

The threat to fair
and impartial
courts has
**NEVER BEEN
GREATER.**

But is that threat
the doing of
Wisconsin voters?
OF COURSE NOT.



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Our Supreme Court
elections have been
POISONED.

No question about it. Something has gone **TOTALLY HAYWIRE** with Wisconsin Supreme Court elections.

An estimated \$5.8 million—four times more than had ever been spent on a high court election previously—was poured into the 2007 race and the majority of the spending was done not by the candidates but by a handful of lobbying groups like Wisconsin Manufacturers and Commerce and phony front groups with wholesome-sounding names like the Coalition for America's Families and Greater Wisconsin Committee.

An ethical cloud was left hanging over that election's winner, as new Justice Annette Ziegler has had to recuse herself from as many cases as all of the other members of the high court combined and also was found guilty of judicial misconduct and disciplined for ethical violations.

It didn't seem possible, but the 2008 race was even worse. Interest groups did 90% of the television advertising and spent \$4.8 million to influence the outcome of the race, outspending the candidates by a \$4-to-\$1 margin. The *Milwaukee Journal Sentinel* called

the campaigning "tawdry" and "despicable." A State Bar Association judicial campaign integrity committee called the advertising "deliberately misleading" and even "race baiting." CBS News mocked Wisconsin, calling the election a "cheesy way" to decide who sits on the state's highest court.

Should we get rid of the poison or get rid of the elections?

For more than 150 years, Wisconsin has been electing its Supreme Court, and the public wants to keep it that way. But state residents want elections, not auctions. That's why an overwhelming majority supports publicly financed Supreme Court elections. A January 2008 poll found that 65% of Wisconsin residents support this reform, and after hearing arguments both for and against the idea support went up to 75%. A May 2008 poll found that 85% believe public financing would make a difference and 54% believe it would make a "big difference."

The justices who serve on the Supreme Court agree. All seven members signed a letter supporting the idea of public financing of contests for the high court.

Downsizing democracy in the name of removing politics from our courts. Bad idea.

How judges are selected is inherently political. The question is who should make the political judgment. For more than a century and a half in Wisconsin, the answer has been the voters. Some are now calling for the governor or some commission of legal experts to pick our judges in order to "remove politics" from judicial selection.

Appointing judges does not take the politics out of judicial selection, it only takes the voters out of the process.

**A judge should be more than an attorney
who knows a governor, or someone who
is the favorite of some panel of peers.**



**Our Supreme Court elections have been
PRISONED.**