

How Wisconsin Supreme Court Races Became So Partisan

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Judicial races in Wisconsin are supposed to be nonpartisan, but over the last 15 years they have become increasingly partisan. Read how the Wisconsin Manufacturers & Commerce tilted the scales.

MADISON - Judicial races in Wisconsin are supposed to be nonpartisan. Technically, they still are. And ideally, that's the way they should be.

Our judges and justices should be above partisanship. They should be impartial arbiters of the law, not beholden to one party or another -- or one ideology or another.

But over the last 15 years, this ideal has fallen by the wayside, as our judicial elections, especially for the Wisconsin Supreme Court, have become increasingly partisan.

This stems largely from a decision by [Wisconsin Manufacturers & Commerce](#) to start

throwing huge amounts of money into the races for Wisconsin Supreme Court, and then for liberal groups to respond in kind.

The push by Wisconsin Manufacturers & Commerce was part of a coordinated move by big business groups around the country to throw themselves into state court races. It also reflected the decades-long strategy by the [Koch Brothers](#) and other rightwing forces to take over every lever of political power.

“State Supreme Court elections attracted record sums from business interests,” noted a [2007 report from the Brennan Institute](#) and two other groups.

Former U.S. Supreme Court Justice Sandra Day O’Connor put it bluntly that year:

“In too many states, judicial elections are becoming political prizefights where partisans and special interests seek to install judges who will answer to them instead of the law and the constitution.”

It wasn’t always this way in Wisconsin. For many years, the Wisconsin Supreme Court had a tremendous national reputation, and outside money played little, if any, role in who got on the court.

For instance, in [2003](#), in the race between Pat Roggensack and Ed Brunner, outside groups spent all of \$27,200 on independent expenditures.

But look what happened in [2007](#), when Linda Clifford challenged Annette Ziegler. In this one, outside groups spent \$3.1 million – more than 100 times what they spent in 2003. Wisconsin Manufacturers & Commerce itself shelled out \$2.2 million for Ziegler, and the rightwing Club for Growth spent \$400,000 for her. The liberal Greater Wisconsin Committee spent \$400,000 for Clifford.



[Wayne State University](#) and [GOAB](#) debate of the significance of the 6-3 vote in the Wisconsin Supreme Court race, which is the first time a Republican has won a Wisconsin Supreme Court race since 1991.