

About the Author

Kathleen (Kathy) Pakes is a 1995 graduate of the University of Louisville (Brandeis) School of Law and began her career as a public defender in Louisville, Kentucky. After a stint as a prosecutor in Ladysmith, Wisconsin, she returned to criminal defense and joined the Office of the Wisconsin State Public Defender as legal counsel. She currently serves as the Assigned Counsel Division Director and as a Forensic Practice Coordinator specializing in cases that involve child abuse and child death. Pakes is a member of the American Academy of Forensic Sciences and regularly presents on forensic topics. She serves on the Board of Administrative Oversight for the Office of Lawyer Regulation.

Very special thanks are extended to the following individuals for their work on the 2024-25 supplement to *Wisconsin Criminal Defense Manual*:

Timothy Drewa practices law as an Assistant State Public Defender in the Milwaukee appellate office. He possesses significant trial litigation experience from previous trial division service and private practice. Drewa has contributed to the legal community by training and mentoring attorneys and people who are not lawyers, co-founding and working in a specialized treatment court, and volunteering. He enjoys spending time with his family, coaching children, and reading.

Kate Drury is a proud public defender and zealous litigator. At the Office of the Wisconsin State Public Defender (SPD), Drury worked as a Regional Attorney Manager for five SPD offices covering 13 counties in central Wisconsin. She serves as a trial attorney in the Stevens Point SPD office, having left management to devote more time to direct client representation. Drury also serves as the SPD's Immigration Practice Group Coordinator, providing information to staff and private bar attorneys statewide about immigration consequences for criminal defendants, consulting on individual cases, and conducting training. When the COVID-19 pandemic struck, Drury participated in a statewide workgroup regarding future policies and procedures of videoconferencing. Drury is a graduate of the University of Wisconsin Law School and in her free time enjoys jogging, gardening, and baking sourdough bread.

Peter R. Heyne, Marquette 2010, cum laude, has been an Assistant State Public Defender in the Trial Division, Green Bay office, since 2015. Before joining the Office of the Wisconsin State Public Defender (SPD), he spent five years in private solo practice, with a focus on trial and appellate criminal cases, as well as juvenile and family law, and civil litigation. Heyne earned a master's degree in English and bachelor's degrees in classics (Greek and Latin) and drama from the University of Dallas. An accomplished writer, he contributed to the 2022 *Wisconsin Criminal Defense Manual* updates, the Brown County GAL handbook (e.g., on child abuse injunctions), and multiple publications through State Bar of Wisconsin platforms. He has presented at the annual SPD conference on a variety of topics, including domestic abuse, penalty enhancers, and knife laws.

Jennifer Kelley began her career litigating for waiver of the death penalty in capital criminal cases in Miami, Florida. In 2004, she graduated cum laude from St. Thomas University, Miami, Florida, where she served as an articles editor for the law review. She has been an Assistant State Public Defender in the Trial Division, Appleton office, since 2020. Before joining the Office of the

Wisconsin State Public Defender, Kelley spent a decade working for various law firms in Miami, with a focus on trial and appellate criminal cases, as well as some civil litigation. Before law school, Kelley earned a degree in sociology from the University of San Francisco. She then studied in a Master of Social Work program in Miami, where she started working with the Miami-Dade Public Defender's Office as a forensic social worker. It was during this time that the spark was ignited for her passion for working with people with chronic and persistent mental illness in the criminal justice system. Kelley was part of the Miami-Dade County Mayor's Mental Health Task Force and a founding member of what is now the Eleventh Judicial Circuit Criminal Mental Health Project. She has been a part of the Outagamie County Mental Health Treatment Court since 2021 and has served on the board of the Wisconsin Association of Treatment Court Professionals since 2023.

Kevin Smith, U.W. 2019, is the Regional Attorney Manager for the Janesville region of the Office of the Wisconsin State Public Defender (SPD). He previously served the SPD as an Assistant State Public Defender, the Pretrial Motions Practice Coordinator, and a Local Attorney Manager. In his current role, Smith oversees SPD operations in Lafayette, Green, Rock, and Walworth Counties and represents indigent defendants in each of those counties, focusing on serious felony offenses. Smith is also an active trainer and educator.

Nick Smith has served as Agency Legal Counsel with the Office of the Wisconsin State Public Defender (SPD) since 2022. Smith started with the SPD as an Assistant State Public Defender in the Merrill trial office. In this role, he served as trial defense counsel for clients in felony, misdemeanor, and commitment matters. He also served on the Taylor County Hybrid Treatment Court. Before serving as an Assistant State Public Defender, Smith was on active duty as a Judge Advocate in the U.S. Coast Guard, where his assignments included being detailed as a Special Assistant U.S. Attorney for the District of Puerto Rico and as trial defense counsel at the Navy Defense Service Office Southeast in Norfolk, Virginia. Smith is a 2011 graduate of Marquette University School of Law. He received an undergraduate degree with majors in computer science and political science from Northern Illinois University.

Lucas Swank is an attorney with the Madison appellate office of the Office of the Wisconsin State Public Defender (SPD) and is one of the agency's Mental Health Practice Coordinators. Before joining the Madison appellate office, he practiced for five years in the Black River Falls trial office. He has presented for the SPD annual conference and local bar associations on various topics, including marijuana-odor litigation, involuntary medication in criminal competency restoration, and civil procedure for criminal defense lawyers.

Katie York is Deputy State Public Defender. She started with the Office of the Wisconsin State Public Defender (SPD) as an Assistant State Public Defender in the Green Bay trial office. In 2010, she transferred to the SPD's Madison appellate office, where she was later promoted to Local Attorney Manager. York has handled most SPD case types as both a trial attorney and an appellate attorney, litigating in circuit courts around the state, all four court of appeals districts, and the Wisconsin Supreme Court. In 2018, York became the Deputy Trial Division Director and in 2019 she returned to the Appellate Division as the Appellate Division Director, before becoming the Deputy State Public Defender and then the Acting State Public Defender. York was on the State Bar of Wisconsin's Board of Governors from 2017 to 2021. She has served as the SPD representative on the Wisconsin Judicial Council's Appellate Procedure Committee and is an advisory member on the Criminal Jury Instructions Committee.