



FOR IMMEDIATE RELEASE

March 21, 2008

For Further Information Contact:

Representative Frederick P. Kessler
608.266.5813

Protect the Integrity of the Supreme Court, Appoint Justices

MADISON – In light of the recent trend of contentious, special interest-funded Supreme Court elections, State Representative Fred Kessler (D-Milwaukee) announced he will offer an amendment to the State Constitution which would reform the selection of Wisconsin Supreme Court Justices.

Wisconsin currently elects Supreme Court Justices in a state-wide general election. While these elections are officially non-partisan, observers are keenly aware that despite the absence of party labels, the same organized interests, both identified and anonymous, are the major players in these elections.

The disproportionate impact of special interest contributions and the dishonest, misleading, and offensive campaign advertisements are doing serious damage to the public's perception that the judicial system is fair and impartial.

“Something must be done to protect the integrity of the state's highest court. If the public believes that positions on the bench are for sale to the highest bidder, the institution is severely undermined,” Representative Kessler observed. “We must remove the necessity to spend substantial amounts of money from the process of selecting Supreme Court Justices.”

Representative Kessler's judicial selection plan calls for Supreme Court Justices to be appointed by the governor and confirmed by a majority vote in the Senate. At the conclusion of a ten year term, justices would be automatically reappointed, unless twenty one of the thirty three members of the State Senate vote against the reappointment in a reconfirmation vote. If the justice is not reconfirmed by the Senate, the governor appoints a new justice.

Requiring a mere thirteen votes to reconfirm assures the public a justice will not be removed for partisan political reasons. With only two exceptions, neither party has had less than thirteen senators in the past 35 years. This process of retention would allow the removal of a justice because of scandal or failure to perform their duties, but it would protect their decision independence.

“A simple reconfirmation vote by the Senate rather than a retention election, which several other states use, would ensure decisional independence by Supreme Court Justices,” Representative Kessler explained, “because the justice would not need to fear expensive campaigns by special interest groups to remove him or her.”

Reforming the way Supreme Court Justices are selected in Wisconsin would avoid both the perception that well-financed special interests can buy seats on the Supreme Court, and the barrage of attack ads that now spring up at election time.

Representative Kessler served for eleven years as a Circuit Court Judge and is married to Court of Appeals Judge Joan F. Kessler.

###