

## **BIOGRAPHICAL SKETCHES OF THE JUDGES WHO HAVE SERVED RACINE COUNTY FROM 1824 TO 2012**

### **Adams, John B.**

County Court

1861

Born in 1861. Had little relish for the contentions of the court room and was best adapted to the more retired but not less important duties of advisor and office counsel. He was a painstaking lawyer of inflexible integrity and was so highly respected and esteemed that later he was elected county judge and after that never resumed active practice. His administration of that important office was most highly approved by the people of the county. In 1868 he moved to South Evanston, Illinois, and became connected with the title and abstract business in Chicago. Prior to 1916, he moved to Saugatuck, Michigan, where he successfully conducted a productive fruit farm.

### **Ahlgrimm, John C.**

1925-2006

County Court, 1962-1978

Circuit Court, 1979-1988

Born June 3, 1925, in Racine. He graduated from Horlick High School in 1943. Judge Ahlgrimm received his B.A. from the University of Wisconsin and then attended the University of Wisconsin Law School. Judge Ahlgrimm was the Racine Justice of the Peace for 10 years before being elected to the Bench in 1962. He served as a reserve Judge into the late 1990's. He served as the 2nd Chief Judge of the 2nd Judicial District. As a member of the Racine Lion's Club, he was designated a Melvin Jones Fellow by Lions Clubs International Foundation, in recognition of his commitment to serving the world community.

### **Baker, Charles M.**

1804-1873

Circuit Court, 1856-1857

Born in New York State on October 18, 1804, and was admitted to the bar there. He was the 4th Judge of the 1st Circuit Court in Wisconsin. He was the District Attorney for Walworth County and a delegate to Wisconsin's 1st Constitutional Convention in 1846. Charles Baker was also one of three commissioners to codify and revise the original statutes of Wisconsin.

### **Barry, Dennis J.**

1947 -2011

Circuit Court, 1980-2011

Born April 4, 1947, and is a native of Racine, having graduated from Washington Park High School in 1965. He received his Bachelor's degree from Lawrence University in 1969. Following his undergraduate degree, he served in the U.S. Army. He graduated from Marquette University Law School in 1973, and after that became an assistant in Kenosha County's District Attorney's Office. Between 1975 and 1978, he engaged in private practice of the law with Thompson and Coates, Ltd. in Racine. In 1978 he was elected as Racine's District Attorney. He succeeded Judge Harvey on the bench (Circuit Court Branch #5) on August 1, 1980. Judge Barry earned a reputation as a hard worker and one who endeavored to increase participation in the

justice system by all people. For example, as D.A., he appointed Racine County's first two African -American assistant district attorneys and as judge, he appointed the county's first African-American court commissioner. He was recognized as "Judge of the Year" in 1997 by the State Bar of Wisconsin. He belonged to the Arizona Bar Association, Racine County bar Association, The Wisconsin Trial Judges Association, and the Justinian Society of Lawyers. He served as President of the Downtown Rotary Club. He served on the steering committee of the Business and Professional Coalition at Carthage College and served on the Advisory Board of Kids First Fund. He was also involved with Big Brothers.

### **Belden, Ellsworth**

1866-1939

County Court, 1889-1901

Circuit Court 1902-1939

Born in Rochester, Wisconsin. He attended Rochester Academy and later went to the University of Wisconsin Law School. He worked in the State Attorney General's office until he was appointed Judge at the age of 23 years for the unexpired term of his grandfather, Philo Belden. He was elected to the Circuit Court in 1902. He presided over a murder trial in which the State Supreme Court upheld his decision on an appeal by Clarence Darrow. He served for 50 years as a Racine Judge.

### **Belden, Philo**

1815-1889

County Court, 1882-1889

Born in Litchfield County, Connecticut on October 22, 1815. He came to Wisconsin in 1837 and settled in Rochester. He began a political career in 1852 when he was elected to the state legislature and was reelected in 1862 and 1865. He was elected to the General Assembly in 1870 and was in the Senate for two years. He was also Town Supervisor for Rochester for many years. In 1882 he was appointed Judge of the County Court and was elected to that bench in 1883. Judge Belden was the grandfather of Ellsworth Belden who was appointed to his unexpired term in 1889. He was a farmer and owned and operated a saw mill and a flour mill.

### **Birchard, Ezra B.**

1814

Territorial Probate Court, 1843-1844

Born in Utica, New York in 1814, and resided subsequently in Waukesha and Oconomowoc, Wisconsin. He was appointed to the Territorial Probate Court in 1843.

### **Bond, Josiah**

1819-1891

State Probate Court, 1848-1849

Born in Drewsville, Cheshire County, New Hampshire, on March 9, 1819. Bond attended Trinity College at Hartford, Connecticut and graduated in the class of 1840. Upon graduation, he moved to Mobile, Alabama, where he studied law for two years and was admitted to the bar in 1842. In 1842 he moved to Kenosha, Wisconsin, and then called Southport, where he opened a law office. In 1849 he was elected county Judge of Kenosha County. Before 1849, the position was filled by appointment. Judge Bond was the editor of the "Kenosha Times" from February

1862 until its dissolution in January 1863. In the last years of his life, Judge Bond was engaged in the real estate and abstract business. He died on October 27, 1891 in Kenosha.

**Brownson, Charles A.**

1847-1882

County Court, 1881-1882

Born in the State of New York. He moved to Sharon in Walworth County with his parents in 1853. He was admitted to the bar in 1871. He came to Racine in 1872 and entered the law offices of Messrs. Fish and Lee as a law clerk. In 1873 he moved to Burlington, Wisconsin and opened a law office, at first associating himself with A.S. Spooner, of Delevan, but soon dissolved that association and practiced alone. In 1880 he moved to Racine and formed a partnership with H.A. Cooper. He served on the County Court from 1881 to 1882. He was in a law partnership with John B. Winslow from January 1880 to 1882. His body was taken to Sharon for burial.

**Burgess, E. Roy**

1872-1967

State Municipal Court, 1919-1942

Born September 13, 1872, in the Town of Mt. Pleasant and attended the University of Wisconsin Law School. He entered public life in 1902 when he was appointed Assistant District Attorney. From 1906 to 1919, he was the City Attorney and gained fame because of a legal struggle to allow the city to purchase a water filtration and pumping plant. He was appointed Judge of Municipal and Juvenile Court in 1919. He was the 3rd Municipal Judge and the 2nd Juvenile Judge. In 1931 he became the first Judge in the "new" courthouse. Judge Roy Burgess was a member of the Knights of Pythias and a YMCA director. He was highly respected for both his judicious temperament and his legal acumen. He died June 4, 1967.

