2007 DRAFTING REQUEST

Bill

Received: 03/27/2007 Wanted: As time permits For: David Hansen (608) 266-5670 This file may be shown to any legislator: NO May Contact: Subject: Courts - courts/judges/commsrs Submit via email: YES				Received By: rnelson2 Identical to LRB: By/Representing: Jay Drafter: rnelson2 Addl. Drafters: Extra Copies:											
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May Contact: Addl. Drafters:

Subject: Courts - courts/judges/commsrs Extra Copies:

Submit via email: YES

Requester's email: Sen.Hansen@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Judge conflict of interest notice

Instructions:

sch 60.04 (41, (5) + (6)

Code of Judicial Condact See Attached

Drafting History:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? rnelson2

FE Sent For:

<END>

Nelson, Robert P.

From:

Wadd, Jay

Sent: To: Tuesday, March 27, 2007 10:47 AM

Subject:

Nelson, Robert P. Drafting request

Hi, Rob.

Can you draft a bill that would require court clerks to send a letter to parties involved in civil cases before the court stating that judges with conflicts of interest have a duty to notify the parties involved or recuse themselves from the case and that they have a right to review the judge's statement of economic interest, that they can request a copy of the judge's statement of economic interest and that they will be charged a fee for photocopying and mailing the document?

Thanks,

Jay

Jay Wadd Chief of Staff Senator Dave Hansen 608-266-5670

Nelson, Robert P.

From:

Wadd, Jay

Sent:

Wednesday, March 28, 2007 3:09 PM

To: Subject: Nelson, Robert P. Drafting request update

Rob,

Please also make clear in the draft that the requirements in the bill in no way remove or preempt the judge's responsibility to comply with the rules of disclosure, etc. put forth by the Supreme Court.

No necessary

Thanks,

Jay

500n (3/24)

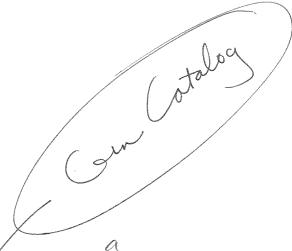


State of Misconsin 2007 - 2008 LEGISLATURE

LRB-2330/1 RPN:/.:...

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2007 BILL



AN ACT ...; relating to: notice to parties in civil actions of the supreme court rule

regarding judicial reclusal and regarding access to a statement of economic

interests.

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are such as would cause

Analysis by the Legislative Reference Bureau

Under current supreme court rules, a judge is required to recluse himself or herself under certain situations when the facts he or she knows or should know establishes a question regarding his or her impartiality or when a well-informed person knowledgeable about judicial ethics standards and the justice system is aware of facts that the judge knows or should know would question the judge's ability to be impartial.

Current law requires all state public officials to file a statement of economic interests with the Ethics Board.

This bill requires the clerk of circuit court to provide every party in a civil action or proceeding a summary of the supreme court rules regarding impartiality and the procedure to follow to review and copy a statement of economic interests. The director of state courts is required to prepare a document that includes the summary and procedure and provide the clerks with sufficient copies without cost. The bill prohibits the clerk of circuit court from charging the parties for the cost of mailing the document to the party.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

BILL

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

		V -			
SECTION 1	753 30	(5) of the	etatutae ie	created to	n read.

753.30 (5) (a) The clerk of circuit court shall mail to all of the parties named in a civil action or proceeding filed with the circuit court within 30 days after the filing a document prepared by the director of state courts that includes all of the following:

- 1. The summary of the provisions of SCR 60.04 (4), (5), and (6).
- 2. The procedure to be followed to review and copy the statement of economic interests filed by circuit court judges under s. 19.43, including the address, telephone number, Internet website, if available, and contact person of the custodian of statements of economic interests filed under s. 19.43.
- (b) The director of state courts shall prepare in plain English the document required under par. (a), periodically update the document, and make sufficient copies of the document available to each circuit court without charge.
- (c) The clerk of circuit court may not charge a party for the cost of mailing the document under par. (a) to the party.

SECTION 2. Initial applicability.

(1) This act first applies to actions or proceeding filed after the effective date of this subsection.

SECTION 3. Effective date.

(1) This act takes effect on the first day of the 4th month after publication.

Duerst, Christina

From:

Wagnitz, John

Sent:

Tuesday, April 17, 2007 9:07 AM

To:

LRB.Legal

Subject:

Draft Review: LRB 07-2330/1 Topic: Judge conflict of interest notice

Please Jacket LRB 07-2330/1 for the SENATE.