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CLERK OF SUPREME COURT
OF WISCONSIN

The Honorable Patience D Roggensack
Chief Justice
Wisconsin Supreme Court
PO Box 1688
Madison, WI 53701-1688

Dear Chief Justice Roggensack:

At this point in time the Wisconsin Supreme Court has a broken image. Cases have come up in which justices have failed to recuse themselves despite the fact that they have received significant amounts of campaign funding from one of the parties involved in the court case. The public looks upon this as cause for significant bias. Therefore, the attitude develops that it is not possible to receive an honest, unbiased opinion from the Wisconsin Supreme Court. The bias was especially exhibited during the John Doe decisions and was evident to most Wisconsin citizens.

Recently I came across information indicating that Wisconsin judges had the least number of recusals in the country. Undoubtedly this was influenced by the adoption and recusal rule of 2010 that was worded by the Wisconsin Manufacturers and Commerce along with the Wisconsin Realtors Association, both of which are strong pro-business supporters and were big spenders in support of conservative justices over the years. That in itself speaks of influence and bias. Additionally, the recusal rule was extremely lax and has led to judges refusing to recuse themselves in obviously biased situations. Prosser and Gableman had been asked to recuse themselves during the John Doe II but refused.

Court cases have already spelled out instructions on recusal in the US Supreme Court. Wisconsin justices need to follow the federal law as established with these cases. Until changes are made and Wisconsin Supreme Court Justices begin using a more comprehensive policy of recusal that is in conformance with the federal US Supreme Court rulings, confidence in the court in Wisconsin is going to remain broken. Personally, I have no faith in the Court due to the biases I have viewed since 2010. That is an attitude I share with many people I know. It is time for the Wisconsin Supreme Court to upgrade itself as it has failed Wisconsin citizens.

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