**Chatfield, Andrew G.**

State Probate Court, 1849-1850

Andrew G. Chatfield was the second Judge of the Probate System following the statehood of Wisconsin. He was admitted as an attorney of the Court under a general rule adopted by the Wisconsin Supreme Court admitting all attorneys of the late Territorial Supreme Court.

**Constantine, Charles H.**

1952-

Circuit Court, 1996-

Born on February 29, 1952 in Racine, Wisconsin. Charles Hicks Constantine attended high school in Racine at Park High, where he excelled as a swimmer, and his undergraduate degree was taken at Columbia University. He obtained his law degree from Marquette University Law School in 1978. From 1978-1996 Judge Constantine practiced law in Racine at Constantine, Christensen, and Krohn, a law firm formed by his father, Charles, and Einer Christensen. In 1996 Judge Constantine was elected to the Racine County Circuit Court Branch 7. In addition to his responsibilities as a Judge, he is an assistant dean of the Wisconsin Judicial College. He teaches maintenance to new judges, as well as evidence at the college. He has served on the Board of Bar Examiners (Chair from 2005-2007) and is a member of the Family Law Bench Book Committee. Judge Constantine has three adult children, one of whom will be graduating from Marquette Law

School in 2012. His mother, Dorothy, was active in community affairs, including the Racine City Council. Judge Constantine has served on a number of community organizations including Racine Symphony (president), Association of Retarded Citizens (president), Make a Difference Day Committee and the Board of Trustees for St. Luke's Hospital. His initial assignment as a judge was to family court.

**Corbett, Thomas P.**

1914-1996

County Court, 1962-1968

Circuit Court, 1968-1980

Born in Marinette, Wisconsin on September 15, 1914. He attended Marquette University Law School and graduated in 1939. He was City Attorney for Racine from 1949 until his election in 1961 to the newly created county Judgeship, Branch #3, effective 1962. He was elected to the Circuit Court in 1968, and served until 1980. In 1970 when his court room was being moved, he conceived the idea of a portable courtroom under which the bench, witness stand, etc. were not permanent fixtures, but were set up so that they could be moved around if necessary. He served in the legislature for one term (1941).

**Costello, Dennis D.**

1941-

Circuit Court, 1978-1985

Born in Racine, Wisconsin in 1941. His father was an attorney and long-time Postmaster for Racine. He attended Dominican College and Marquette University for his undergraduate degree (1964). His law degree was from Marquette Law School in 1967. He and Judge Flynn were roommates in law school. Judge Costello's primary areas of concern as a Judge were Traffic, Misdemeanor, Felony and large claim Civil Disputes. He was quite proud of his Irish heritage and wore a special green robe each year on St. Patrick's Day. Judge Costello had a well earned reputation for fairness and being thorough in his decisions. He was particularly successful in efficiently organizing the work of the Traffic and Misdemeanor court which has historically been Racine's busiest. In 1994 Judge Costello served as Corporation Counsel in Door County, Wisconsin. His leadership in working with others to benefit the court system continues to be recognized in retirement as he is the Chairman of the Wisconsin Retired Judges Association. He created a protocol for use in assisting every retiring judge in this state.

**Doolittle, James R.**

1815-1897

Circuit Court, 1853-1856

Born January 3,, 1815 in New York State. He did his undergraduate work there at Geneva College. He was admitted to the bar in New York in 1837, before moving to Racine, Wisconsin in 1851. In 1853 he replaced Wyman Spooner in the Circuit Court. He had a distinguished reputation nationwide. Judge Doolittle became a U.S. Senator in 1856 and after serving 2 terms, at 6 years each, he practiced law in Chicago while continuing to live in Racine.

**Doty, James Duane**

1799-1865

Federal Territorial Court, 1823-1832

Born in Washington County, New York in 1799. Doty is recognized as one of Wisconsin's five pioneers. The Judicial history of Racine County and of Wisconsin began in the Spring of 1824, when the first court was held on May 10th in Prairie du Chien. Judge Doty was appointed in late 1823 by President Monroe, to serve as Judge for the counties of Brown and Crawford that made up the territory of Wisconsin. Doty's first home in Wisconsin was at Prairie du Chien. In 1837 he was elected as a delegate to Congress and was reelected in 1838. President Tyler appointed him governor of Wisconsin in 1840. In 1861 President Lincoln appointed Doty to the Superintendent of Indian Affairs for the territory of Utah. Two years later he appointed him governor of that territory, in which office he died on June 13, 1865. Doty was a man of strong personality, well read, able as a lawyer, and endlessly ambitious in politics and in moneymaking speculations, which enterprises worked his undoing. He had great knowledge of western affairs and of Indian lore. For some years he lived in the "Loggery," an elaborate complex building of many log-sided rooms on "The Island" at the outlet of Lake Winnebago, Neenah, a place he saw for the first time August 21, 1820, on the return of the Case Expedition that passed that point. Here he collected a fine library and a kind of museum of Indian relics. Doty's remains repose in his Utah "Happy Valley" girt by mountains. He chose his last resting place.

### **Drury, Alfred L.**

1882-1970

Circuit Court, 1939-1952

Born in Union Grove on November 13, 1882. the Judge graduated from high school there as a member of the class of 1901. He spent two years as a student in the University of Wisconsin and then attended the Wisconsin Law School for two years, during which time he took extra work. In April 1906 he passed the required state bar examination and was admitted to practice during his second year in the law school, but remained to complete the year's work. In April 1939 he was appointed Judge of the Circuit Court. In April 1940 Judge Drury was elected to fill out the unexpired term of his predecessor, and in April 1943 was reelected for the regular term of six years, so that his incumbency continued until January 1950. In the early years of his practice, he had served as district attorney in Kenosha, covering two terms from 1913-1917.

