

SHEBOYGAN COUNTY PROGRAM WORKSHEET
February 16, 2005

Department: Clerk of Circuit Courts

Date: April 26 2005

Program	Description	Mandated	Priority	Service Level Required	2004 Actual Expense	2005 Budgeted Expense	2005 Budgeted Grants/Fees Revenue	2005 Tax Levy
Court Support	Provide courtroom clerical staff to take minutes, mark and receive exhibits etc for 5 judges, over 27,000 cases.	Yes 59.40(2)	1	100%	\$491,266	\$495,707	\$346,067	\$149,640
Office Support	File and keep all papers deposited with the courts, keep docket & lien index, minutes and records of court.	Yes 59.40(2)	2	100%	\$860,098	\$867,874	\$677,780	\$190,094
Collections	Collect and pay to the treasurer all filing fees, fines, assessments and forfeitures levied by statute and the courts	Yes 59.40(2)&(3) Chap. 814	3	100%	\$305,918	\$308,684	\$202,239	\$106,445
Jury Management	Question, qualify, select, summons, swear and compensate all jurors needed for the court system to operate.	Yes Chap. 756	4	100%	\$103,395	\$104,330	\$50,677	\$53,653
Court Appointed Attorneys	Provide counsel for indigent defendants who do not qualify for a Public Defender and Guardians ad Litem where required by statute	Yes 753.19,767.045 880.33(2)(a)(3) 938.275 56.06(6)	5	100%	\$216,328	\$218,284	\$206,609	\$11,675

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: April 26, 2005

DEPARTMENT: Clerk of Circuit Courts

DEPARTMENT MISSION STATEMENT:

To effectively and efficiently facilitate the administration of justice.

PROGRAM: Court Support

1. Describe the program, its purpose and goals.
The clerk of courts office is statutorily the custodian of all circuit court records. This responsibility includes taking the minutes in the courtroom for all proceedings held, preparing and completing all forms in the courtroom, calculating costs and preparing fine slips for distribution in the courtroom.
2. Who is the program intended to serve? How many are served?
We have 5 judges, two court commissioners and approximately 250 attorneys practicing in this county. In 2004, we had over 27,000 cases filed, involving more than 50,000 court hearings.
3. Are the program benefits long-lasting and essential to the service populations?
The courts cannot function without the support of the clerk of courts office and its staff. We are also the source for the public access to the courts. While our weighted caseload supports over 6 judges, our 5 judges manage to stay current according to the benchmarks established by the state because of the efficient and effective support our office provides for them.
4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?
All of the programs of the Clerk of Courts Office relate directly to each other and are statutorily required. Without the records and forms prepared by the clerk of courts staff the jail and Department of Corrections would not have the information necessary to process and hold inmates or supervise probationers.
5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?
Adequate staffing in the courtroom assures accurate records, allowing the office staff to prepare the correct documents for case processing in accordance with the model court record keeping procedures developed by the Director of State Courts Office.
6. How do you determine/measure if this program has been effectively provided and implemented?
The appropriate staffing is provided enabling each court to function as scheduled each day. The fact that the judges are able to meet the case benchmarks is due to efficient staffing. The fact that over 50,000 hearings of all types are clerked annually is a measure of efficiency.
7. Could the county cost-effectively subcontract this program?
No, statutory requirements do not allow for the subcontracting of any court programs. Grants provided by the state help to offset many of the costs of operation for this department.
8. State the numerical ranking of this program compared to all programs in your department and briefly explain.
This program is ranked number 1 out of 8. It is the most elemental function of the office.
9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?
No.

10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
This program is a statutory and constitutional requirement.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
It is impossible to accurately determine the cost per case handled or proceeding clerked. The Director of State Courts Office recommends 8 staff for each circuit court judge. For the five judges in Sheboygan County, the workload assumed to be that of 40 staff is handled by a staff of 29.
12. **Is this program currently duplicated by another county department or provider in the community?**
No.

FOLDER: CNTY PROG EVALUATION AND PRIORITY PROCESS
FILE: PROGRAM QUESTIONNAIRE

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SCHEDULED REVIEW DATE: April 26, 2005

DEPARTMENT: Clerk of Circuit Courts

DEPARTMENT MISSION STATEMENT:

To effectively and efficiently facilitate the administration of justice.

