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Oshkosh gains \$1.9M in state aid

Municipalities, schools will see shared revenue

By Jonathan Richie
OSHKOSH HERALD

Oshkosh and other municipalities across Wisconsin will see an increase in state shared revenue after bipartisan votes in Madison and the governor's signature.

Last week Gov. Tony Evers signed Assembly Bill 245, which is estimated to bring \$1.9 million into the city and bring

the total state aid the city receives to more than \$11 million in 2024.



Rohloff

Oshkosh annually receives \$9.6 million in state aid. Next year that number will rise by 20%, the minimum allowed under the bill for a city of over 30,000 people, and the city will receive \$11.5 million in total county and state aid.

The supplemental aid numbers were released last week in a memo from the state Legislative Fiscal Bureau director Bob Lang.

The bill states, "The supplemental county and municipal aid may be used only for law enforcement, fire protection, emergency medical services, emergency response communications, public works, and transportation."

City Manager Mark Rohloff was in

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Oshkosh pageant Madison woman named new Miss Wisconsin
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Honor rolls
High school students earn recognition
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Photo by Michael Cooney

Going the distance

The Oshkosh YMCA's second Oshkosh Century Bike Ride drew 262 people who preregistered with more signing up on the day of the event Sunday. The 100-mile riders started between 7 and 7:30 a.m. and rode a route that included going around Green Lake. There were also 62-mile, 50-mile and 30-mile routes.

Public defender shortage can derail court cases

Statewide backlog impacts justice system

By Bethanie Gengler
OSHKOSH HERALD

With a statewide backlog of an estimated 35,000 cases, Wisconsin's shortage of public defenders continues to be a challenge, and the issue is moving closer to home.

Last month, an appeals court ruled that child molestation charges against a Brown County man be dismissed because the county's inability to find a public defender to represent him violated his constitutional rights.

Christopher Butler is a registered sex offender from charges in 2000. The Green Bay man was arrested and charged in October 2019 with molesting two young girls. His initial appearance was held that same day but adjourned until counsel could be appointed.

Court documents say Butler was held in custody for 321 days before his initial appearance was completed and 342 days before his preliminary hearing.

Documents state that when Butler inquired with the court commissioner why the process of finding counsel took so long, the commissioner responded,

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Oshkosh Herald

District Attorney Eric Sparr (right) consults with court-appointed public defender Scott Ceman during a sentencing hearing in Winnebago County Circuit Court.



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Public defenders

FROM PAGE 1

“Shortage of attorneys willing to take public defender cases. That’s the only explanation I can give you.”

The appeals court wrote that the circuit court lost personal jurisdiction over Butler by not completing his initial appearance within a reasonable time. The case was dismissed on appeal without prejudice; and three weeks later prosecutors refiled it.

Butler’s case illustrates a growing issue across the state: Stagnant wages for public defenders and private sector attorneys are leading to a shortage of lawyers willing to take the cases and potentially violating defendants’ constitutional rights.

Under the state and federal constitution, citizens have a right to legal counsel. If a defendant cannot afford an attorney, a state public defender (SPD) is appointed to represent them. The SPD may either be a staff attorney or a private sector attorney who is certified to take public defender appointments.

Public defender positions in Wisconsin start at \$27.24 per hour, which is about \$56,659 per year. SPD legislative liaison Adam Plotkin told Neenah News last year that turnover for public defenders has nearly doubled compared with pre-pandemic levels, leaving 20% of positions vacant in Wisconsin.

When counties are unable to find public defenders to represent defendants, private attorneys are hired, at a cost of \$70 per hour, which Plotkin said is far below the market rate. In comparison, the federal office pays private bar attorneys about \$150 per hour, and court-appointed attorneys get \$100 per hour.

This week, the Winnebago County Board of Supervisors approved a resolution requesting that the state review and revise the compensation rate for SPDs and requesting the state reimburse the county the hourly rate it pays to private bar attorneys in criminal cases requiring representation.

The resolution comes as Gov. Tony Evers’ 2023-25 budget recommendations include a \$7 per hour increase for prosecutors and public defenders. The Legislature’s Finance Committee approved an even greater pay increase for SPDs last month; to \$36 an hour, or about \$75,000 a year.

Wages for private attorneys would also increase under the plan, to \$100 per hour for case work and \$25 to \$50 per hour for travel. Evers is expected to approve the budget in July.

District Attorney Eric Sparr told the County Board’s Judiciary and Public Safety Committee earlier this month that prosecutors and public defenders were concerned the pay increase would only apply to starting wages but said it will apply to new and existing employees.

Sparr said the lack of public defenders and private attorneys willing to take SPD appointments has been an issue in the county, and has been an even greater issue in the northern and western parts of the state.

“I think one of the issues is that they didn’t have as many lawyers there and one of the side effects of that is it was causing some people to remain in jail longer without being able to do anything with their case,” he said, “so that should make it a little bit easier to get lawyers on cases.”

Sparr is hopeful that when Evers approves the budget, the pay increase will be in there to make it easier to recruit and retain employees in both offices.

“Very good news in the budget for prosecutors and public defenders,” he said.



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