### **Dunn, Charles**

1799-1872

Territorial Supreme Court, 1836-1848

Born in Bullett County, Kentucky on December 18, 1799. He started to read law with Warden Pope, a Louisville lawyer. For two years he studied law under John Pope, Professor of Transylvania University of Lexington. He completed his studies with Nathaniel Pope who was District Judge of the U.S. for Illinois. In 1820 Dunn was admitted to the Bar and in 1836 President Jackson appointed Dunn as Chief Justice of the Wisconsin Territory. He served until October 1847 (up to Wisconsin becoming a state). After his service, he began to practice law in Belmont. In 1869 he was the democratic nominee for Chief Justice of the Supreme Court. Charles Dunn died on April 7, 1872 in Mineral Point, Wisconsin.

### **DuRocher, Howard**

1914-1981

State Municipal Court, 1956-1962

County Court, 1962-1966

Circuit Court, 1966-1978

Born January 2, 1914 in Fort Minton, Montana. He came to Racine in 1924, and attended St. Catherine's High School. He then attended Racine College and Ripon College. He graduated from Marquette University Law School in 1939. Before his first Judgeship, he was in private practice for 16 year. He was appointed in November, 1955, to the Municipal Court post vacated by the death of Judge Monk and was subsequently elected in 1956. In 1962 the Municipal Court system became a part of the County Court System and Judge DuRocher was assigned to Branch #2. In 1966 he was appointed to Branch #1 of the Circuit Court where he remained until his retirement after having been elected in 1967 and reelected in 1973. Among many other activities, he also was active in the Boy Scouts, P.T.A. and the Lincoln Lutheran Home for the Aged, and serving on many professional boards. He was appointed in 1975 as the first Chief Judge of the 1st Judicial Administrative District that encompassed Racine and Kenosha Counties.

**Fish, Frank M.**

1858-1902

Circuit Court, 1891-1902

Born July 4, 1858 in McHenry, Illinois. The next year his parents moved to Sharon, Walworth County, and in 1867 went to Burlington, Racine County, where they resided for two years. His father was elected District Attorney and they then moved to Racine in 1869. He attended John G. McMynn's Academy in Racine and went on to the Wisconsin University. Judge Fish was admitted to practice in 1879, and later served as District Attorney of Racine County from 1889-1890.

**Flancher, Faye M.**

1961-

Circuit Court, 2002-

Born October 6, 1961 in Germantown, Wisconsin. Judge Flancher received her BS, cum laude from the University of Wisconsin - Parkside in 1985 and her Juris Doctorate from Marquette Law School in 1988. She was appointed Circuit Court Judge for Racine County in March of 2002 and elected in April 2003. Prior to this, she was Deputy Family Court Commissioner for Racine County from 1996-2002; shareholder, Schwartz, Tofte, Nielsen & Flancher, S.C. from 1994-1996; Associate, Schwartz, Tofte, Nielsen & DeMark, S.C. from 1993-1994; Attorney for Racine County Child Support Agency from 1990-1993; Litigation Associate, Mingo & Yankala from 1989-1990; Litigation Associate, Walther and Associates from 1988-1989. She has been involved in many community activities. She is a member of the Wisconsin Bar Association and Racine County bar Association serving as president from 1999-2000. She is married and has two adult children.

**Flett, David H.**

1846-1926

State Municipal Court, 1897-1904

Born September 12, 1846 in Kirkwell, Scotland. He came to Kenosha, Wisconsin in 1855. Judge Flett went to Racine High School and then he attended Oberlin College in Ohio, where in 1875 he received his B.A. degree. Before 1880, when Judge Flett received his law degree from the University of Wisconsin, he was superintendent of Schools for Kenosha County and principal of the high school at Elkhorn, Wisconsin. He was in private practice in Racine from 1880 to 1897.

He was City Attorney from 1886-1890, and was an active member of the Racine School Board from 1896-1897. He became the first Judge of the newly created Municipal Court created by an Act of the State legislature in 1897. After his terms on the bench, he resumed the private practice of law.

**Flynn, Dennis J.**

1942-

County Court, 1976-1978

Circuit Court, 1978-2002

Born in Racine on January 14, 1942 and attended St. Catherine's High School. He graduated from Georgetown University School of Foreign Service in 1964, and received his law degree from Marquette University Law School in 1967. He and Judge Costello were roommates in law school. After serving in Vietnam as a Captain in the Army (1st Infantry Division), he began private practice in Racine in 1969 with his father and, later, his brother. He was an Assistant District Attorney from 1970-1972, and Racine County Corporation Counsel from 1972-1976. As an attorney, he handled cases before the Wisconsin Supreme Court, the 7th Circuit Court of Appeals and one case in the U.S. Supreme Court. As a Judge, he worked hard and was most proud of presiding to verdict at over 1000 jury trials. He participated in founding a number of community organizations---Society's Assets, Dispute Settlement Center, Controlling Community Violence, Jail Alternative Program, Racine Jail Ministry Program and others. He maintained a keen interest in legal history, court administration and all forms of evolving technology which impacted on dispute resolving systems. Parenting five daughters (Jennifer, Lori, Heather, Stefani and Michelle) and one son (David) provided important lessons regarding justice, consequences, equity and fairness.

**Frazer, William C.**

1776-1838

Territorial Supreme Court, 1836-1838

In 1836 President Jackson appointed William Frazer of Pennsylvania as Associate Justice of the Wisconsin Territorial Supreme Court. The territory's Supreme Court was established in 1836. Judge Frazer convened the first session of court in Racine. Frazer served until his death on October 18, 1838, at the age of 62 years.

**French, Volney**

1810-1881

Territorial Probate Court, 1828-1839 and 1844-1848

Born in Maidstone, Vermont in 1810. Judge French studied law in Rochester, New York and settled in Kenosha, Wisconsin in 1837. From 1844 to 1848, he was the Judge for Racine County that then included Kenosha County. In 1875 he was appointed County Judge of Kenosha County. Judge French was editor of the "Kenosha Union: from 1875 to 1877. Volney French traveled extensively, having made two journeys to Europe. He died in Kenosha on May 3, 1881.

