

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

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft, 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.

SECTION 1. 757.19 (5) of the statutes is amended to read:

757.19 (5) When a judge is disqualified, the judge shall file in writing the reasons and the assignment of another judge shall be requested under s. 751.03. When a judge denies a motion to disqualify the judge, he or she shall file in writing the reasons for the denial of the motion. The written statements required by this subsection shall be filed within 60 days after a final judgment or final order has been 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.