

Final  
with corrections

**CHAPTER 17**  
**JOINT MUNICIPAL COURT**

Section 1	Joint Municipal Court Established
Section 2	Office of Municipal Judge Created
Section 3	Election of Municipal Judge
Section 4	Court Review
Section 5	Salary
Section 6	Bond; Oath
Section 7	Jurisdiction
Section 8	Procedure
Section 9	Contempt of Court and Penalty
Section 10	Juvenile Provisions
Section 11	Deposit Schedule
Section 12	Abolition
Section 13	Effective Date

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**Section 1. Joint Municipal Court Established.** Pursuant to the authority granted by Wis. Stats., §§ 66.0301, 755.01 and Ch. 755, there is hereby established the Joint Municipal Court for the Village of Cambridge, the Village of Deerfield and Village of Rockdale, Wisconsin. The Village of Cambridge Board, the Village of Deerfield Board and the Village of Rockdale Board are hereby authorized to enter into an agreement to share the costs of maintaining the joint municipal court.

**Section 2. Office of Municipal Judge Created.** Pursuant to the authority granted by Wis. Stats., § 755.01, there is hereby created the office of Judge of the Joint Municipal Court for the Village of Cambridge, the Village of Deerfield and the Village of Rockdale, Wisconsin. The Municipal Judge shall reside in the Village of Cambridge, Village of Deerfield or the Village of Rockdale.

**Section 3. Election of Municipal Judge.**

(1) **Term.** The Municipal Judge shall be elected at large in the spring election in odd numbered years for a term of 2 years commencing May 1, 2009, and every May 1 succeeding his or her election or until a successor is elected and qualified. Mid-term vacancies in the office of Municipal Judge shall be filled by appointment pursuant to Wis. Stats., § 8.50(4)(fm), as agreed upon by the Villages.

(2) **Nominations.** All candidates for the position of Municipal Judge shall be nominated by nomination papers pursuant to Wis. Stats., §§ 8.05(4) and 8.10, as may be amended. In the event that more than two (2) individuals are nominated for the office of municipal court judge, a non-partisan primary shall be held in all Villages pursuant to Wis. Stats., §§ 8.05(4)-(5), as may be amended. The Village Clerks of the Villages of Cambridge,

Deerfield and Rockdale shall ensure that his or her respective Village complies with all applicable nomination and election laws including but not limited to Wis. Stats., §§ 5.58(1)(c), 5.60(1)-(2), 7.10(1)(a), and 8.10(6)(bm), as may be amended, and properly provides for the election of Municipal Judge pursuant to Wis. Stats., §755.01(4), as may be amended.

**Section 4. Court Review.** The Village Boards of Cambridge, Deerfield and Rockdale may conduct a formal, joint review of the municipal court during the first year of operation and no less than every two years thereafter. The Municipal Judge shall provide regular monthly status reports to the respective Boards.

**Section 5. Salary.** The Municipal Judge shall receive a salary as determined by the Village Boards, which shall be in lieu of fees and costs. The court salary and administrative costs associated with such will be paid proportionately based on the number of citations by the Villages. No salary shall be paid to the Judge for any time during his/her term for which he/she has not executed and filed his/her official bond and oath as required by section 6 of this ordinance. The Villages may enter a separate agreement regarding allocation of funds for administration of the Municipal Court, and other matters as determined by the Villages, pursuant to Wis. Stats., § 66.0301.

**Section 6. Bond; Oath.** The Municipal Judge shall execute and file with the Clerks of Circuit Court for Dane County and Jefferson County the oath prescribed by Wis. Stats., § 755.03 and a bond in the penal sum of Five Hundred (\$500.00) Dollars.

**Section 7. Jurisdiction.** The Municipal Judge shall have such jurisdiction as provided by law and Wis. Stats., §§ 755.045 and 755.05, and exclusive jurisdiction of violations of the Villages' ordinances.

**Section 8. Procedure.**

(1) The Municipal Court shall be open as determined by order of the Municipal Judge.

(2) The Municipal Judge may keep his/her office in the Village of Deerfield, Village Hall, and may keep all papers required under Wis. Stats., § 755.11 at the Deerfield Village Hall. The Municipal Judge may hold court sessions in either the Deerfield or Cambridge Village Hall or at such other place within any of the three Villages as the applicable Village Boards may designate.

(3) The procedure in Municipal Court shall be as provided by this ordinance and state law including, but not excluding because of enumeration, Wis. Stats., Chpts. 66, 345, 755, 800, and 814.

(4) Court sessions shall be held at a date and time as determined by the Municipal

Judge.

(5) The Municipal Judge shall collect all forfeitures, fees, penalty assessments and costs in any action or proceeding before him/her and shall pay over such moneys to the Village Treasurers not later than the 7th business day succeeding receipt thereof by the judge or other court personnel. At such time the Municipal Judge shall also report to the Village Treasurers the title of the action, the offense for which the forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments and costs, if any.