**Gasiorkiewicz, Eugene "Gene"**

1970-

Circuit Court, 2010-

Born in Milwaukee on January 7, 1970. Ran for a seat on the Racine County Circuit Court opened by the retirement of the Honorable Stephen Simanek. Judge Gasiorkiewicz holds a A.B. from Regis University and a J.D. from the University of Mississippi. He served as a law clerk under Mississippi Supreme Court Justice L.A. Smith, Jr. He practiced law as an associate of the law firm Schoone, McManus & Hanson, S.C. from 1974-1979 at which point he left with Martin Hanson to create Hanson & Gasiorkiewicz, S.C. He served as a Municipal judge for the Village of Wind Point and as a Court Commissioner for Racine County. As an attorney, he was a past President of the Racine County Bar Association. He was a member of the Wisconsin Association for Justice, Racine County Rules Committee, and Governor for all Racine County as a Representative of the State Bar of Wisconsin. He was board certified as a Civil Trial Specialist by the National Board of Trial Advocacy. He held the highest rating in Legal Ability and Ethics by Martindale-Hubbell National Lawyer Ratings. Outside of the law, he is known for his ability in the local tennis circuit.

**Geraghty, Gilbert N.**

1930-2001

County Court, 1969-1978

Born in Racine on January 26, 1932. He attended and received his law degree from Marquette University Law School in 1954. He served briefly as an Assistant District Attorney in Racine and was the County's Public Administrator for 12 years before being elected to the County's Probate Court in January 1969, where he served almost eight years before his resignation in November 1976, to return to private practice in real estate and probate law. Besides probate matters, he handled felony preliminary hearings and the Small Claims Court. Judge Geraghty was widely respected as an effective manager of his judicial responsibilities.

**Gittins, Elmer E.**

1869-1929

County Court, 1926-1929

Born on August 31, 1869 in the Township of Caledonia. He attended the public school in Caledonia, Racine High School and received a B.A. degree from the University of Wisconsin in 1895. In 1897, he graduated from the University's Law School. Elmer Gittins opened a law office in Racine in 1898. His record as a practicing lawyer was highly respected. "...Mr. Gittins has won a creditable place at the Bar and in the general practice of law has proven his ability to cope with intricate and involved legal problems..." Judge Gittins was the District Attorney of Racine from 1904-1908.

**Goodland, Elmer D.**

State Municipal Court, 1942-1952

Circuit Court, 1952-1966

Judge Goodland served as Municipal Judge for 10 years from 1942-1952, when he became the first Judge of Racine County's new 21st Circuit. He was a Judge in the Circuit System for 14 years until 1966. He was the first Racine Circuit Judge to wear a black Robe in 1959 to increase respect for the law by adding dignity to the bench.

**Hale, Samuel**

Territorial Probate Court, 1840-1843



Samuel Hale was appointed to the Territorial Probate Court in 1840 and served until 1843.

**Hand, Elbert O.**

1830-1915

County Court, 1868-1881

Born November 29, 1830 in Columbus County, New York. He moved to Wisconsin in 1846, and joined careers in farming and teaching. He attended the University of Wisconsin from 1853 and graduated in 1859 with a B.A. degree. He went on to law school in Albany, New York in 1859 and graduated in 1860. He was admitted to the Bar on April 23, 1861. Before commencing his education in 1849, he successfully joined the California gold rush for three years. In the 1849 gold rush, he was very successful in his efforts to mine gold. When he was ready to return to Wisconsin, he approached the pony express to find out what the cost of bringing the gold to Wisconsin would be, and he was informed that the cost would be one-half the value of the gold that was being brought back home. In his opinion, this was an exorbitant fee, and so he sewed the gold into his clothing and sailed around Cape Horn in a sailing vessel. Upon approaching the U.S. East Coast, he took an overland route to Wisconsin. With the proceeds of his mining in California, he built a large home on the Northwest corner of 16th and College. This home remained on the corner for many years. After Judge Hand's death, it was turned into a maternity hospital during the First World War. Later it was turned into an apartment building. In about the early 1980's, the house burned to the ground. After being admitted to the Bar, Hand returned to Racine and entered private practice. He was appointed county Judge in 1868 by Governor Fairchild and was subsequently elected for three terms, serving a total of 13 years. In 1890 he was elected district attorney for two years. He was a member of the Board of Visitors of the University of Wisconsin, a member of the School Board of Racine and a trustee of Carroll College. Farming was his lifelong hobby. He died in Kenosha on June 18, 1915.

**Harkness, Robert**

Circuit Court, 1871-1875

Robert Harkness was the 8th Judge of the 1st Circuit Court from 1871-1875. His appointment gave him jurisdiction over the counties formed by the Wisconsin Constitution. These counties were Racine, Walworth, Rock and Green. When he resigned in 1875, he moved to Salt Lake City, Utah.

**Harvey, Richard G.**

1910-2000

County Court, 1969-1978

Circuit Court, 1979-1980

Born in Racine on July 3, 1910. He attended local schools and graduated from the University of Wisconsin Law School in 1933. He was Racine's District Attorney from 1938 to 1943. In 1994 he was still serving as a reserve Judge. He was a highly regarded student of law and history. He trained most of Racine's young attorneys during his 12 years on the bench. Largely this was because of his willingness to engage youthful advocates in discussion. The basic fairness of his decisions made him widely respected. He is also known for his interest in politics and his abilities as a storyteller. Judge Harvey served in the Navy in World War II as a Commanding Officer from December 1943 to January, 1946. His service was primarily with the 7th Fleet in the Pacific.

**Heck, Max W.**

1839-1938

County Court, 1901-1913

Born in Chicago, Illinois. Came to Racine in 1870. He was admitted to the Bar in 1892.

**Irvin, David D.**

1794-1872

Federal Territorial Court, 1832-1836

Territorial Supreme Court, 1836-1848

Born in Albemarie County, Virginia in 1794. He succeeded James Doty as Judge of the judicial system of the territory of Michigan, which coexisted with the two counties (Brown and Crawford) that made up the Wisconsin Territory. He was appointed by President Jackson in 1836 as Associate Justice of the Territorial Supreme Court. He had a "strong practical common sense and a natural love of Justice."

He preferred southern society and after his terms ended, he moved to St. Louis and then on to Texas. In Texas, he made a large investment in wild cotton lands, and accumulated great wealth from his investment. During the Civil War, he supported the Confederate cause. His main interests were his horse, dog and gun. He died in June, 1972.

**Jones, William F.**

1909-1986

County Court, 1966-1978

Born in Racine on April 3, 1909. He attended the University of Wisconsin and graduated in 1934. He was elected in 1966 and served for 12 years in the County Court System. His primary areas of responsibility concerned the Family Court and Felony Court. During his service in the Felony Court, he presided over many murder trials.

