necessary:** No additional costs (costs are already reimbursed to attorneys)
 - c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

- 8. **Provide mentorship opportunities:** Providing mentorship opportunities to newer attorneys can be an effective way to encourage them to take on court appointments. By pairing newer attorneys with experienced attorneys, they can gain valuable experience and build relationships within the legal community. It may also encourage new attorneys to locate here.
 - a. **Target Population:** New attorneys motivated to move to North Central Wisconsin and practice criminal law.
 - b. **Financial Investment Necessary:** de minimis
 - c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

- 9. **Develop a media campaign:** Advertise locally and throughout the State of Wisconsin that Marathon County is in need of attorneys willing to accept court appointments. Explain the process to be included on the appointment list as well as the appointment and billing process.
 - a. **Target Population:** Attorneys interested in living and/or working in North Central Wisconsin and practicing criminal law.
 - b. **Financial Investment Necessary:** Unknown at this time
 - c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

10. **Develop a recruitment campaign:** Marathon County desperately needs new attorneys to locate to the area. To recruit new attorneys, the county should consider collaborating with the University of Wisconsin Law School, the Marquette University Law School, the University of Minnesota Law School, and perhaps the St. Thomas School of Law, and Hamline Mitchell School of Law, to recruit law students to the area. Summer internships could be offered to first and second year law students to give them some experience in both the law and local and regional culture and assets.

Start up costs often hamper new attorneys as they attempt to establish a law practice. To entice new attorneys to the area, offer new graduates a \$5,000 stipend to locate to the area, establish a practice, and agree to accept a minimum of four court appointments each month for a twelve month period. Award the attorney an additional \$5,000 stipend after the attorney has accepted 48 court appointments and has effectively represented those clients. Performance expectations would be established and malpractice insurance would be required.

- a. **Target Population:** Law students and new attorneys motivated to move to North Central Wisconsin and practice criminal law, limited to the first 10 qualified applicants.
- b. **Financial Investment Necessary:** \$100,000
- c. **Success Measure:** Increase in number of attorneys that accept county appointments (baseline 5)

Overall, by making the appointment and reimbursement process more attractive to private attorneys and by enticing new attorneys to practice in the area, Marathon County can ensure that indigent criminal defendants have access to qualified legal representation. As the population of appointment attorneys increases, the court could timely appoint counsel to indigent defendants. With quality defense counsel timely appointed to represent defendants, criminal cases could move efficiently through the justice system, decreasing the county's cost to incarcerate defendants pretrial, while protecting the rights of defendants and victims, and enhancing public safety throughout the community.