PROGRAM: Office Support

1. **Describe the program, its purpose and goals.**
Provide the clerical support necessary for the statutory record keeping functions of the clerk of courts office. Accurately and proficiently maintain all case filings (criminal, civil, family, paternity, small claims, traffic and ordinance citations), case dispositions, minutes of court proceedings, orders, oaths, legal documents, correspondence, sentences, judgments of conviction and appeals for the courts. Provide procedural and case information to the public. Process and prepare all case disposition orders including among other things, prison sentences, driving privilege suspensions, jail sentences, probation orders and alcohol assessment orders.
2. **Who is the program intended to serve? How many are served?**
The Clerk of Courts office provides service to everyone seeking access to the courts. Last year's caseload included filings of 27, 825 cases with 28, 111 cases disposed with more than 50,000 hearings, all scheduled and noticed by this office. We provide the necessary documents and information to many adjunct agencies including law enforcement, Depart of Corrections, Department of Transportation, Court of Appeals, Supreme Court, Department of Revenue, jails and prisons and the various municipalities with in the county.
3. **Are the program benefits long-lasting and essential to the service populations?**
The Clerk of Courts Office is fundamental to providing access to the judicial system and maintains the courts' records for all cases for retention periods determined by the Supreme Court.
4. **Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?**
The records maintained by the Clerk of Courts Office are accessed by law enforcement, the District Attorney's Office to assist in prosecuting and adjudicating additional crimes. The office support is integral to the entire functioning of the office, as all programs intermingle.
5. **How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?**
The department would not be able to meet our statutory requirements without this component. It is required that we generate and maintain the records for the Circuit Courts, which are the courts of public record. The accurate and timely generation of those records allows other county departments such as DHS, the Sheriff's Department, the District Attorney's Office to access those records quickly.
6. **How do you determine/measure if this program has been effectively provided and implemented?**
Meeting statutory timelines and providing accurate records are two measures of success. We respond to public requests for information in a timely manner. Because many other entities depend on our records, any errors are brought to our attention immediately.
7. **Could the county cost-effectively subcontract this program?**
No, it is an integral component of the department and would not be able to be separated from the res of the office.

8. **State the numerical ranking of this program compared to all programs in your department and briefly explain.**
This program is ranked #2 out of 8. After the actual in-court functions it is the most basic function and purpose of the office.
9. **Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?**
No.
10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
No applicable.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
Director of State Courts Office standards are 8 Clerk of Courts' staff for each Circuit Court judge. Our weighted caseload supports in excess of six judges yet for our 5 judges we provide excellent service in a timely fashion with 29 staff.
12. **Is this program currently duplicated by another county department or provider in the community?**
No.

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SCHEDULED REVIEW DATE: April 26, 2005

DEPARTMENT: Clerk of Circuit Courts

DEPARTMENT MISSION STATEMENT:

To effectively and efficiently facilitate the administration of justice.

PROGRAM: Collections

1. Describe the program, its purpose and goals.
The collections function of the Clerk of Courts Office is responsible for meeting the statutory requirement of collecting and disbursing filing fees, court costs, fines, fees and surcharges assessed against defendants and all other statutory assessments. To do this we implement payment plans, time-to-pay agreements, income assignments, tax intercepts, commitments to the county jail, suspension of driving privileges or DNR privileges and an assortment of other efforts. We work diligently to hold people accountable for payment of all court ordered obligations.
2. Who is the program intended to serve? How many are served?
Collections deal with all those who owe court ordered obligations either at the time of filing for civil, small claims or family cases, or following the conclusion of the action in criminal or forfeiture actions. In 2004 alone, \$4,956,142 in fines and forfeitures were assessed on the more than 27,600 cases adjudicated, with \$4,917,589 collected on all outstanding receivables.
3. Are the program benefits long-lasting and essential to the service populations?
Collecting fees, fines and forfeitures is essential. The processes implemented by the collections program to accomplish this are in the interest of everyone.
4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?
As with court support and office support, this is the next integral step in the functioning of the office to meet its statutory requirements. It is the public interest that defendants be held accountable for penalties imposed. As a part of the collections process we are also collecting fees that benefit other county departments, for example: collecting the jail assessment that benefits the Sheriffs Department, the driver improvement surcharge that benefits the Human Services Department and mediation and supplemental fees that benefit the Court Commissioner's Department.
5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?
Over the years, this department has aggressively sought ways to make the payment of court ordered obligations easier. We've implemented payment plans, arranged for credit card usage at no cost to the county, partnered with the state to accomplish tax intercepts and work with employers to initiate income assignments. The collecting we do of surcharges that benefit other county departments assists them in becoming more effective.
6. How do you determine/measure if this program has been effectively provided and implemented?
Monthly collections reports and the ST 83 form to remit collections to the treasurer assist in determining the effectiveness of collection measures. On-going reviews of collection procedures helps us to determine which segments are effective and which are not.