**Jude, John S.**

1945-

Circuit Court, 2004-

Born in Racine in 1945. He attended high school and college at St. Francis Seminary in Milwaukee obtaining a degree in Philosophy. His law degree was earned in 1977 from Marquette University Law School. He worked as a juvenile probation officer for Racine County from 1968 to 1971. From 1971-1974, he was the Executive Director of Project Acceptance., a community based corrections program which developed and maintained various treatment programs for the criminal justice system. These included Juvenile Court, Adult Court, Racine County Jail, and re-entry programs for individuals returning to Racine from state institutions. He was an initial member of the Board of Directors for the first Civil Legal Services Program in Racine County. After receiving his law degree in 1977, he had a local law practice, which involved primarily civil trial work.

**Keep, John M.**

1812-1861

Circuit Court, 1857-1859

Born in Homer, Cortland County, New York on January 26, 1813. He attended Cortland Academy in Homer. In 1832 he entered Hamilton College and in 1836 graduated with high collegiate honors. His legal studies were with Augustus Donnelly in Homer and he completed them with Horatio Seymore in Buffalo. In 1845 he relocated to Beloit, Wisconsin and stayed there until his death on March 2, 1861. "Mr. Keep not only became engaged at once in a very large law practice in Beloit, but he also took a very active part in every enterprise that promised to promote the growth of the place and enhance the welfare of society." As a Judge, he had quick perceptions of cases, and never hesitated to reverse his decisions when convinced of error.

**Kreul, Richard J.**

1937-

Circuit Court, 1994-

Born on May 28, 1937 in Racine, Wisconsin. He attended St. Edward's Grade School (1951) and St. Catherine's High School (1955). His undergraduate degree was from Notre Dame University (1959) and his law degree was from Georgetown University (1962). He initially practiced in Milwaukee with Jung and Kreul. Later he was a partner with Brown, Black, Reigelman and Kreul in Racine. More recently he was a partner with Reigelman, Kreul and Mueckler. Judge Kreul served on the Racine School Board for three years beginning in 1977. He was President in his last year. He is married to Mary Ann and they have three children (Kathleen Frahm, Kasandra Schrienk and Kelli Pettit, M.D.). His father was a physician in Racine. Judge Kreul served on many civic boards including Homeward Bound, St. Monica's Senior Citizen Home and the Mount Pleasant Police and Fire Commission.

**Lyon, William F.**

1822-1913

Circuit Court, 1865-1871

Born on October 28, 1822 at Chatham, Columbia County, New York. He had a Quaker family background and attended schools at intervals, a few terms amounting to one year. With his leisure time he acquired a fair English education, a limited knowledge of algebra, geometry, Latin and natural philosophy. At the age of 15, he taught in a district school with "indifferent success" in his own estimation. He came to Wisconsin in 1841, and farmed for five years. In 1850 he settled in Walworth County. In the Spring of 1844 he entered the office of Judge George Gale as a law student. He then went on to study in the office of Judge Charles M. Baker at Geneva Lake a short time later. In 1846 he was admitted to the Bar in Walworth County. He set up a partnership with C.B. Baines in 1850. He moved to the city of Racine in 1855 and was elected district attorney in 1854. After five years as district attorney, he was elected to Wisconsin's State Assembly and served from 1859-1860. At the end of the Civil War, he was made a Brigadier General. On December 1, 1865 he became Judge of the 1st Judicial Circuit and served five years. In 1871 he was appointed to the Wisconsin Supreme Court as an Associate Justice. He was reelected in 1872 and 1877, and was Chief Justice from 1892 to 1894. In 1898 he moved to California.

**Marik, Wayne J.**

1945-

Circuit Court, 1985-

Born in Oak Park, Illinois on July 24, 1945. He was raised in Berwyn, Illinois and attended parochial schools in Berwyn and Chicago. He received a B.A. from Marquette University in 1967 and a J.D. from the Marquette University Law School in 1970. Upon graduation he received a one year appointment by Wisconsin Supreme Court Justice Bruce F. Beilfuss as his law clerk. In July 1971 he joined the Racine law firm of LaFrance, Thompson, Evans, Dye, Hostak & Clack, and in 1975 became a shareholder upon the organization of its successor, Thompson & Coates, Ltd. He continued in the general practice of law with that firm until July, 1985. He was elected to the Bench in April 1985, following a five-person primary election to fill the open seat created by the decision of Judge Dennis Costello not to seek reelection. Judge Marik is married to the former Judith Ann Hass, who is a licensed Speech-Language Pathologist. They have three children (Jennifer, Peter, Patricia). Judge Marik also serves with distinction on the Judicial Council for the State of Wisconsin. In that position, he studies issues of legal import to this state's court system, and sometimes, advocates legislative changes to the Wisconsin legislature or rule changes to our Supreme Court.

### **Miller, Andrew G.**

1801-1874

Territorial Supreme Court, 1838-1848

Born in Gettysburg, Pennsylvania in 1801. He graduated from Washington College (Washington, Pa.) in 1819, and was admitted to the Bar in 1822. He arrived in Milwaukee on May 10, 1839 when the population on the east side was 778. On November 8, 1838 President Van Buren appointed him as an Associate Justice of the Territorial Supreme Court of Wisconsin. In 1848 he was appointed Judge of the U.S. District Court for Wisconsin, serving until 1870, and from 1870 to 1873 was Judge of the U.S. District Court for Eastern Wisconsin. He was an original member of the Milwaukee Bar Association. His religious background was Scotch Presbyterian which he continued when in Milwaukee.

### **Monk, Floyd**

1896-1955

State Municipal Court, 1952-1955

Born in Chilton, Wisconsin on August 31, 1896. He attended the University of Wisconsin Law School, and was a World War I veteran. He came to Racine in 1924. He was President of the Racine Bar Association from 1941-1942, and Racine County Divorce Counsel from 1944-1952. He was a Government Appeal Agent in 1952, before being appointed by Governor Kohler to fill Judge Goodland's vacancy on the Municipal bench on May 5, 1952. In 1953 Judge Monk was elected to that bench, and in 1955 was elected to succeed Judge Simpson as County Judge. Before taking office he died of injuries caused by an automobile accident on October 25, 1955. Judge Monk was a member of the Racine Public Library Board, Theresa and Elizabeth Old Folks Home Board and a member of Plymouth Church. At the beginning of World War II, he was approached by several young lawyers in Racine who had an opportunity to serve in Washington D.C. rather than join the Armed Services. The positions in Washington would have guaranteed the young lawyers would not have to serve in the Armed Services. He advised the young lawyers that this would be a great mistake and that they should enlist in the services and serve with other individuals of their own age as the decision would be important in the future life of the young lawyers particularly in the city in which they lived. His advice was followed.

