



## 2011 ASSEMBLY BILL 682

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.

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.

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### *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.

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*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:

