



Office of the Dean

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VIA ELECTRONIC COPY OR HAND-DELIVERY ONLY

Co-Chairs and Members
of the Joint Committee on Finance
State Legislature of Wisconsin
Madison, Wisconsin

**Re: *Proposed Elimination of Judicial Council – Budget Paper #400 –
Monday, May 1, 2017***

Dear Co-Chairs Darling and Nygren and Members of the Joint Committee on Finance:

I write respectfully to request your support to adopt “Alternative 2” in the Fiscal Bureau’s Budget Paper #400 concerning the Judicial Council (Judicial Council and Supreme Court) and thus to maintain the council—and as an independent agency. I was grateful during the 2015-2017 budget deliberations that the Joint Committee on Finance and the Legislature concurred in the decision to maintain the Judicial Council. Doing so once again is in the State’s best interest.

The Judicial Council provides great benefits to the State. It has a uniquely helpful structure, which ensures that the Governor, the Legislature and Legislative Reference Bureau, the Attorney General, the State Bar of Wisconsin, the State Public Defender, the courts, and the state’s two law schools all have appointment authority. It operates at a very low cost, given the modest staff support. And, most importantly, it does especially important work. The Judicial Council’s activities of reviewing and updating rules and procedures benefit not just the legal profession or the courts but also the legislature and the general public. That much of the Judicial Council’s work is tedious and inglorious should not obscure its great significance.

This is the only issue on which I have ever felt compelled to weigh in with the Legislature during my long (almost a decade and a half) tenure as dean of Marquette University Law School. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph D. Kearney".

Joseph D. Kearney
Dean and Professor of Law