7. **Could the county cost-effectively subcontract this program?**
He payment of filing fees must be done up-front when the case is filed and this function could not be subcontracted. Currently, we are using a third party service to process credit card payments at no cost to the county and are contracted with a collection agency to assist in pursuing the more difficult cases, but at a cost to the county and the state, so we use them judiciously.
8. **State the numerical ranking of this program compared to all programs in your department and briefly explain.**
This program is ranked #3 out of 8. It is a statutory responsibility of the Clerk of Courts Office to collect and turn over to the treasurer all fines, forfeitures, surcharges and assessments and follows the natural flow of cases through the judicial system.
9. **Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?**
There are no alternatives to the collections function of the department; however, through the use of a collection agency and the DOR tax intercept interface we are partnering with other entities to increase efficiency.
10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
Not applicable; the collection of statutory surcharges and assessments is a direct responsibility of the department.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
As the third most expensive program in the office at slightly over \$300,000, this division is responsible for the initiation of all court cases filed, gross receipts of over \$5.75 million and collections distributed to the state, county and municipalities of over \$4.9 million.
12. **Is this program currently duplicated by another county department or provider in the community?**
No.

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SCHEDULED REVIEW DATE: April 26, 2005

DEPARTMENT: Clerk of Circuit Courts

DEPARTMENT MISSION STATEMENT:

To effectively and efficiently facilitate the administration of justice.

PROGRAM: Jury Management

1. Describe the program, its purpose and goals.
In criminal cases, a trial by a jury of your peers is a constitutional right, and as such, it is the responsibility of the Clerk of Courts Office to fulfill that right. In civil actions, a jury trial may be held upon request and payment of a small fee. In order to accommodate this the office is responsible for qualifying, summoning, scheduling and paying all jurors.
2. Who is the program intended to serve? How many are served?
In 2004, 6,000 names were requested from DOT and sent questionnaires. Of the people qualified to serve, four panels for each of 13 terms were summoned utilizing 5,200 jurors. Last year 58 jury trials were held, an average of more than one a week, many covering multiple days.
3. Are the program benefits long-lasting and essential to the service populations?
A trial by jury is everyone's constitutional right, making the administration of the jury system essential.
4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?
Again, all programs of the court system are intertwined and essential to each other. Our organized approach to jury management allows the courts to handle cases with jury trials in a timely and efficient manner.
5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?
Our automated jury management program allows us to efficiently provide the courts with sufficient jurors when needed. We have found that utilizing jurors for four-week terms is the most efficient use of our resources.
6. How do you determine/measure if this program has been effectively provided and implemented?
Reports generated using the CCAP jury management system provides the data necessary to ensure that we are in compliance with the various statutory requirements for juror usage and are meeting the benchmarks for population demographics and efficient use of jurors.
7. Could the county cost-effectively subcontract this program?
No.
8. State the numerical ranking of this program compared to all programs in your department and briefly explain.
This program is ranked at #4 out of 8. It is another statutory function, however, of the Clerk of Courts Office and as such is no more or less important than any other responsibility.
9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?
No.

10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
This is not applicable as the county must provide jurors.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
The number of jurors used each year varies greatly depending upon the number of cases that actually go to jury trial and the length of the trial. Lat year, direct expense for 58 jury trials was slightly over \$52,000, \$17,000 under budget.
12. **Is this program currently duplicated by another county department or provider in the community?**
No.

