



Resolution No. 48 (2022)
RESOLUTION REQUESTING THE STATE OF WISCONSIN TO REVIEW
AND REVISE THE ENTRY LEVEL COMPENSATION RATE FOR
ASSISTANT DISTRICT ATTORNEYS

COVER MEMO

TO: County Board of Supervisors

FROM: Ken Witt, County Administrator
Heather Amos, Corporation Counsel, Office of Corporation Counsel

DATE: December 6, 2022

AGENDA ITEM: Resolution Requesting the State of Wisconsin to Review and Revise the Entry Level Compensation Rate for Assistant District Attorneys

BACKGROUND INFORMATION

Historical information regarding St. Croix County Assistant District Attorney (ADA) and District Attorney (DA) positions:

- In 1989, ADAs and DAs were changed from being county employees to state employees.
- In 1989, St. Croix County had five state prosecutors
- The 1990 census indicated that St. Croix County has a population of 50,251.
- Currently, St. Croix County has a population of around 96,000.
- Currently, St. Croix County has seven state prosecutor positions. One of the positions has been vacant for over four months.

Pay differences between Wisconsin versus Minnesota prosecutors:

- In Minnesota, assistant county prosecutors generally earned \$100,000 a year and in metropolitan counties they were paid \$115,000, according to the 2011 LaFollette School of Public Affairs study.

- In 2011, the median income for Wisconsin ADAs was \$56,150. Meanwhile, 56% of ADAs had at least \$50,000 in law school student loan debt.

Starting wage for ADAs in Wisconsin today:

- The starting salary of an ADA is \$54,000, with a median salary of \$64,000, which is about half of the median salary of Minnesota. Now newly hired ADAs typically have over \$100,000 in law school student loan debt.

Wisconsin market based pay study:

The Wisconsin Division of Personnel Management (DPM) recently conducted a market study to determine appropriate salary levels for ADAs. The data gathered in the study conducted by the DPM supports a starting wage of \$35.00/hr. beginning with the first pay period of Fiscal Year 2024. The entry level wage at that time is currently scheduled to be \$27.24/hr. Every District Attorney in the State signed a letter requesting the legislature to increase ADA salaries to reflect the market based pay analysis proposed salaries.

St. Croix County DA's office recent and current struggles with ADA turnover and hiring:

The last seven ADA hires (in the last three years) were not approved by the State to hire above the minimum salary except current state attorneys could transfer at their current pay. Every ADA who left the DA's Office exclusively cited excessive workload and low pay as the reasons for leaving their positions.

The St. Croix County District Attorney's Office currently has six attorneys. Of the six attorneys, only three, including the District Attorney, have over five years of prosecution experience. The St. Croix County District Attorney's Office has had two open positions for months. One position has been open for over four months and the other open for over six months. The St. Croix County District Attorney's Office currently has six attorneys to prosecute criminal cases in four courtrooms and the commissioner's hearing room. If there are two attorneys out ill or on vacation, there are not enough attorneys to cover every courtroom and the commissioner's hearing room.

Three years ago, a Wisconsin Department of Administration report indicated that St. Croix County should have 10.6 full-time state prosecutors.



Resolution No. 48 (2022)
RESOLUTION REQUESTING THE STATE OF WISCONSIN TO REVIEW
AND REVISE THE ENTRY LEVEL COMPENSATION RATE FOR
ASSISTANT DISTRICT ATTORNEYS

1 **WHEREAS**, Assistant District Attorneys serve as the backbone of the State of
2 Wisconsin’s ability to prosecute cases in all of its seventy-two counties; and
3

4 **WHEREAS**, any shortage of these Assistant District Attorneys creates backups in the
5 justice system, which can lengthen cases, create more pressure on existing staff, and delay or
6 deny justice to individuals that are party to these cases; and
7

8 **WHEREAS**, the entry level compensation rate for Assistant District Attorneys in
9 Wisconsin in 2022 is \$26.70 an hour, which is annualized to around \$54,000 a year; and
10

11 **WHEREAS**, this entry level compensation rate for Assistant District Attorneys has not
12 kept up with the rate of inflation and sits well below the national average for similar positions in
13 District Attorney offices across the country; and
14

15 **WHEREAS**, this entry level compensation rate for Assistant District Attorneys sits
16 below other public sector attorney positions in both St. Croix County and around the State of
17 Wisconsin; and
18

19 **WHEREAS**, this entry level compensation rate for Assistant District Attorneys is not
20 competitive in today’s workforce environment, accelerates staffing turnover in District Attorney
21 offices around the State of Wisconsin, and endangers public safety; and
22

23 **WHEREAS**, in an effort to make District Attorney offices more competitive in their
24 entry level compensation offerings for Assistant District Attorneys, St. Croix County requests
25 that the State of Wisconsin review and revise the entry level compensation rate for Assistant
26 District Attorneys to remain competitive with similar positions in District Attorney offices
27 around the country, other public sector attorney positions, and the private sector as well as to
28 keep up with the rate of inflation.
29

30 **NOW, THEREFORE, BE IT RESOLVED** by the St. Croix County Board of
31 Supervisors that the State of Wisconsin is hereby requested to review and revise the entry level
32 compensation rate for Assistant District Attorneys in order to remain competitive with similar
33 positions in District Attorney offices around the country, other public sector attorney positions,
34 and the private sector as well as to keep up with the rate of inflation.
35

36 **BE IT FURTHER RESOLVED** that a copy of this resolution is sent to Governor Tony
37 Evers, all members of the Wisconsin State Legislature representing St. Croix County, the
38 Wisconsin Counties Association, and all other Wisconsin Counties.

Legal – Fiscal – Administrative Approvals:

Legal Note:

Fiscal Impact: No financial impact to the County.


Heather M. Amos, Corporation Counsel 11/11/2022


Leah Smirington, Finance Director 11/14/2022


Ken Witt, County Administrator 11/14/2022

12/01/22 Public Protection & Judiciary Committee APPROVED

RESULT: APPROVED [UNANIMOUS]
MOVER: Paul Adams, Supervisor
SECONDER: Cathy Leaf, Supervisor
AYES: Leaf, Adams, Feidler, Carlson, Ramberg

Vote Confirmation.


Bob Feidler PPJ Chair 12/1/2022

St. Croix County Board of Supervisors Action:

Roll Call - Vote Requirement – Majority of Supervisors Present

RESULT: **ADOPTED [17 TO 0]**
MOVER: Bob Feidler, Vice-Chair
SECONDER: Dave Ostness, Supervisor
AYES: Lind, Long, Leaf, Adams, Berning, Ottino, Feidler, Ostness, Counter, Hansen, Sherley, Tellijohn, Carlson, Barcalow, Swanepoel, VanSomeren, Ramberg
ABSTAIN: Shawn Anderson
EXCUSED: Carah Koch

This Resolution was Adopted by the St. Croix County Board of Supervisors on December 6, 2022

Christine Hines, County Clerk