



Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

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MADISON, WISCONSIN 53703

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Telephone (608) 266-7442

March 21, 2017

To: Interested Persons – See Attached List

Re: Rule Petition 17-01, In re rule for recusal when a party or lawyer has made a large campaign contribution

Greetings:

I am assisting the Wisconsin Supreme Court with its consideration of rule petition 17-01 filed January 11, 2017, by 54 retired members of the Wisconsin judiciary. This petition proposes amending SCR Chapter 60 ("Judicial Code") to establish an objective standard requiring recusal or disqualification of a judge who has received the benefit of campaign contributions or assistance from a party or lawyer. A copy of this petition can be found on the court's website at <https://www.wicourts.gov/scrules/supreme.htm>.

This petition was originally on the court's March 16, 2017 open rules conference agenda. On March 14, 2017, the court received a letter and an email from the Wisconsin Institute for Law & Liberty, Inc., requesting the court remove the matter from its agenda to afford them an opportunity to provide a substantive comment on the petition, prior to the court's initial discussion. Several other written comments have also been filed. The matter was removed from the March 16, 2017 agenda. This matter will be placed on the court's April 20, 2017 open rules conference agenda for preliminary discussion. The court will accept written comments on the petition received prior to that discussion. Comments received by April 7, 2017 will be considered by the court as part of its preliminary discussion. If the court schedules a public hearing on this petition, the comment period will be extended. Please note, the court may take any action on a rule petition it deems appropriate, including any of the following:

- (a) Adopt the rule proposed, or a modified version, without further comment.
- (b) Reject the rule proposed without further comment.
- (c) Circulate the rule petition for comment without a public hearing.
- (d) Schedule the rule petition for public hearing.
- (e) Refer the rule petition to another entity for its review and recommendation.
- (f) Request further information or analysis from the petitioner or interested persons or entities.

Any comment to the rule petition should be filed with the Clerk of Supreme Court, Attention: Deputy Clerk-Rules, P.O. Box 1688, Madison, WI 53701-1688. If possible, email a Microsoft

Word version of your response to clerk@wicourts.gov. See comment guidelines at the court's website at <https://www.wicourts.gov/scrules/petitioncomment.htm>. The petitioner may file any response to the comments.

You might wish to consult the court's website at <https://www.wicourts.gov/scrules/supreme.htm> to follow this rule petition. Court communications on the petition and any written comments filed with the clerk's office will be posted on the website.

If you have specific questions or other comments regarding this matter, please contact me by mail at Post Office Box 1688, Madison, WI 53701-1688, by telephone at (608) 261-6642, or by email at julie.rich@wicourts.gov.

Very truly yours,

/s/

Julie Anne Rich

Supreme Court Commissioner

cc: Chief Justice Patience Drake Roggensack
Justice Shirley S. Abrahamson
Justice Ann Walsh Bradley
Justice Annette Kingsland Ziegler
Justice Michael J. Gableman
Justice Rebecca Grassl Bradley
Justice Daniel Kelly
Justice Janine Geske (Retired), on behalf
of the petitioners