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DEPARTMENT MISSION STATEMENT:

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PROGRAM: Court Appointed Attorneys

1. Describe the program, its purpose and goals.
Constitutionally and statutorily, criminal defendants have the right to legal representation. Through an application process, criminal defendants are provided with an attorney when indigency prohibits them from obtaining an attorney on their own but poverty guidelines are too high for them to qualify for a public defender. In juvenile and family matters, often the court will appoint a guardian ad litem to represent the best interests of the child, and must appoint one if the child is being placed outside the home.
2. Who is the program intended to serve? How many are served?
Last year, we had 139 defendants who were represented by court appointed attorneys. These defendants first applied for a public defender, but were turned down. They were then required to be turned down for representation by three private attorneys because of inability to pay. These defendants then turn to the county for representation. Also last year, 162 attorneys were appointed to serve as guardians ad litem in juvenile matters and 92 in family and civil matters.
3. Are the program benefits long-lasting and essential to the service populations?
By having the court appointed attorneys program, defendants are assured of their rights to due process under the Constitution and the judges are able to move cases through the system in a timely fashion. Litigants who represent themselves take up much more court time and are more time consuming for staff within the Clerk of Courts' office. Appointing guardians ad litem in juvenile matters assures that the best interests of the child are protected.
4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?
This program relates to the collections program by virtue of the fact that it is the responsibility of the collections area to recoup the court ordered reimbursement for these appointments.
5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?
This program ensures that criminal defendants will have legal counsel appointed in a timely fashion, reducing the excessive court time consumed by self-represented litigants. It also ensures that the statutory requirements are met in juvenile matters.
6. How do you determine/measure if this program has been effectively provided and implemented?
The limited number of cases that are adjourned because the defendant does not have an attorney and wants one is an indication that the application process is efficiently handled. In juvenile matters, we are within the statutory time limits because the guardians ad litem are appointed in an efficient and timely manner.

7. **Could the county cost-effectively subcontract this program?**
There are some counties that have several guardians ad litem on retainer, but a study done several years ago by an ad hoc committee did not show that this would result in any savings to the county. In the area of criminal representation, an argument could (and should) be made that the State Public Defender's Office should be taking a majority of these cases. Until the state updates its qualification criteria, which is supposed to be done regularly but have not done in the past 22-27 years, the burden for providing this representation falls on the county.
8. **State the numerical ranking of this program compared to all programs in your department and briefly explain.**
This program is ranked as #5 out of 8. While it is the courts' responsibility to appoint counsel where necessary, it is not a statutory requirement attributable directly to the Clerk of Courts Office as are the first four programs.
9. **Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?**
See # 7.
10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
This is a statutory requirement. If eliminated, the constitutional right to counsel would be denied.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
This program allowed defendants to have legal representation at a cost of \$54,137. Attorney costs for juvenile cases and guardianships was \$117,313, which will be reimbursed with a grant from the Director of State Courts. Indigent counsel fees recouped in 2004 were \$23,656.24 and guardian ad litem fees recouped in addition to the grant were \$7,082.43.
12. **Is this program currently duplicated by another county department or provider in the community? Other than the limited representation provided by the State Public Defender's office, no.**

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DEPARTMENT: Clerk of Circuit Courts

DEPARTMENT MISSION STATEMENT:

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PROGRAM: Interpreter Appointments

1. **Describe the program, its purpose and goals.**
Indigent defendants in criminal actions have the right to an interpreter if they are of limited English proficiency. Also, the Americans with Disabilities Act requires that anyone who is hearing impaired have an interpreter. Wis. Stat. 885.38(8)(s)1 requires that the county pay for these services.
2. **Who is the program intended to serve? How many are served?**
The program serves anyone of limited English proficiency and the hearing impaired who is a defendant, a witness or juror. Lat year 733 court appearances required interpreters.
3. **Are the program benefits long-lasting and essential to the service populations?**
This service is essential to defendants being able to participate in the judicial process.
4. **Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?**
This program directly relates to the entire judicial process administered by the Clerk of Courts Office by providing access to the courts.
5. **How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?**
By providing qualified interpreters, the county assures that defendants understand and are able to participate in the legal process and their defense. This eliminates costly repeat or lengthy court appearances, thereby increasing the efficiency of the courts.
6. **How do you determine/measure if this program has been effectively provided and implemented?**
The fact that criminal initial appearances do not have to be adjourned due to the lack of an interpreter demonstrates that having an interpreter present on Monday afternoon for intake Defendants Interpreters are now responsible for tracking each case that they are assigned to instead of having staff arrange for an interpreter for each subsequent appearance. There is no way to measure this effectiveness, however.
7. **Could the county cost-effectively subcontract this program?**
This program is essentially sub-contracted as none of the interpreters used are employees. Because the need for usage varies and many different languages are required it would be difficult to contract locally.
8. **State the numerical ranking of this program compared to all programs in your department and briefly explain.**
This program is ranked #6 out of 8. It is required that the county pay for interpreter services used by the courts. In order to ensure that the judicial process is not slowed by the lack of qualified interpreters, the Clerk of Courts office arranges for those interpreters.

