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LEGISLATIVE REFERENCE
BUREAU



OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #2

WHEREAS, the quality of justice in the State of Wisconsin is best maintained through the election and appointment of qualified persons to the judiciary; and

WHEREAS, it is the duty of the Governor under the Constitution and laws of the State of Wisconsin to appoint persons to fill vacancies in the courts until a successor is elected to such office as provided by law; and

WHEREAS, it is desirable to establish a procedure through which vacant judicial offices will be filled by appointment of competent, public-minded lawyers of the highest integrity;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, pursuant to the authority vested in me by Section 14.019 of Wisconsin Statutes, do hereby:

1. Establish the Governor's Advisory Council on Judicial Selection;
2. Provide that for the purpose of making recommendations to the Governor concerning vacancies in the courts the Governor's Advisory Council on Judicial Selection shall consist of a panel of permanent members appointed by the Governor;
3. In the case of a vacancy on the Supreme Court, two additional members shall be appointed by the Governor upon consultation with the President of the State Bar; however, these members shall only serve until the Council makes its recommendation as to that vacancy;
4. In the case of a vacancy on the Court of Appeals, two additional members shall be appointed by the Governor from the Court of Appeals District in which the vacancy occurs; however, these members shall only serve until the Council makes its recommendation as to that vacancy;
5. In the case of a vacancy of the Circuit Court, the Chairperson of the Advisory Council shall appoint two additional members who reside in such circuit after consultation with the President of the local bar association or associations, as appropriate; however, these members shall only serve until the Council makes its recommendations as to that vacancy;
6. Provide that all members shall serve at the pleasure of the Governor;
7. Provide that the Council shall use the following minimum standards to evaluate whether proposed nominees are qualified candidates:
 - a. that the person meet all legal requirements, including those in the Wisconsin Constitution, for becoming a member of the judiciary;
 - b. that the person is a member in good standing of the State Bar of Wisconsin and a resident of the State of Wisconsin;
 - c. that the person appointed is likely to measure up to those standards outlining the significant qualities of an ideal judge as set forth in Section 60.01 of the Wisconsin Supreme Court Rules;
 - d. that the person is fair, experienced, even-tempered, and free of biases against any class of citizens or any religious or racial groups; and
 - e. that the person possesses sound mental and physical health such that he or she can fully and completely perform the duties of the office for which the vacancy exists;

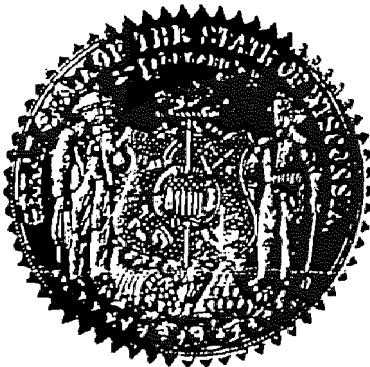
The State of Wisconsin



OFFICE OF THE GOVERNOR

8. Provide that the Governor shall designate from the Council membership a Chairperson;
9. Provide that the Council shall adopt such rules concerning its operating procedures as it deems appropriate;
10. Instruct and encourage the Council to solicit applications for each judicial vacancy; instruct the Council to review the qualifications of all those interested in appointment, and to provide the Governor with a list of at least three but no more than five persons who the Council regards as best qualified for the vacant position no later than six weeks after notification of the vacancy;
11. Instruct the Council to keep all proceedings confidential, consistent with state law;
12. Instruct the Secretary of the Department of Administration to provide the Council with sums of money that are necessary and proper for the legitimate travel and operating expenses of the Council as provided by the Joint Committee on Finance under Section 20.505(3)(a) of the Wisconsin Statutes.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-eighth day of January in the year one thousand nine hundred eighty-seven.



Tommy G. Thompson
TOMMY G. THOMPSON

By the Governor:

Douglas La Follette
DOUGLAS LA FOLLETTE
Secretary of State