(6) The Municipal Judge shall, in writing, appoint a Municipal Court Clerk, who shall perform all duties as required by statute, and such other duties as may be required by the Municipal Judge and Villages. The Clerk's salary shall be fixed by the Village Boards. The Municipal Court Clerk shall, before entering upon the duties of his or her office, take the oath provided by Wis. Stats., § 19.01, and give such bond as the boards may require. The oath and bond shall be filed with the Village Clerks. The cost of such bond shall be paid by the Villages.

**Section 9. Contempt of Court and Penalty.** As provided in Wis. Stats., § 800.12(2), the Municipal Judge may impose a sanction for contempt of court, as defined in Wis. Stats., § 785.01, in accordance with the procedures under Wis. Stats., § 785.03. The Municipal Judge may impose a forfeiture for contempt under Wis. Stats., § 800.12(1), in an amount not to exceed \$50.00, or upon nonpayment of the forfeiture and applicable penalty assessments, impose a jail sentence not to exceed 7 days

**Section 10. Juvenile Provisions.** Pursuant to the authority of Wis. Stats. § 938.17(2)(cm) the Municipal Court is authorized to utilize the procedures, dispositional alternatives and sanctions for juveniles set forth in the Juvenile Justice Code found in Chapter 938 of the Wisconsin Statutes, which is hereby adopted by reference, as may be amended, as if set forth fully herein. The following sections regarding jurisdiction, procedures, dispositional alternatives and sanctions are hereby specifically noted and adopted by reference:

Jurisdiction and Proceedings:

Wis. Stats., § 938.17

Wis. Stats., § 938.237

Dispositional Alternatives:

Wis. Stats., §. 938.342 Truancy/School Dropout Ordinance Violations

Wis. Stats., § 938.343 Civil Law or Ordinance Violations

Wis. Stats., § 938.344 Liquor, Beer and Drug Violations

Sanctions:

Wis. Stats., § 938.355(6)

**Section 11. Deposit Schedule.**

(1) **Deposit Schedule Established.** The municipal judge shall establish and submit to

the Village Boards for approval in accordance with Wis. Stats., § 800.03(3), a schedule of deposits for violations of Village ordinances, resolutions and bylaws, except traffic regulations which are governed by Wis. Stats., § 345.27, and boating regulations which are governed by Chpt. 30, Wis. Stats., and ATV regulations which are governed by Chpt. 23, Wis. Stats..

(2) **Traffic, Boating and All-terrain Vehicle Deposits.** The Deposit Schedule established by the Wisconsin Judicial Conference and the procedures set forth in Chs. 23, 30, and 345, Wis. Stats., shall apply to stipulation and deposits for violations of traffic regulations enacted in accordance with Wis. Stats., § 345.26, and boating regulations enacted in accordance with Wis. Stats., § 30.77 and all-terrain vehicle regulations enacted in accordance with Wis. Stats., § 23.33.

(3) **Stipulation and Deposits in Lieu of Court Appearance.** Persons cited for violations of Village ordinances for which a deposit has been established under this section shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in Wis. Stats., §§ 800.03, 800.04 and 800.09. Deposits may be made in cash or by money order or certified check, in person or by postage paid United States mail, addressed to the Municipal Court, who shall provide a receipt therefore.

**Section 12. Abolition.** The court established pursuant to this ordinance shall not be abolished during a Municipal Judge's term, but may be abolished by any of the Villages effective at the conclusion of a Municipal Judge's term by providing notice to the other Villages no less than 60 days prior to the date on which the first nomination papers must be filed for the succeeding term. If such notice is timely given, the joint municipal court shall have no jurisdiction to undertake new municipal court matters at the conclusion of the Municipal Judge's term. No less than 30 days prior to the end of said term, the Municipal Judge shall prepare a summary report of pending matters and resolve all administrative issues as promptly as possible. Upon confirmation that all matters have been satisfactorily addressed, the Villages shall adopt ordinances formally abolishing the joint municipal court.

**Section 13. Effective Date.** The intent of this ordinance is to create a Joint Municipal Court commencing with the judicial term beginning on May 1, 2009. This ordinance shall be immediately effective upon adoption only to the extent necessary to allow the respective Villages to file all necessary papers for the April 2009 Municipal Judge election. However, the Villages recognize that the Court and Judges currently serving in each community shall fulfill his or her term of office prior to the commencement of the new Joint Municipal Court on May 1, 2009. Therefore, to the extent necessary to allow each Village Municipal Court to continue its operation, the prior Municipal Court ordinances in effect in each Village shall remain in effect until April 30, 2009.