9. **Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?**
This is a service that is already being performed by other providers, we simply facilitate it.
10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
Not applicable. This program is statutorily required.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
The program provides access to the judicial system for people with limited English proficiency and the hearing impaired. The department receives reimbursement at the rate of \$40 per hour for state certified interpreters and \$30 for non-certified when used for an indigent defendant. Last year we had interpreter expense of \$35,554 and reimbursement of \$18,493
12. **Is this program currently duplicated by another county department or provider in the community?**
As stated before, this service is provided by qualified interpreters compensated by the county.

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DEPARTMENT: Clerk of Circuit Courts

DEPARTMENT MISSION STATEMENT:

To effectively and efficiently facilitate the administration of justice

PROGRAM: Judicial Law Library

1. Describe the program, its purpose and goals.
Statutorily, circuit court judges may purchase or direct the clerk of circuit courts to purchase law books and subscribe for periodical reports and the cost shall be paid by the treasurer.
2. Who is the program intended to serve? How many are served?
This program serves the five circuit court judges by providing them with current law and up-to-date legal references.
3. Are the program benefits long-lasting and essential to the service populations?
The service is essential to the judges and all litigants.
4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?
All programs of the Clerk of Circuit Courts office are related to each other as all are directed toward providing support to the circuit courts in Sheboygan County. The purchase of law books for the judges is integral to the function of the courts.
5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?
Without current law to reference, the courts would neither be efficient nor effective.
6. How do you determine/measure if this program has been effectively provided and implemented?
With a comprehensive review of purchased volumes over the past several years, the expense for this program has been drastically reduced yet the judges have the legal resources they require.
7. Could the county cost-effectively subcontract this program?
No
8. State the numerical ranking of this program compared to all programs in your department and briefly explain.
Ranking is #7 out of 8.
9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?
No, this is a resource that needs to be provided to the judges to enable them to perform their duties.
10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?
If eliminated, the county would be exposed to liability if court decisions did not reflect current law.

11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
The impact of not have having current law and decisions is immeasurable financially. The cost of the program has been reduced drastically over what it was in past years. From a high of over \$70,000 cost has been cut to less than \$25,000 last year.

12. **Is this program currently duplicated by another county department or provider in the community?**
No.

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DEPARTMENT: Clerk of Circuit Courts

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To effectively and efficiently facilitate the administration of justice.

PROGRAM: Directorial/Reporting Functions

1. Describe the program, its purpose and goals.
Administrative and reporting functions consume a significant amount of time and are done at a cost to the department. Staff must be scheduled to cover the calendared activities in six courtrooms daily. Numerous reports must be filed to comply with statutory requirements and to ensure receipt of certain grant funding for the operation of the courts. The CCAP computer system requires network administration. Personnel administration for a department of 30 is also time consuming.
2. Who is the program intended to serve? How many are served?
This function enables the county to recoup some of the costs of operating the circuit courts and therefore serves the entire county. Staff scheduling and personnel and computer administration serves the entire court system.
3. Are the program benefits long-lasting and essential to the service populations?
Yes. Fulfilling these responsibilities enables the county to receive funds and results in efficient operation of the department.
4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?
Again, all programs are directly related to the ability of the courts to function effectively and efficiently.
5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?
To not comply with reporting or directorial responsibilities would be ineffective and inefficient.
6. How do you determine/measure if this program has been effectively provided and implemented?
Staff are present in court as necessary for all court proceedings. We are able to receive both the Guardian ad Litem Grant and the Circuit Court Support Grant. The CCAP computer system functions efficiently and without systems problems.
7. Could the county cost-effectively subcontract this program?
No.
8. State the numerical ranking of this program compared to all programs in your department and briefly explain.
This is ranked #8 out of 8.
9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?
No, these functions are the responsibility of the Clerk of Circuit Courts Office.

10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**
If these functions were not performed the county would suffer financial loss and legal liability.
11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**
The resulting grants of over \$500,000 and the efficient operation of the courts are the obtained at a cost of slightly over \$80,000.
12. **Is this program currently duplicated by another county department or provider in the community?**
No.

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