**Mueller, Emily**

1951-

Circuit Court, 1992-

Born November 13, 1951 in Manitowoc, Wisconsin. She attended public schools in Manitowoc where her father, Judge Harold W. Mueller, served on the bench from 1951 until his retirement in 1980. She received her B.S. degree from the University of Wisconsin in 1974 and her Juris Doctor from the University of Wisconsin Law School in 1978. Until her appointment to the Bench by Governor Thompson in 1992, she was in private practice with the Racine law firm of Thompson & Coates, Ltd. She has been active on the boards of many community agencies, and was serving as Chairperson of the Board of Gateway Technical College at the time of her appointment.

**Nieskes, Michael**

1955-

Circuit Court, 2011-

Born in Milwaukee, Wisconsin. Governor Scott Walker appointed Michael Nieskes as judge for the Circuit Court of Racine County on December 13, 2011. Judge Nieskes earned a BA from University of Wisconsin-Milwaukee and a Juris Doctor from DePaul University School of Law. Judge Nieskes was involved in the implementation of several programs in the Racine justice system as the District Attorney, which included a Drug and Alcohol Treatment Court, a mental health diversion track for misdemeanor offenders and substance *abuse* treatment programming in jail. Before becoming the Deputy District Attorney of Racine County, he served as a prosecutor in several Illinois counties. In 2004, he became the Racine County District Attorney.

**Noggle, David**

1809-1879

Circuit Court, 1859-1865

Born in Franklin County, Pennsylvania on October 19, 1809. He was admitted to practice law by the Supreme Court of Illinois in 1838, and was a member of the Constitutional Convention from Rock County in 1846. He was a member of the assembly from the city of Janesville in 1854. He was elected the 6th Judge of the 1st Circuit Court in 1859 and served until 1865. David Noggle died in Janesville, Wisconsin in 1879.

**Palmer, Walter**

1858-1931

County Court, 1914-1929

Born in Waterford, Wisconsin on October 8, 1858. He attended public schools in Waterford and then became a student at Rochester Seminary. He attended the University of Wisconsin Law School and graduated from the class of 1881. He was admitted to the Wisconsin State Bar and practiced his profession in Racine County. He was elected County Clerk in 1886, and served in this position for four years. On January 1, 1891 he became the senior partner with Christopher C. Gittings, which for years was maintained as a highly creditable firm. This partnership ended when he became County Judge on January 1, 1914. He served in this position until 1929 and was widely regarded as having a comprehensive knowledge of the law. Judge Palmer was a part of the Racine legal fraternity from 1881 to 1931. He was elected President of the Commercial Club in 1915. He was noted for his zest for living and died at the age of 73.

**Payne, Ira C.**

Circuit Court, 1875

He was the 9th Judge of the 1st Circuit Court. He served for one year.

**Ptacek, Gerald P.**

1947-

Circuit Court, 1988-

Born February 1, 1947 in Berlin, Wisconsin. He received his B.A. in mathematics from the University of Wisconsin in 1969 and his Juris Doctorate from Marquette University Law School in 1974. He was admitted to the Bar in 1975. Between 1980 and 1988 he served as Racine County District Attorney. Prior to that time, he was in private practice (1970-1980) and was Assistant District Attorney from 1975 to 1979. Before law, he was a mathematics instructor in Junior High Schools in Racine and Muskego, Wisconsin. He has helped bring meaningful technology to all Wisconsin courts through his leadership role in the Consolidated Courts Automation Program (CCAP). Judge Ptacek was the Chief Judge of the Second Judicial District from 2002-2008 and previously served as the Deputy Chief Judge for six years. He served as the chair of the Committee of Wisconsin Chief Judges in 2008 and is currently a member of the Wisconsin Judicial Council.

**Simanek, Stephen**

1945-

Circuit Court, 1980-2010

Born January 2, 1945 and raised in Racine. He attended schools in Racine and graduated from St. Catherine's High School in 1963. He attended Marquette University and then went to Columbia Law School in New York and graduated in 1972. He returned to Racine after graduation and was in private practice until his election to the Circuit Court in 1980. He served as the fourth Chief Judge for the 2nd Judicial District.

**Simpson, Allen J.**

1890-1979

County Court, 1977-1978

Born in 1890. Admitted to the Bar in 1913. He had an excellent reputation as a man combining sternness with humanity and integrity. He was known as a man who got things done. He was a native of Shullaburg, LaFayette County, Wisconsin. At the end of his last elected term, he had planned to retire. However, he accepted a temporary appointment until a successor was elected in April 1956, due to the unexpected death of Floyd Monk who had been elected to replace Judge Simpson. Judge Simpson was Racine County's Civilian Defense Administrator, President of Racine County Bar Association and the Wisconsin Board of County Judges. He ran unopposed throughout his terms as Judge and was interested in traveling, hunting and bird watching. He died on July 6k 1979.

**Skow, Jon B.**

1943-2009

County Court, 1977-1978

Circuit Court, 1978-1992

Born in Racine January 14, 1943. He attended Culver Military Academy. He received a B.A. degree from the University of Wisconsin-Madison and his law degree from Kent Law School, Chicago, Illinois in 1973. He practiced law as a private attorney for 4 years. He became a County Court Judge in 1977 and a Circuit Court Judge in 1978. He is the only Judge to have held court in Waterford as the result of a campaign promise while in the Probate Court.

**Smieding Jr., William H.**

1868-1923

State Municipal Court, 1904-1919

Born in Racine on September 9, 1868. He attended public school and high school in Racine. He received his B. A. degree from the University of Wisconsin-Madison in 1891. He then continued in Madison as a law student and graduated in 1893. He had attended the University of Berlin for the year 1890. He was admitted to the Bar and entered active practice in Racine. He was elected to the Municipal Court in 1904 and gained a reputation for being fair and impartial in the discharge of his judicial duties. He was the first Municipal Judge to also be assigned to the Juvenile Court. He was a member of the Masonic Lodge, Knights of Pythias, No.32, Elks Lodge 252 (and past exalted ruler), President of Scouts Council and a member of the Commercial Club.

