



LEAGUE OF WOMEN VOTERS® OF WISCONSIN EDUCATION FUND

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High court should resolve differences in open session – and then move on

By Melanie G. Ramey and Andrea Kaminski

With skyrocketing spending on Supreme Court elections in the past few years, surveys have shown Wisconsin residents to be wary about the influence of moneyed special interests on our high court. In 2009 the League of Women Voters of Wisconsin petitioned the Court to adopt rules requiring justices to recuse themselves from cases involving major campaign contributors or supporters. The Court denied our request and adopted rules written by major business lobbying groups which regularly spend huge amounts in Supreme Court elections.

Since that setback the Wisconsin high court's image has been tarnished by a disciplinary procedure for one of its own. After much bickering and sniping, the proceeding resulted in two opposing opinions, each supported by three justices. In an unusual move, the two factions released their opinions separately. Then they could not agree on whether the 3-3 vote meant that the case was dismissed or not.

And that was just what the public saw. Who knows what transpired behind the scenes? We got a glimpse of it last week, and it wasn't pretty.

The League of Women Voters has launched a program placing League observers at open Supreme Court sessions to monitor the discussions and interactions of the justices. Our goal is to better understand the issues they are dealing with and to educate our members and the public.

League observers spent two days last week, watching as the justices hashed out difficult questions about how the high court operates and how its money is budgeted and spent. The discussions were often contentious and sometimes downright disrespectful. The justices themselves seemed mortified on Friday by what had transpired in their public session a few days earlier. It was revealed that they have spent much time in the past several months sending one another long memos, trading gibes and accusations, and arguing in closed sessions.

All of the justices were concerned they are spending too much time on administrative issues and need to focus on writing and releasing opinions on cases, which they referred to as the work of the people. That is a legitimate concern which we wholeheartedly share.

However, it appears there are still “festering issues” about management and control, and this will continue to hinder the productiveness of the Court. It seems to us that these issues should be dealt with and laid to rest in a civil manner and a prescribed time frame in open session.

We who elect the justices deserve to know what is keeping them from doing the work of the Court. We also deserve to have them deal with difficult issues in a timely and efficient manner. In a business setting such administrative issues would commonly be dealt within a time frame of two hours or less. Discussion should be limited, with no attacks, sarcasm or recriminations allowed. In other words, it is time for the justices to settle their differences like adults and move on.

The League of Women Voters of Wisconsin Education Fund is a nonprofit, nonpartisan membership organization that promotes informed and active participation in government. There are 17 local Leagues in Wisconsin. To join or for more information, go to our website at www.lwwwi.org.

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