



Legislation Details (With Text)

File #: 080588 **Version:** 0

Type: Resolution **Status:** Passed

File created: 9/2/2008 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:** 10/29/2008

Effective date:

Title: Resolution authorizing the Office of the City Attorney to resolve various Municipal Court cases through permanent stay of the forfeiture or dismissal. (City Attorney)

Sponsors: THE CHAIR

Indexes: MUNICIPAL COURT, REPORTS AND STUDIES

Attachments: 1. Fiscal Note. pdf, 2. Appendix A - Open Warrants Report.pdf, 3. Appendix B - Open Arrest Report - Failure to Pay Judgments, 4. Letter from Municipal Court to Address Aldermen's Concerns, 5. Cover Letter, 6. Letter to City Attorney, 7. Letter to Alderman Hamilton, 8. Notice List

Date	Ver.	Action By	Action	Result	Tally
9/2/2008	0	COMMON COUNCIL	ASSIGNED TO		
9/2/2008	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/8/2008	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/23/2008	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2008	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/14/2008	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2008	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
10/29/2008	0	COMMON COUNCIL	ADOPTED	Pass	12:0
11/3/2008	0	MAYOR	SIGNED		

080588
ORIGINAL

The Chair
Resolution authorizing the Office of the City Attorney to resolve various Municipal Court cases through permanent stay of the forfeiture or dismissal. (City Attorney)

This resolution disposes of open warrants, commitments, arrest warrants and bench warrants which have seen an absence of activity for over a 7-year period and which are very likely unenforceable.

Whereas, The City of Milwaukee has obtained judgment in a number of Milwaukee Municipal Court cases, as identified by case number, defendant's name, offense and amount of judgment in Appendix A attached to Common Council File Number and incorporated herein by references; and

Whereas, The City of Milwaukee, through the Office of the City Attorney, has been unable to enforce collection of said judgments and recommends no further action at this time; and

Whereas, The City of Milwaukee has, in addition, a number of other pending Milwaukee Municipal Court cases, as identified by case number, defendant's name, and offense in Appendix B, incorporated herein by reference, wherein no judgments have been obtained and warrants have been issued for said defendants; and

Whereas, With respect to such cases listed in Appendix B. the Office of the City Attorney recommends no further prosecution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Office of the City Attorney, be and hereby is authorized to move the Milwaukee Municipal Court to permanently stay the forfeiture portion of the judgments in all of those cases listed in Appendix A; and be it

Further Resolved, That the Office of the City Attorney be and hereby is further authorized to move the Milwaukee Municipal Court to dismiss all of those cases listed in Appendix B.

Municipal Court

CHM

07/22/08