



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3390/1

KRP:cdc

2025 ASSEMBLY BILL 380

July 31, 2025 - Introduced by Representatives SORTWELL, AUGUST, ALLEN, BEHNKE, DITTRICH, DONOVAN, GOEBEN, GREEN, B. JACOBSON, KNODL, KREIBICH, MAXEY, MURPHY, O'CONNOR, PENTERMAN and PIWOWARCZYK, cosponsored by Senators TOMCZYK, BRADLEY, CABRAL-GUEVARA, NASS and QUINN. Referred to Committee on Judiciary.

- 1 **AN ACT to amend** 757.91 and 757.95 of the statutes; **relating to:** suspension
2 without pay in cases of judicial misconduct or pending final determination in
3 proceedings involving alleged judicial misconduct or permanent disability.

Analysis by the Legislative Reference Bureau

The Wisconsin Constitution authorizes the supreme court to reprimand, censure, suspend, or remove for cause or for disability any judge or justice pursuant to procedures established by the legislature by law. Under current law, the supreme court's disciplinary authority also extends to court commissioners. The Judicial Commission currently is charged with investigating alleged misconduct or permanent disability of a judge, justice, or court commissioner (judge). Under current law, if the Judicial Commission finds probable cause that a judge has engaged or is engaging in misconduct, it files a formal complaint with the supreme court, and, if the Judicial Commission finds probable cause that a judge has a permanent disability, it files a petition with the supreme court. Under current law, after a formal complaint or petition is filed, the supreme court may temporarily suspend a judge pending final determination of the proceedings. The supreme court ultimately determines the appropriate discipline or action in each proceeding.

This bill specifies that, if the supreme court imposes a temporary suspension pending final determination of proceedings or imposes a suspension as a disciplinary sanction in a case of misconduct, the suspension must be without pay.

ASSEMBLY BILL 380

SECTION 1

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

1 **SECTION 1.** 757.91 of the statutes is amended to read:

2 **757.91 Supreme court; disposition.** The supreme court shall review the
3 findings of fact, conclusions of law, and recommendations under s. 757.89 and
4 determine appropriate discipline in cases of misconduct and appropriate action in
5 cases of permanent disability. If the supreme court imposes a suspension for
6 misconduct, the suspension shall be without pay. The rules of the supreme court
7 applicable to civil cases in the supreme court govern the review proceedings under
8 this section.

9 **SECTION 2.** 757.95 of the statutes is amended to read:

10 **757.95 Temporary suspension by supreme court.** The supreme court
11 may, following the filing of a formal complaint or a petition by the commission,
12 prohibit a judge or circuit or supplemental court commissioner from exercising the
13 powers of a judge or circuit or supplemental court commissioner pending final
14 determination of the proceedings. If the supreme court imposes a temporary
15 suspension under this section, the suspension shall be without pay.

16 **(END)**