**Spooner, Wyman**

1795-1877

Circuit Court, 1853

Born in Worchester, Massachusetts July 2, 1795. He was admitted to the Bar in 1833, and in 1842 he moved to Racine, Wisconsin. In 1843 he moved to Elkhorn. In 1846 he was elected Judge of the Probate Court in Walworth County. In 1853 the Probate Court merged with the 1st Judicial Circuit Court and Judge Spooner served for one year. However, politics and lawmaking were his real interests. In 1850 he was elected to the State Assembly and was reelected in 1857. He became Speaker of the House in 1857. He then became a State Senator in 1862 and 1863, and was President of the Senate in the latter session. From January 11, 1863 to January 3, 1870, Spooner was the Lieutenant Governor of Wisconsin. He died in Elkhorn, Wisconsin in 1877.

**Torhorst, Allan Bryant "Pat"**

1941-

Circuit Court, 1991

Born in Antioch, Illinois on March 7, 1941. He was raised in Burlington where he attended public schools. He graduated from the University of Wisconsin-Madison in 1963 with a B.S. degree, and received his law degree from the University of Wisconsin Law School in 1966. He specialized in administrative law, practicing before the Interstate Commerce Commission and State Regulatory Agencies representing private and common motor carriers. In 1970 he entered general private practice in Burlington due to Federal and State deregulation of common carriers. In 1976 he was elected attorney for the City of Burlington and was reelected thereafter every two years until he was elected to the Circuit Court. He also served as prosecutor for the Town of Burlington beginning in 1975. In addition, he served as Parliamentarian for all general meetings of the Burlington Area School District. He served as a member of the Burlington Rescue Squad from 1970 through 1977 and as Captain in 1976. He was a Director of the City of Burlington Industrial Development Corporation and a member of the Burlington Board of Public Works. He also served as a Director and President of the Burlington Chamber of Commerce. He was

elected to the Circuit Court in April of 1991, being the first person to be a County or Circuit Judge from outside of Racine, since Judge Ellsworth Belden of Rochester served as a Circuit Judge during the late 1800's. Judge Torhorst is married to Pamela "Penny" Phelps, who was born in Beaver Dam. They have two daughters (Elizabeth and Cynthia). While in private practice, he was an instructor for the Wisconsin Municipal Attorneys Institute and continues to present seminars for the Supreme Court Office of Judicial Education.

**Vuvunas, Emmanuel**

1942-

Circuit Court, 1979-2004

Born in Milwaukee on March 13, 1942. He attended grammar schools in Milwaukee and Racine where he moved in 1951. He graduated from Horlick High School and the University of Wisconsin. He graduated from the University of Wisconsin Law School in 1967. Before being elected to the Circuit Court's newly created Branch #4 in 1978, he was an Assistant District Attorney and Deputy Family Court Commissioner.

**Wendt, Francis H.**

1899-1996

County Court, 1956-1969

Born on March 9, 1899 in Yorkville, Racine County. He entered the University of Wisconsin Law School in 1924. and was admitted to the Bar in April, 1929. He became a Court Commissioner in 1930, a Trustee of the County Institutions and was Mayor of the City of Racine from 1943-1949. He was President of the Racine County Bar Association in 1954. He was elected to the County Court in 1956, and was appointed immediately by Governor Kohler to fill the vacancy left by Judge Floyd Monk's death in 1955. Judge Simpson had been given a temporary appointment to cover this time period. Judge Wendt had served on many committees and boards including the Salvation Army, Racine Library Board, YMCA and Boy Scouts. He was especially interested in addressing problems associated with mental health and alcoholism and helped found the Racine County Mental Health Association and Racine Council on Alcoholism. While a County Judge, he could often be found at the library, writing his decisions.

**Wentworth, John T.**

1820-1893

Circuit Court, 1876-1883

Born in Greenfield, Saratoga County, New York on March 31, 1820. He graduated from Union College, Schenectady, New York in 1846. He was admitted to the Bar in 1849 and practiced law in Saratoga Springs for two years before moving to Chicago in 1852. He stayed in Chicago for four years, and then moved to Lake Geneva in Wisconsin. He was elected District Attorney of Walworth County in 1857 and reelected in 1859. In 1869 he was elected Clerk of the Circuit Court and in 1876 was elected Circuit Judge of the 1st Circuit Court. He served in this position until 1883. In 1878 Judge Wentworth changed his home residence to Racine. He served as State and United States Court Commissioner for some years and held the Office of Justice of the Peace after the expiration of his term as Circuit Judge. He died on February 8, 1893 in Racine, Wisconsin.

**Wheeler, Nancy**



1951-

Circuit Court, 1989-1996

Born September 21, 1951 in Racine. Graduated from J.I. Case High School in 1968. She graduated from Cottey College, Nevada, Mo. (A.A. degree) in 1970, and graduated from the University of Wisconsin with a B.A. in economics. She completed a year of graduate work in economics before beginning Law School at the University Wisconsin in 1974. At the time she made her application to law school, there were only four women practicing law in Racine. After graduating from law school in 1977, she joined the Racine County District Attorney Office. In 1979 she went into private practice with her father, Fred Wheeler. In 1980 Judge Simanek appointed her as a Juvenile Court Commissioner, the first female commissioner appointment in Racine County. In 1981 she joined the Family Court Commissioner's Office as a part-time Deputy Family Court Commissioner, a position she maintained until she was appointed to the bench in September 1989. Governor Tommy Thompson appointed her to succeed Judge James Wilbershide. She was the first woman to be appointed to the Bench in Racine County, and the first woman in the state to be appointed to the bench by Governor Thompson. She has served on a number of community boards. Judge Wheeler enjoys volunteering at sports car racing events as a hobby.

