

Wisconsin Legislative Council

ACT MEMO



Prepared by: Amber Otis, Senior Staff Attorney

August 15, 2025

2025 Wisconsin Act 25 [2025 Senate Bill 169]

Privacy Protections for Judicial Officers

BACKGROUND

State law, first created by 2023 Wisconsin Act 235, provides certain privacy protections for the personal information of judicial officers and their immediate family members upon the submission of a written request. Once a request has been submitted, state law generally provides certain protections from public records disclosures, prohibits the sale and dissemination of certain private information, and limits the information that may be posted or publicly displayed.¹

2025 WISCONSIN ACT 25

2025 Wisconsin Act 25 makes various changes to the judicial privacy protections enacted under 2023 Wisconsin Act 235.

Meaning and Scope of “Personal Information” Protected

Act 25 amends the definition of “personal information” to refer to a home address that is directly associated or displayed with a judicial official’s name, but does not include addresses without owner or occupant names associated with the address on certain websites. The act further clarifies the meaning of a “secondary residence,” a term that is included in the definition of “home address,” and limits a judicial officer to identifying no more than two secondary residences as personal information covered by a written request.

Written Requests and Consents to Release

Act 25 modifies the procedure for a judicial officer completing a written request for the protection of personal information, as follows:

- Requires that a judicial officer’s written request identify with reasonable specificity the personal information to be protected and, further, requires a judicial officer to submit the written request directly to a government agency’s “designated officer,” as defined in Act 25, and directly to a person, data broker, business, or association.
- Requires that both the written request and a consent to release personal information otherwise protected by a written request be notarized.
- Specifies that the forms prescribed by the director of state courts for written requests and consents to release, whether blank or completed, must be kept confidential, including under the Public Records Law, but the fact that a written request or consent to release exists or has been submitted or received is not confidential.
- Specifies that a written request for protection of a judicial officer’s personal information relating to property expires, with respect to any information regarding the property, within 90 days of the property ceasing to be a permanent or secondary residence.

¹ For more information on 2023 Wisconsin Act 235, see [Legislative Council, 2023 Wisconsin Act 235, Act Memo](#).

Exceptions Allowing for Transfer or Disclosure of Information

Act 25 modifies the general prohibition on the sale of, or public posting or display by, a data broker or other person or business of the personal information of a judicial officer or judicial officer's immediate family that is subject to a written request, including by allowing a business to transfer personal information, otherwise protected by written request, if the business meets one of the exceptions in the definition of "data broker," the transfer is to a third party based on a business need, and the transferred personal information would not be publicly posted or displayed by either party.

Act 25 also establishes additional exceptions for when personal information otherwise subject to a written request may be released, such as if the information is contained in a record that a government agency provides to another government agency, provided the record is not made publicly available and other requirements are met or the release is a publication of a notice that is required by law or a notice of sex offender registration, among others.

Other Provisions Specific to Certain Custodians

Land Records Websites

Act 25 modifies a requirement that providers of land records websites establish a process allowing judicial officers to opt out from the display and search functions of their names, as follows:

- Expands the definition of "land records website" to include a public land records database linked from a website, not just a public website, that allows users to search and retrieve a real estate property database or geographic records, but further clarifies that the definition does not include a register of deeds index.
- Maintains the requirement that a provider of a public-facing land records website establish a process for opting out and further clarifies that, in order to opt out from the display and search functions, a judicial officer or representative from the judicial officer's employer on the judicial officer's behalf (but not an immediate family member) must submit a written request.
- Specifies that a provider that establishes an opt-out process does not violate the judicial privacy law by continuing to display an address if a name is removed, provided that the link between the name and address is severed and precludes a search and retrieval that displays a name.

Ethics Commission

Act 25 provides that any personal information of a judicial officer in the Ethics Commission's possession is not subject to public inspection, except for information related to lobbying, provided the judicial officer has submitted a written request to the Ethics Commission. Under prior law, only a judicial officer's personal information contained in a statement of economic interest, report of economic transactions, or campaign finance report filed with the Ethics Commission was not subject to public inspection, provided the judicial officer has submitted a written request to the Ethics Commission.

County Register of Deeds

Act 25 specifies that a requirement that a county register of deeds shield from disclosure and keep confidential documents containing information covered by a judicial officer's written request only applies to personal information that is included in electronic recorded documents, and that the requirements applicable to county registers of deeds supersede any statutory requirements under the Public Records Law.

Remedies

Act 25 also modifies the provisions governing violations of the judicial privacy law, as follows:

- Specifies that a writ of mandamus is the only type of action that a judicial officer may take against a government agency and repeals a provision stating that, when an employee of a government agency has generally complied with the judicial privacy law, it is not a violation if an employee of a government agency publishes personal information, in good faith, on the website of a government agency in the ordinary course of carrying out public functions.
- Provides that if a judicial officer prevails in a general enforcement action or writ of mandamus, the court shall order the person who committed the violation to pay the judicial officer's costs and reasonable attorney fees. When a government agency has committed the violation, the agency must pay the judicial officer's costs and reasonable attorney fees.
- Expressly provides that any person who intentionally submits false information on a written request, or on a form to consent to the release of personal information otherwise protected by a written request, may be prosecuted under the current law crime of false swearing.

Effective date: August 10, 2025

For a full history of the bill, visit the Legislature's [bill history page](#).

AO:kp