



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2011-0095 Resolution Introduced

Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 806, Municipal Court, Section 3.0 Policy, Section 4.0 References and Sections 5.2.1, 5.2.4, 5.2.5 and 5.2.6 Procedures, General Policies under City Attorney.

Introduced: 4/19/2011

Controlling Body: Administration & Finance Committee

Sponsor(s): Administration & Finance Committee

COMMITTEE RECOMMENDATION *adopt*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>APR 19 2011</u>			Barczak				
			Czaplewski				
		X	Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt				
			Sengstock				
			Vitale	X	✓		
		Weigel					
		TOTAL		5			

SIGNATURE OF COMMITTEE MEMBER

Ray Kopplin _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>APR 19 2011</u>		✓	Barczak	✓			
			Czaplewski	✓			
		✓	Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock				✓
			Vitale	✓			
		Weigel	✓				
		TOTAL		9			1



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2011-0095

Final Action:

Sponsor(s): Administration & Finance Committee

APR 19 2011

Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 806, Municipal Court, Section 3.0 Policy, Section 4.0 References and Sections 5.2.1, 5.2.4, 5.2.5 and 5.2.6 Procedures, General Policies under City Attorney.


WHEREAS, Policy No. 806, Municipal Court, was originally included in the City of West Allis Policies & Procedures Manual on January 1, 1982; and,


WHEREAS, it is necessary to amend said policy at this time.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Policy No. 806, Municipal Court, Section 3.0 Policy, Section 4.0 References and Sections 5.2.1, 5.2.4, 5.2.5 and 5.2.6 Procedures, General Policies, are approved as presented in the attached restatement.

BE IT FURTHER RESOLVED that the City Administrative Officer, Clerk/Treasurer is authorized and directed to include the amended Policy No. 806, Section 3.0, Section 4.0 and Sections 5.2.1, 5.2.4, 5.2.5 and 5.2.6 in the City's Policies & Procedures Manual and distribute said policy to all departments, divisions and offices.

ATTR-Amend Policy No 806-P&P Manual

ADOPTED APR 19 2011

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED 4/25/11

Dan Devine, Mayor

1.0 PURPOSE:

To describe the procedures to be followed by the City Attorney's Office and other City departments in appearances before Municipal Court.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all departments involved in Municipal Court cases, the Municipal Court, and the City Attorney's Office.

3.0 POLICY:

It is the policy of the City Attorney's Office to diligently present all meritorious cases for the City before the Municipal Court.

4.0 REFERENCES:

Section 62.09(12), Chapter 755 and Chapter 800, Wisconsin Statutes.
Section 2.19, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

The City Attorney's Office and departments involved in cases before the Municipal Court shall follow these procedures.

5.2 GENERAL POLICIES

5.2.1 The City Attorney's Office shall determine who shall be called as witnesses. City employees shall be notified in writing or by electronic communication. All other witnesses shall be subpoenaed. The City Attorney's Office shall first attempt to serve witnesses by mail. If service by mail is unsuccessful or if time constraints or other factors make mailing impractical, then personal service of the subpoena shall be attempted.

5.2.2 The Municipal Court shall provide a court docket to the City Attorney's Office prior to Municipal Court.

- 5.2.3 The City Attorney's Office shall be provided with all information on every alleged violation, which will be the subject of a trial, when requested. Additional investigation will be conducted upon the request of the City Attorney's Office.
- 5.2.4 Only the City Attorney, an Assistant City Attorney, or an attorney designated by the City Attorney may make motions, present the City's case, or otherwise represent the City in Municipal Court or in an appeal from Municipal Court.
- 5.2.5 Individual Officers and employees shall respond within 48 hours of receiving a request for information from the City Attorney's Office. The appropriate Commanding Officer or Department head shall receive an informational copy of each written request received from the City Attorney's Office.

1.0 PURPOSE:

To describe the procedures to be followed by the City Attorney's Office and other City departments in appearances before Municipal Court.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all departments involved in Municipal Court cases, the Municipal Court, and the City Attorney's Office.

3.0 POLICY:

It is the policy of the City Attorney's Office to diligently present all meritorious cases for the City before the Municipal Court.

4.0 REFERENCES:

Section 62.09(12), and Chapter 755 and Chapter 800, Wisconsin Statutes.
Section 2.19, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

The City Attorney's Office and departments involved in cases before the Municipal Court shall follow these procedures.

5.2 GENERAL POLICIES

5.2.1 ~~Witnesses shall not be subpoenaed or requested to appear in court at the time of an initial hearing, unless it is convenient to the witness. Witnesses should be subpoenaed to appear in Municipal Court only after reviewing the case with the City Attorney's Office.~~ The City Attorney's Office shall determine who shall be called as witnesses. City employees shall be notified in writing or by electronic communication. All other witnesses shall be subpoenaed. The City Attorney's Office shall first attempt to serve witnesses by mail. If service by mail is unsuccessful or if time constraints or other factors make mailing impractical, then personal service of the subpoena shall be attempted.

- 5.2.2 The Municipal Court shall provide a court docket to the City Attorney's Office prior to Municipal Court.
- 5.2.3 The City Attorney's Office shall be provided with all information on every alleged violation, which will be the subject of a jury trial, when requested. Additional investigation will be conducted upon the request of the City Attorney's Office.
- ~~5.2.4 Accident cases shall be reviewed by the City Attorney's Office, prior to initial appearances.~~
- ~~5.2.54 Unless a City Attorney is unavailable, no Police Officer shall make motions to the Municipal Court, except upon the express authorization of a City Attorney. Only the City Attorney, an Assistant City Attorney, or an attorney designated by the City Attorney may make motions, present the City's case, or otherwise represent the City in Municipal Court or in an appeal from Municipal Court.~~
- 5.2.65 Individual Officers and employees shall respond within 48 hours of receiving a request for information from the City Attorney's Office. The appropriate Commanding Officer or Department head shall receive an informational copy of each written request received from the City Attorney's Office.