

October 15, 2009

Wisconsin Supreme Court  
110 East Main Street, Suite 215  
P.O. Box 1688  
Madison, WI 53701-1688

RE: Petition 08-16 (judicial recusal – LWV)  
Petition 08-25 (judicial recusal – WRA)

Dear Honorable Justices:

At the September 2009 meeting of the Board of Governors (BOG), the Board voted to request that both petitions pending before the Court related to recusal of judges based on campaign donations, 08-16 and 08-25, be dismissed. The Board, however, does believe the issue of recusal for campaign related activities merits thoughtful discussion and resolution in the near future and thanks both the League of Women Voters – Wisconsin and the Wisconsin Realtors Association for bringing the issue before the Court and the public.

At its September 11, 2009 meeting the Board of Governors adopted the following resolution:

*The Board of Governors of the State Bar of Wisconsin believes that neither petition 08-16 or 08-25 represent sufficient consideration of the scope of judicial disqualification matters and asks the Supreme Court to deny both petitions. The implications of judicial recusal, both from a practical implementation standpoint and a public confidence view, are such that the Court should reject both petitions and establish a study committee to review these and other judicial disqualification issues. The Court should move deliberately to establish greater guidance to judges through an enumeration of factors judges should consider in potential recusal situations and provide training for implementation of new standards.*

The Board of Governors recognizes the difficulty of setting rules to apply to all the different situations that arise. Since parties at the trial court level have a right of substitution by statute, the problem is really limited in Wisconsin to complaints at the Court of Appeals and the Supreme Court levels. The Board of Governors will assist in any way the Court requests to analyze the problem and offer solutions.

Thank you for your consideration.

Respectfully submitted,

STATE BAR OF WISCONSIN

A handwritten signature in black ink, appearing to read "Douglas W. Kammer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Douglas W. Kammer  
President  
State Bar of Wisconsin

Cc: John Voelker, Director of State Courts