

April 7, 2017

Via e-mail & hand-delivery: [clerk@wicourts.gov](mailto:clerk@wicourts.gov)  
Wisconsin Supreme Court  
c/o Clerk of the Supreme Court  
Attn: Deputy Clerk-Rules  
P.O. Box 1688, Madison, WI 53701

**RECEIVED**

APR 07 2017

CLERK OF SUPREME COURT  
OF WISCONSIN

Re: 17-01, In Re Rule for Recusal When a Party or Lawyer Has Made a Large Campaign Contribution

Dear Chief Justice Roggensack and Justices of the Supreme Court of Wisconsin:

As Wisconsin citizens concerned about the health of the Wisconsin judiciary, we write to offer our strong support for petition 17-01, In Re Rule for Recusal When a Party or Lawyer Has Made a Large Campaign Contribution.

As you know, the petition requests that the Court amend the Code of Judicial Conduct to establish an objective standard requiring recusal or disqualification of a judge when s/he has received the benefit of campaign contributions or assistance from a party or lawyer. The public's faith in an impartial judiciary is critical to the proper functioning of the judicial branch and our government as a whole.

Consideration of petition 17-01 filed by 54 retired judges from across Wisconsin is an important step in ensuring the public has faith in the impartiality of decisions made by the judiciary by reducing the appearance of conflict or partiality. Clear rules requiring recusal protect not only litigants from the possibility of bias but the judiciary - and by extension the legal system as a whole - from accusations of bias, or the appearance thereof.

As the judges set forth in their petition, there are several reasons for the Court to reconsider the issue of recusal:

- The Legislature has significantly increased the campaign contribution limits in place at the time the Court last considered the issue in 2010.
- The Court's decision in *State ex rel. Three Unnamed Petitioners v. Peterson*, 2015 WI 85, 363 Wis. 2d 1, 886 N.W.2d 165, altered the landscape of coordination between independent expenditure groups and candidates, including those for judicial office.
- At the time of the adoption of the 2010 rule, the Court did not address the question of appearance of bias. Given the importance of public faith in the independence of the judiciary, the appearance of bias is as important as consideration as the question of actual bias. This issue is deserving of the Court's attention.

We urge the Court to take up the petition filed by 54 retired judges and to adopt a recusal standard that sets objective criteria for recusal that address the issue of bias or appearance of bias. We believe that every litigant deserves not only to have a fair hearing before the court but to have faith in each court's impartiality and integrity. Petition 17-01 is a step toward restoring that faith in our judiciary.

Sincerely,

(see signatures on following pages)

Yes, add my name in support of the retired judges' recusal rule petition

NAME (Please print legibly)	State Bar Number (if a member of the State Bar of Wisconsin)	E-mail (optional, if you want to stay informed on this or similar issues)
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Yes, add my name in support of the retired judges' recusal rule petition

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