

2013 DRAFTING REQUEST

Bill

Received: 12/26/2012 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Gary Hebl (608) 266-7678 By/Representing: Mike Murray
May Contact: Drafter: tkuczens
Subject: Courts - courts/judges/commsrs Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Hebl@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

authority of supreme court to review a decision of a justice to deny a motion to disqualify the justice

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 12/26/2012	jdye 1/5/2013	phenry 1/7/2013	_____			
/1				_____	sbasford 1/7/2013	srose 4/1/2013	

FE Sent For:

Not needed

<END>

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/?	tkuczens	T 1/5 jld	1/7 ph	X			

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<END>

Kuczenski, Tracy

From: Murray, Mike
Sent: Wednesday, December 26, 2012 11:46 AM
To: Kuczenski, Tracy
Subject: redraft requests

Hi Tracy, I hope that you're having a nice holiday season. Gary would like to redraft the judicial ethics bills that you drafted last session: LRB 3811/1, LRB 3812/1, and 3810/1. Thanks for all of your help and let me know if you need any more information.

Mike

Mike Murray
Office of Rep. Gary Hebl
46th Assembly District



State of Wisconsin
2011 - 2012 LEGISLATURE

-0911/1



LRB-3812/1e

TKK kjjjm

HNR

JLD

2011 ASSEMBLY BILL 682

2013

12/26/12

March 8, 2012 - Introduced by Representatives HEBL, JORGENSEN, ROYS, C. TAYLOR, BERCEAU, TURNER, PASCH, RICHARDS, BEWLEY and POPE-ROBERTS, cosponsored by Senators S. COGGS and C. LARSON. Referred to Committee on Judiciary and Ethics.

LX

Gen

1 AN ACT *to create* 757.19 (4m) of the statutes; **relating to:** authority of the
2 Wisconsin Supreme Court to review a decision of a justice to deny a motion to
3 disqualify the justice.

Analysis by the Legislative Reference Bureau

Current law requires a supreme court justice and a judge in the court of appeals, in circuit court, and in municipal court (judge) to disqualify himself or herself from a civil or criminal action or proceeding (action) under certain circumstances, including when a judge is related to any party or counsel to the action, when a judge is a party or a material witness in the action, when a judge has a significant financial or personal interest in the outcome of the action, and when a judge determines that he or she cannot, or it appears he or she cannot, act in an impartial manner. This bill provides that, if a Wisconsin Supreme Court (supreme court) justice denies a motion to disqualify himself or herself from an action, the supreme court may review that decision to deny the motion, and may either affirm or reverse the justice's decision.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 757.19 (4m) of the statutes is created to read:

ASSEMBLY BILL 682

SECTION 1

1 757.19 **(4m)** Upon motion of any party, the supreme court may review the
2 decision of a supreme court justice to deny a motion to disqualify himself or herself
3 from a civil or criminal action or proceeding, and may affirm or reverse the decision
4 of the justice to deny the motion for disqualification.✓

5

(END)

Rose, Stefanie

From: Murray, Mike
Sent: Monday, April 01, 2013 9:07 AM
To: LRB.Legal
Subject: Draft Review: LRB -0911/1 Topic: authority of supreme court to review a decision of a justice to deny a motion to disqualify the justice

Please Jacket LRB -0911/1 for the ASSEMBLY.