List of Interested Persons for Supreme Court Rules Matters

Badger State Sheriffs Association, Attention: Executive Director
Board of Bar Examiners
Chief Circuit Court Judges
Christian Gossett, Winnebago County District Attorney
Circuit Court Judges
Court of Appeals, Attention: Chief Staff Attorney
Court of Appeals Judges
Court Operations, Sara Ward-Cassady, Director
Court Operations, Ann Olson
Court Operations, Marcia Vandercook
Dean Dietrich, Attorney (Wausau)
Diane M. Fremgen, Clerk of Supreme Court
Director of State Courts
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director
League of Women Voters: Andrea Kaminski, Executive Director
Legal Action of Wisconsin
Legal Aid Society of Milwaukee, Attention: Kimberly Walker, Executive Director
Marquette Law School, Attention: Joseph D. Kearney
Office of Lawyer Regulation, Attention: Keith Sellen, Director
Office of State Public Defender, Attention: Kelli S. Thompson
Office of the Attorney General, Attention: Brad D. Schimel
Jeremy C. Perri, Attorney
State Bar of Wisconsin, Attention: George Brown, Executive Director
State Bar of Wisconsin, Attention: Lisa Roys, Public Affairs Director
State Bar of Wisconsin, Attention: Francis Deisinger, President
Steven Levine, Attorney
U.W. Law School, Attention: Margaret Raymond
Western District Bar Association of Wisconsin, Attention: Matthew Duchemin
Wisconsin Asian Bar Association, Attention: Robin Dalton
Wisconsin Association for Justice, Attention: Bryan Roessler, Executive Director
Wisconsin Association of African American Lawyers, Attn: Steven DeVougas
Wisconsin Association of Criminal Defense Lawyers, Attention: Peter McKeever
Wisconsin Association of Judicial Court Commissioners, Attention: Susan Schaubel
Wisconsin Bankers Association, Attention: Attorney John Knight
Wisconsin Bankers Association, Attention: Rose Oswalk Poels, CEO
Wisconsin Clerks of Circuit Court Association, Attention: Carlo Esqueda
Wisconsin Counties Association, Attention: Marcia Rainbolt
Wisconsin Defense Counsel, Attention: Jane Svinicki, Executive Director
Wisconsin District Attorneys Association, Attention: Greta Mattison, Executive Director
Wisconsin Family Court Commissioners Association, Attention: David Pruhs, Exec. Secretary
Wisconsin Hispanic Lawyers Association, Attention: Cain W. Oulahan
Wisconsin Judicare, Inc., Attention: Kimberly Haas, Executive Director
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke
Wisconsin Judicial Council, Attention: April Southwick
Wisconsin Juvenile Court Clerks Association, Attention: Jody J. Bartels
Wisconsin Municipal Judges Association, Attention: Honorable Scott Letteney
Wisconsin Newspaper Association, Attention: Beth Bennett, Executive Director
Wisconsin Registers in Probate Association, Attention: Julie Kayartz
Wisconsin Sheriff & Deputy Sheriff Association, Attention: David Graves, Exec. Director
Wisconsin State Attorneys Association, Attention: John Gelhard

Wisconsin Trial Judges Association, Attention: Honorable Mary M. Kuhnmuench
Wisconsin Tribal Judges Association, Attention: Eugene White-Fish, President

Additional Interested Persons

Curtis LaSage, Jr.
Wisconsin Institute for Law & Liberty, Attn: Brian McGrath
Wisconsin Justice Initiative, Attn: Gretchen Schuldt, Executive Director
The Campaign Legal Center, Attn: Brendan Fischer, Federal & FEC Reform Program Director
The Campaign Legal Center, Attn: Catherine H. Kelley, State & Local Reform Program Director
Brennan Center for Justice, Attn: Kate Berry, Counsel, Democracy Program
Brennan Center for Justice, Attn: Nathaniel Sobel, Special Assistant, Democracy Program
Justice at Stake, Attn: Susan Liss, Executive Director
Justice at Stake, Attn: Debra Erenberg, Director of State Affairs
Wisconsin Democracy, Attn: Matthew Rothschild, Executive Director
Robert Henak, Attorney
Common Cause, Attn: Jay Heck
Wisconsin Manufacturers & Commerce, Attn: Kurt Bauer, President/CEO
Wisconsin Manufacturers & Commerce, Attn: Scott Manley, Sr. Vice-President
Wisconsin Hospitals Association, Attn: Attorney Matthew Stanford
Wisconsin Hospitals Association, Attn: Eric Borgerding
Associated General Contractors of Wisconsin, Attn: Attorney Patrick Whiting
Wisconsin Builders Association, Attn: Brad Boycks, Executive Director
Wisconsin Transportation Builders Association, Attn: Patrick Goss
Metropolitan Milwaukee Association of Commerce, Attn: Timothy Sheehy
Metropolitan Milwaukee Association of Commerce, Attn: Steve Bass
Wisconsin Restaurant Association, Attn: Carrie Douglas