**Whiten, Edward V.**

1805-1859

Circuit Court, 1848-1853

Supreme Court, 1853-1859

Born on June 2, 1805 in South Lee, Berkshire County, Massachusetts. His two brothers (Joseph Lucas and Daniel Garfield Whiten) were also Judges. Daniel Whiten came to Wisconsin and died in this state. Edward Whiten came to Wisconsin in 1837, and settled at the present site in Janesville. He served in the Territorial House of Representatives. In 1848 he was elected Judge of the First Circuit Court, which consisted of Racine, Rock, Walworth and Green counties. He was also a member of the First Appellate Court and served in both capacities until the separate Supreme Court organized in 1853, when he was chosen its first Chief Justice. He was reelected in 1857 and served until his death on April 12, 1859.

**Wilbershide, James**

1918-2003

County Court, 1971-1978

Circuit Court, 1978-1989

Born on a farm in Manitowoc County in 1918. He attended St. Catherine's High School and graduated from the Marquette University Law School in 1947. He was a Captain in the Marine Corps in World War II. He practiced law for 24 years before being elected to the County Court in 1972. With the transition to an all Circuit Court system in 1978, he was transferred to the newly created Circuit Court Branch #7. In 1994 he was still serving as a reserve Judge.

**Winslow, John B.**

1851-1920

Circuit Court, 1883-1891

Supreme Court, 1891-1920

Born at Nunda, New York on October 4, 1851. His family moved to Racine, Wisconsin in 1855. He attended Racine schools and studied in the Elbert O. Hand law firm from 1871 to 1873. He then continued until 1874 in the Fuller and Dyer law firm. In 1875 he graduated from the University of Wisconsin Law School and was admitted to the state bar on June 17, 1875. He was Racine's City Attorney from 1879 to 1882. In 1883/1884 he was elected Judge of the Circuit Court. He held this position until he became member of the Wisconsin State Supreme Court in 1891. He served in this position for 29 years until his death on July 13, 1920. In 1907 he had been named chief justice of the Court. (John Winslow's father was Horatio B. Winslow, Superintendent of Racine Schools and the Winslow School was named for him). The Judge Winslow Family lived on West Sixth Street, one block west of Memorial Drive. He was married to Agnes Clancy whose family was located at the corner of First and College Avenue in Racine. The judge and his wife had six children, four girls and two boys. One son, Horatio B. Winslow was an author of many books and wrote many articles and stories for the Saturday Evening Post. Horatio was in the First World War and served with distinction. Justice Winslow was being seriously considered for the United States Supreme Court, but Robert LaFollett, Senior, U.S. Senator from Wisconsin, let it be known that he was opposed to the appointment. The Senator opposed Winslow's appointment because of the religion of his wife. At a large meeting of the Progressive Party in Wisconsin, shortly after the United States entered World War I, Judge Winslow was sitting on the platform with Senator LaFollett who strongly opposed the United States entering the war. In his speech, the Senator violently criticized the action of the president and congress in declaring war on Germany. During this tirade, Judge Winslow walked off the platform to show his disagreement with the Senator's remarks. Winslow was head of a nine member committee to investigate the organization of a system of courts in Wisconsin. The committee was to make recommendations concerning "efficiency and economy in the administration of justice." Nothing was done with Winslow's recommendation. On October 20, 1915 Winslow, as Chief Justice, addressed the Racine Woman's Club on the property rights of married women. For further information see "John Bradley Winslow, American Jurist" by Clarinda Winslow.

### **Wording, William E.**

1812-1886

County Court, 1850-1861

Born at Castine, Maine on January 21, 1812. Graduated in 1836 from Waterville College. From 1849-1850 he was the Racine City Attorney. He was the first County Judge of Racine. Before 1850 Judge Andrew Chatfield presided over a combined Probate Court composed of Racine and Kenosha Counties. In 1862 he was appointed by President Lincoln as Tax Commissioner for South Carolina. He died at Plainview, Minn. and was brought back to Racine for burial.

### **POST SCRIPT**

Hopefully this report will provide the reader with information which will lead to an understanding of this community's justice system and its origins. That understanding, in turn, can be the springboard to improvements and even greater public access to our Courts.

This history has focused on the small, rather than the large, picture of a jurisprudential system. It is as if we were on our Racine porch or patio for over 200 years (1790-2012) and we

observed how the justice system evolved. It relates to where and how we, in Racine, live out our legal lives on a day to day basis.

More broadly, on a time continuum, law may be viewed as being at the beginning (a few thousand years into it) of its second developmental stage. Initially men and women functioned under a system of personal justice. One could do as one wanted so long as there existed an ability to coerce acquiescence. This system was unsatisfactory as it lacked the essentials of honesty and consistent fairness. Later, human beings developed an adherence to objective law and truth. Disagreements under this system are now primarily resolved by reference to a third party (jury, court, arbitrator, etc.) The foregoing history speaks to Racine's efforts at developing its third-party dispute settlement system. Our future may see two further extensions of dispute resolution under objective law. One would invoke the use of facilitators to help citizens themselves resolve conflicts. Under this approach, disputes are brought into accord by litigants with the aid of mediators instead of a win-lose result, the goal would be to produce a win-win situation. Much experimentation is occurring in Wisconsin regarding alternative dispute resolution systems. Mediation is now an essential part of Family Court matters being heard in Racine County. The Civil Courts are also beginning a formal system of alternative dispute resolution under rules recently established. The second and final progression (perhaps far into the future) would be to have human beings operate situationally out of commonly accepted ethical and moral norms (objective law) that are reflective of and committed to truth, justice and peace. Fairness would voluntarily moderate human activity as opposed to force, third party decisions or the efforts of facilitators. We would do what is right because that is how we chose to act. The French philosopher Tielhard de Charden calls this "humankind's emerging evolution." This final justice definition won't eliminate our ability to make human mistakes, but it would reflect the underpinnings of each person to being accountable and committed to do what is just in our individual and social actions.

Unfortunately, the authors do not have a time line or other articulable parameters for the future evolution of our justice system. It will be up to each of us who is involved in the Racine County dispute resolution system to forge our own vision of "justice under law" in our day to day legal endeavors. Our actions within the existing legal system do affect the present and can enhance and precurse the future.

An understanding of our legal past and its traditions also may help us in our commitment to do justice in the present.

As a final comment, your authors invite additions and corrections to this report. Besides traditional research, we have counseled with Judges, retired Judges, courthouse personnel, including Clerk of Courts Rose Lee (2012), and senior members of the Bar in an effort to be accurate. If data or personal recognition is missing or misstated, this was not intended.

