

DATE: *December 1, 2022*

FROM: *Winnebago County Circuit Court Judges and Tara Berry, Clerk of Courts*

RE: *Bailiff Pay Increase*

**General Description:**

Winnebago County Circuit Court Judges and the Clerk of Courts are requesting to raise the bailiff pay to \$100.00 a day. As an unclassified position, we are also requesting to authorize the Bailiff position to be added to the Unclassified Positions Pay Schedule. In the current form, Bailiff pay is addressed by a separate Board resolution.

**Action Requested:**

Motion to approve resolution to increase bailiff pay to \$100.00 a day, and review yearly as unclassified employee annually in December by P&F.

**Procedural Steps:**

(Show each level of committee and board approval needed, with meeting dates.)

|                                |                                   |
|--------------------------------|-----------------------------------|
| Committee of Jurisdiction: JPS | Meeting date: January 9, 2023     |
| Action taken: _____            | Vote: _____                       |
| Other Committee: P&F           | Meeting date: February 8, 2023    |
| Action taken: _____            | Vote: _____                       |
| County Board                   | Meeting date: February 2023 - TBD |

**Background:**

The last bailiff pay increase was approved by resolution in 2008 and went into effect in 2009, the prior increase was 1999. A motion to increase the Bailiff compensation was made at a judges meeting, and unanimously approved. All other unclassified positions are listed on the Unclassified positions Pay Schedule and considered for adjustment annually. The Bailiff position has been unique in that any adjustments has been done by a stand-alone County Board resolution. Adding the position to the Unclassified Positions Pay Schedule would add consistency in how similar positions are reviewed as well as minimize the chance of not providing a pay adjustment over such a long period of time.

**Policy Discussion:**

- We seldom get applications for bailiff positions. Currently we have a bailiff position posted, for about 3 months, and we have not received one application. Usually the courts have to do their own recruiting.
- Bailiff schedules are irregular and cannot be a reliable source of income. When the court's calendar is modified, bailiffs are notified by court personnel they are no longer required for the day, and are instructed not to report to work. In which case they are not compensated.
- The courts hire private Citizens for employment as bailiffs, verses the alternative, requiring the Sheriff to provide two deputies.

Supreme Court Rule, SCR 68.07 (1) states:

Two sworn officers should be in each courtroom and court commissioner hearing rooms when court is in session unless the judicial officer expresses otherwise.

This is a huge costs savings for the county. Due to the Courthouse security entrance and roving law enforcement officers, the court agreed to not enforcing this requirement and use civilian bailiffs.

- Bailiffs will usually cover multiple courts (intake, jury, criminal days).
- Civilian bailiffs are essential to the efficient administration of the courtroom.
- The bailiffs make sure that crime victims and witnesses are located for the court and give the proper assistance and information.
- We increased the budget, Bailiff and Matron #51104 by \$10,000 – Total 2023 Budget: \$110,000.00, 10% increase.
- Full regular court day (7.5 hours) - \$10.66 an hour. Jury Trial days can vary from 4-12 hours a day so the court is able to resolve a case as quickly as possible. Each trial requires two bailiffs scheduled to oversee jurors; if a second bailiff is unavailable, a member of staff has to act as the second bailiff. Two bailiffs are required so the jury remains sequestered during the trial.

|      |                  |                               |
|------|------------------|-------------------------------|
| 2019 | \$112, 240/80.00 | 1403 days                     |
| 2020 | \$55,360/80.00   | 692 days                      |
| 2021 | \$83, 760/80.00  | 1047 days                     |
| 2022 | \$79, 200/80.00  | 990 days (as of drafted memo) |

Average # of Days Scheduled 1033 days  
Budgeted 2023 \$110,000/\$100.00 1100 days

Based on the historical average, there would be no additional funds needed if this resolution is approved.

Oneida County – hourly; 1<sup>st</sup> year: \$12.78/ 2<sup>nd</sup> year: \$13.52/ 3<sup>rd</sup> year: \$14.61

Douglas County – hourly; \$12.00 (pending wage study)

Kenosha County – sessions pay (morning/afternoon) \$37.50 per each session. 9-12/12-5; additional \$5.00 an hour after 5pm

Door County – hourly; \$15.00 (increased in Oct 2021)

Dane County – sworn deputies

Sawyer County – hourly; \$20.00 (trials only)

Marathon County – (Jury Attendants) hourly; \$15.00

Crawford County – hourly; \$15.38

Lafayette County – hourly; \$19.08

Outagamie County – hourly; \$15.00

#### **Attachments:**

Copy of Resolution Approving an increase for January of 2009

Jury Survey for Bailiff pay/hours