



Newsletter of the
*WESTERN DISTRICT OF WISCONSIN
BAR ASSOCIATION*

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Pro Bono Appointees Recognized

The clients are poor, the cases difficult and often undesirable. Reimbursement for expenses is unlikely. And victory seems highly improbable.

These are among the reasons why many lawyers are unwilling to accept appointments to represent indigent pro se litigants.

Yet, where the claims are viable, familiarity with the substantive and procedural law is essential. But very few pro se litigants even know how to look up the law, let alone understand it. An attorney could make all the difference.

This is why the Western District Bar Association recently acknowledged the lawyers who, despite the long odds and difficult circumstances, accepted pro bono appointments in 1998-99. Special recognition occurred during the Association's annual meeting luncheon on June 10, 1999.

The lawyers who accepted pro bono appointments this past year include:

Kristine Edwards of Hurley, Burish & Milliken, S.C.

Michael Erhard of Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C.

David Harth and Katherine Stadler,
both of Foley & Lardner

Peter Koneazny of the American Civil Liberties Union of Wisconsin Foundation

Amy McDavid of the UW Law School Remington Center (Legal Assistance for Institutionalized Persons) & Jason Klimowicz, a sole practitioner

Linda Roberson of Balisle & Roberson, S.C.

Todd Smith of LaFollette Sinykin, LLP

Ralph Topinka of Quarles & Brady, LLP

Jim Troupis of Michael, Best & Friedrich, LLP

Each lawyer who agrees to accept a pro bono appointment undoubtedly has somewhat different reasons for doing so. However, Jason Klimowicz, who has accepted more than one appointment over the last several years, probably speaks for most lawyers when explaining why he makes himself available.

"I'm pretty lucky to be where I am, as an attorney," Jason says. "I feel an obligation to give something back to the community. I want to help people who traditionally don't have representation. I have the skills to do it and so I'm willing to accept pro bono cases."

Lawyers who are interested in being considered by the district court for pro bono appointments are encouraged to contact the clerk of court's office for the registration form.

THE PRESIDENT'S CORNER

LOOKING BACK AND LOOKING AHEAD

By
Catherine M. Rottier
President
Western District of Wisconsin Bar Association

*T*he Western District of Wisconsin Bar Association was formed in July, 1992 as a vehicle for assisting the district court. Our bylaws indicate that the purposes of the association are to promote improvements in the administration of justice, to reduce costs and delays in litigation, to assist the court in identifying counsel willing to undertake pro bono assignments, to educate the bar and the public as to the practices of this district court, and to promote civility among all who do business in the court.

In the seven years of its existence, the bar association has amassed a notable list of achievements. It has sponsored several CLE programs and offered them at no cost to its members. It has participated in a questionnaire and study that resulted in the implementation of a no smoking policy at the courthouse. It has established and furnished an attorneys' room at the courthouse for the use of any counsel having business there. It has studied whether the speed of disposition in this district has the inadvertent effect of increasing the cost of litigation. It has honored those who have followed through on commitments to accept pro bono assignments. It has sponsored a number of annual luncheons with entertaining and interesting speakers.

But the first seven years are only prologue. To remain vital and active in this district, the association is now undertaking a review of its bylaws. In addition, the association is considering how its members can assist with the implementation of the new alternative dispute resolution policy in this district. The organization continues to seek members willing to serve on one or more of its numerous committees, including the pro bono/pro se committee, the courthouse equipment and facilities committee, the courthouse rules and practices committee, the criminal justice committee, and the communications committee.

The back of this newsletter contains a list of the officers, governors, and committee chairs for the 1999-2000 program year. If you are interest in serving on a committee, please call the chair of that committee. You are certain to receive a hearty welcome. We invite your interest and your energy.

The Web Site for the United States District Court for the Western District of Wisconsin

There has been a web site created by and about the United States District Court for the Western District of Wisconsin which has a great variety of information on Court offices and their services. The web site may be accessed at:

www.wiw.uscourts.gov

There is a section on Court offices, including Bankruptcy Court, the District Court, and Probation and Pretrial Services. Information about local rules, how to contact these offices, how to order transcripts, opinions of the District Judges, and the automated evidence presentation system available in Courtrooms 250 and 260 are just a few of items included in this section. Through the link to the District Court, the court calendar for the next two weeks may be found. This calendar is updated hourly.

There is a map which shows the jurisdiction of the Western District of Wisconsin and the site also includes driving directions to the Robert W. Kastenmeier United States Courthouse in Madison and to the United States Courthouse in Eau Claire.

Public Access to Electronic Court Records (PACER) is an electronic public access service that allows users to obtain cases and docket information from the federal Appellate, District and Bankruptcy Courts. To obtain this access, individuals must first acquire a PACER account I.D. and password. Information about getting an account is available at the PACER Service Center web site, which may be accessed at:

pacer.psc.uscourts.gov

PACER is available on the Internet for some jurisdictions. The PACER Service Center web site contains links to the courts which currently offer PACER services on the Internet. For now, the United States District Court for the Western District of Wisconsin is available only through the traditional dial-up service. Users may send an e-mail message to pacer_info@wiwd.uscourts.gov to receive instructions about obtaining a PACER account.

