



## 2011 BILL

1     **AN ACT to amend** 757.19 (5) of the statutes; **relating to:** filing a statement of  
2           reasons when a judge or justice denies a motion for disqualification.

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***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill, relating to filing a statement of reasons when a judge or justice denies a motion for disqualification, was prepared for the Joint Legislative Council's Special Committee on Judicial Discipline and Recusal.

3           **SECTION 1.** 757.19 (5) of the statutes is amended to read:  
4           757.19 (5) When a judge is disqualified, the judge shall file in writing the  
5           reasons and the assignment of another judge shall be requested under s. 751.03.  
6           When a judge denies a motion to disqualify the judge, he or she shall file in writing  
7           the reasons for the denial of the motion. The written statements required by this

**BILL**

1 subsection shall be filed within 60 days after a final judgment or final order has been  
2 issued in the civil or criminal action or proceeding.

NOTE: Current law provides that when a judge or justice is disqualified, the judge or justice must file in writing the reasons for the disqualification.

This SECTION provides that a judge or justice also must file in writing the reasons for denying a motion to disqualify the judge or justice. The statement must be filed within 60 days after the conclusion of a civil or criminal action or proceeding.

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**(END)**