



LEAGUE OF WOMEN VOTERS®
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CLERK OF SUPREME COURT
OF WISCONSIN

April 7, 2017

To: Clerk, Wisconsin Supreme Court
From: League of Women Voters of Wisconsin
Re: Rule Petition 17-01

Any citizen who has to appear in court should have absolute confidence that the judge will be fair and impartial. But in the past several years Wisconsin Supreme Court elections have made our state a national poster child for runaway campaign spending. Rulings in cases involving private organizations that have undue influence on the election of Supreme Court justices have further eroded public confidence.

The League of Women Voters of Wisconsin believes people need to feel confident that the judges they elect will deliver justice based on the law, and not on whether a party made a campaign contribution. That is why in 2008 we petitioned the state Supreme Court to institute new rules that prohibit judges and justices from ruling on cases involving major campaign contributors. We believe this reform is needed now more than ever.

We support the new petition of more than 50 retired Wisconsin judges asking the court to write new rules for when judges should recuse themselves from a case.

The requested rules would allow the non-contributing party in a case to waive the recusal rules. This will discourage people and organizations from "gaming the system" by contributing to the campaign of any judge who is likely to rule against them.

We are not suggesting that campaign gifts automatically undermine a judge's neutrality. That would be an insult to the dedicated women and men who serve on Wisconsin's bench. Unfortunately, though, campaign contributions and support severely erode public trust, even when a judge may be acting fairly.

The new recusal rules would: 1) Restore public trust that campaign contributions will not influence a judge's decisions; 2) Give notice to special interests that there is no benefit to turning court elections into a financial arms race—not when the judge they help elect is not allowed to hear their case.

We urge the Court to consider Rules Petition 17-01 and update Wisconsin's recusal rules to preserve the credibility and public trust of our state courts.