The web site for the United States District Court for the Western District of Wisconsin also provides links to related sites, such as Wisconsin State Courts, the Seventh Circuit Court of Appeals, the Administrative Office of the United States Courts, and the Federal Judicial Center. Finally, the web site has a section which will highlight anything new which has been added and it offers an opportunity to provide feedback on the site.

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN
Local Rules**

RULE 1 (LR 83.5): ADMISSION OF LAWYERS

A. Any lawyer licensed to practice before any United States court or the highest court of any state or the District of Columbia is eligible for admission to practice in this court.

B. To be admitted to the bar of this court, a lawyer must complete a verified application for admission, sign a roll card, and pay the prescribed fee.

C. By permission of a judge or magistrate, any lawyer eligible for membership in the bar of this court may proceed in a particular matter without becoming a member of the bar of this court.

D. Non-resident lawyers need not retain local counsel to assist in the presentation of their cases unless specifically directed to do so by a judge or magistrate.

RULE 2 (LR 72.1): UNITED STATES MAGISTRATES

A. The United States Magistrates who maintain an official station at Madison, Wisconsin, are designated to hear and determine any pretrial matter pending before this court, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, to dismiss or quash an indictment or information made by the defendant, to suppress evidence in a criminal case, to dismiss or to permit maintenance of a class action, to dismiss for failure to state a claim upon which relief can be granted, or to dismiss an action involuntarily.

B. The United States Magistrates who maintain an official station at Madison, Wisconsin, are designated to conduct hearings, including evidentiary hearings, and to submit to a judge of this court proposed findings of fact and recommendations for the disposition by the judge, of any motion excepted in the preceding paragraph and of applications for post-trial relief made by individuals convicted of criminal offenses.

C. The United States Magistrates who maintain an official station at Madison, Wisconsin, are authorized to conduct preliminary probation revocation hearings under Federal Rules of Criminal Procedure 32.1(a)(1).

D. All civil cases in which the parties have consented pursuant to 28 U.S.C. 636(C)(1) and (2) to have a United States Magistrate exercise jurisdiction are hereby referred to the full-time United States Magistrate stationed at Madison, Wisconsin. This order does not limit the power of this court under 28 U.S.C. 636(c)(6) to vacate the reference of civil cases to a magistrate.

E. The United States Magistrates who maintain an official station at Madison, Wisconsin, are designated to perform any additional duty that is not inconsistent with the Constitution or laws of the United States.

RULE 3 (LR 37.1): DISCOVERY DISPUTES

The court will not hear any motion concerning discovery under Rules 27 through 37 of the Federal Rules of Civil Procedure unless it appears in the motion or accompanying affidavit that moving counsel has made a serious effort to resolve the discovery dispute.

RULE 4 (LR 47.2): CONTACTING JURORS

No lawyer or party or person acting on their behalf shall contact any juror serving in this court, either before or after impanelment, without the prior permission of the trial judge or magistrate.

RULE 5 (LR 16.6 CJ) ALTERNATIVE DISPUTE RESOLUTION

A. Litigants are to consider the use of alternative dispute resolution (ADR) within thirty days of defendants' appearance in a case.

B. The clerk of court shall administer the ADR program. Its procedures shall be confidential. Any disclosure of confidential dispute resolution communications is prohibited.

C. This court offers the services of the clerk of court to act as mediator in civil cases without additional compensation. Prior to the commencement of mediation, any party may move to disqualify the mediator for any reason. Litigants are free to engage in other forms of ADR available outside the court, subject to the requirement that doing so does not require any change in the trial and pretrial schedules set by the court.

D. The following cases are exempt from the provisions of this rule:

1. Those in which the plaintiff is proceeding pro se.
2. Collection and mortgage foreclosure actions brought by the U.S.
3. Social Security appeals.
4. All matters related to bankruptcy proceedings, with the exception of adversary proceedings.

E. The court will not authorize a referral to arbitration under Section 654 of the Alternative Dispute Resolution Act unless the parties dismiss the action without prejudice pending the results of the arbitration.

Candid Moments From The 1999 Annual Meeting



From left to right Judge Barbara Crabb, Magistrate Judge Stephen Crocker, Bankruptcy Judge Robert Martin, and Chief Judge John Shabaz participate in the annual question and answer session with the membership of the Western District Bar Association.



Seventh Circuit Court of Appeals Judge Ilana D. Rovner concludes her humorous talk to members of the Western District Bar Association's annual luncheon as Western District Chief Judge John C. Shabaz looks on.



Clerk of Court/Magistrate Judge Joseph P. Skupniewicz makes his annual "State of the Court" report to the Western District Bar membership.



Western District Bar Association President Cathy Rottier makes comments at the annual luncheon at the White Horse Inn.



Attorney Ralph Weber of Reinhart, Boerner, Van Deuren, Norris & Rieselbach, Milwaukee discusses the use of technology in the Courtroom in connection with pre-trial jury studies.



Mark Doerr, Assistant System's Manager for the Court, demonstrates the automated evidence presentation system available in certain courtrooms. (Call Mr. Doerr at 264-5156, ext. 3306, to arrange for a demonstration of the equipment or to discuss its application in particular trials.)

Western District of Wisconsin Bar Association 1999-2000

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