



State of Wisconsin
2011 – 2012 LEGISLATURE



LRBs0392/1
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY JOINT RESOLUTION 49**

March 6, 2012 – Offered by Representatives HEBL, KESSLER, BARCA, POPE-ROBERTS, YOUNG, E. COGGS, ROYS, BEWLEY, PASCH, MASON, POCAN, TOLES, C. TAYLOR, RINGHAND, ZAMARRIPA, HULSEY, SEIDEL, TURNER, DANOU and MOLEPSKE JR.

- 1 **To create** section 25 of article VII of the constitution; **relating to:** disqualification
2 of a justice of the supreme court, court of appeals judge, and circuit court judge.

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2011 legislature on first consideration, requires a justice of the supreme court, court of appeals judge, and circuit court judge to disqualify himself or herself from any civil or criminal action or proceeding when any of the following situations occurs:

1. When a reasonable person would question whether the justice or judge can act in an impartial manner.
2. When a justice or judge has received, as a candidate for judicial office and within the past four years, campaign financial support from a party to the action or proceeding in an amount of \$1,000 or more, including campaign contributions, independent contributions made on behalf of the justice or judge, and independent contributions made against the justice's or judge's opponent.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

3 ***Resolved by the assembly, the senate concurring, That:***

4 **SECTION 1.** Section 25 of article VII of the constitution is created to read:

