

Fox Point



Fox Point
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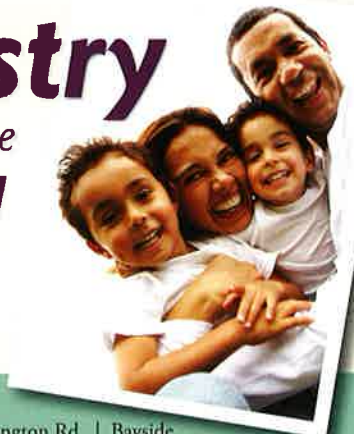
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Village Justice: Fox Point Municipal Court

Fox Point has its own municipal court. But what is it? Municipal courts hear cases arising from traffic or ordinance (village law) citations. These may include first-time drunken driving offenses, truancy, underage drinking, certain drug offenses, and curfew violations.

About 250 municipal courts sit in Wisconsin. Municipalities may join together to join one court. The municipalities may not be contiguous or in the same county. Any number may join and voters of the consortium elect the judge. Forty-five such consortiums now exist. The North Shore villages, however, each have their own municipal court.

As of January 1, 2011, newly elected or re-elected municipal judges will serve 4-year terms unless a shorter term is enacted through the charter amendment process. Roughly half of the State's municipal judges are non-lawyers.

Scott Wales, 49, is our municipal judge. Wales is an attorney. Wales took office on May 1, 2009. During the day Wales has a busy trial practice that focuses on criminal defense and traffic cases. Every other Tuesday night beginning at 7:00 p.m. Wales presides over the municipal court in Padway Hall in the village police station. Though Wales is paid \$4,800 per year for the job, he views his service as a way to give back to the community.



Wales grew up in Bayside and attended Nicolet High School. Wales graduated from UW-Madison and University of Miami Law School. He is married to Michelle Wales and has two daughters.

According to Wales, about one half of the defendants who appear in court are not Fox Point residents. Like other municipal court judges, Wales hears a lot of traffic citations and the occasional ordinance, zoning, building code, and public safety matter. Some matters are unusual. Recently, for instance, Wales approved inspection warrants to compel non-cooperating property owners to admit village inspectors on to the property in order to investigate storm water infiltration and inflow into the sewer system.

The village has a part time prosecutor. Defendants often represent themselves. Of all individuals cited for ordinance violations, about 67% pay the forfeiture (fine), about 10% challenge the forfeiture, and between 20-30% default (i.e., don't respond or appear). Upon application, Wales will issue warrants against the defaulters. With governmental data basis as advanced as they are, this means that many will eventually be compelled to return to face the judge.

The court, states Wales, does not exist as a revenue source for the village. The court exists to enforce the laws of the community. Wales is a member of that community. But being a member, Wales cautions, is not an invitation for parties to communicate ex parte (unilaterally) with him about an open case. This might compromise his impartiality and would force Wales to step aside. The matter then would be reassigned by the Milwaukee County Clerk of Court to another judge -- typically in the North Shore.

Wales invites members of the community to stop in to see how the court works. Court sessions are open to the public. Wales expects that residents will see that the Fox Point municipal court serves the community well.

Mr. Frazer is a trustee on the Fox Point Village board. The views expressed are his own and not necessarily those of the village, the village board, other village board members, or Neighborhood Communications, LLC.