

## WISCONSIN CATHOLIC CONFERENCE

### EYE ON THE CAPITOL

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#### JUDGES WHO SERVE ON THE GOVERNMENT ACCOUNTABILITY BOARD DESERVE OUR THANKS

By John Huebscher, Executive Director

It is difficult to think of a scandal as a good thing. But the scandal triggered by violations of election and lobby laws ten years ago, that led to reforming state regulation of both activities, had a positive effect. One such reform merged the State Elections Board and the State Ethics Board into a new Government Accountability Board (GAB) with different membership. This has proven to be a very good thing.

Most members of the former Elections Board were designees of partisan leadership in the legislature. Board members did their best, but they had limited powers and were often expected to represent the interests of partisan leaders who appointed them.

The GAB is free of partisan influence. Legislative leaders no longer pick the Board's members. Instead, one judge from each of Wisconsin's four District Courts of Appeals is selected by the Chief Justice of the Supreme Court by lot. These four judges in turn nominate individuals who are retired judges (or judges on "reserve" status) and who were elected to the position in which he or she served. The Governor then selects a GAB board member from among the nominees so identified.

The law further requires that nominees may not have been a member of a political party or an office in any partisan club or organization in the year prior to being nominated. No nominee may be a candidate for public office. In the year prior to being nominated, no nominee can have made a contribution to a candidate for partisan office. Finally, a nominee cannot be a lobbyist.

As retired judges, members of the GAB are free of ambition for higher office and in no need of approval or promotion from the partisan branches of government. They are as free of partisan influence as a public official can be.

Since the spring of 2011, the six former judges on the GAB have met - and mastered - monumental challenges.

Over the last 15 months, the GAB has had to oversee ten recall elections (eight for State Senate, one for Governor and one for Lieutenant Governor). They have done so in a toxic and polarized environment where partisans on both sides have filled the airwaves and public discourse with one accusation after another and where few have granted their opponents the benefit of the doubt.

The members of the GAB have overseen the process of circulating recall petitions, of validating signatures submitted, and of scheduling the recall primaries and general elections so as to assure

their openness and legality. The GAB also administered the campaign spending and financing laws governing those elections.

They did their job with integrity and free of accusations that they ignored the law or showed bias to either side.

No one can know for sure how “the road not taken” would have turned out. But it is sobering to contemplate what the last 15 months might have looked like had the recall process been managed under the previous system. Politically active officials nominated by partisan leaders would have been in an impossible position and their credibility would have quickly become an issue.

But it didn’t happen that way.

Now the recall season is over. We can all hope that our leaders will show new resolve in uniting our divided state and serving the common good.

It is time to move on, but not before we offer a very big “thank you” to the former judges on the Government Accountability Board who served us so well over these past 15 months.

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