



WisPolitics: Challengers decry 'dysfunction' of state Supreme Court

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By Kay Nolan
For WisPolitics

MILWAUKEE -- The three candidates vying to replace Justice David Prosser said Thursday the Supreme Court has become divisive and dysfunctional, claiming new blood was needed to restore the public's confidence in the body.

But Prosser insisted he wasn't the source of any divisiveness on the court and instead blamed the perception, in part, on Chief Justice Shirley Abrahamson.

Appearing before the Milwaukee Bar Association for the first debate of the campaign, Prosser said when he was appointed to the court in 1998, he was "a little naïve" and defended Abrahamson when four members supported her opponent. But he said Abrahamson's attitude has changed some since then and "people who were not with her all the time were really treated almost as enemies."

"I'm sensitive to what I'm hearing out there, but if anyone thinks I am the source of any division on the court, you are mistaken," Prosser said.

Challengers JoAnne Kloppenburg, an assistant attorney general, Marla Stephens, head of the appellate division in the state Public Defenders office, and Joel Winnig, a Madison attorney, seemed to gang up on Prosser in their criticism rather than go after each other. The top two voters-getters in the February primary will advance to the April general election.

Except for Prosser, who described himself as a judicial conservative and an impartial judge, the other candidates shied away from labeling themselves as liberal or conservative.

Kloppenburg said she's running "to restore confidence in the court by not taking special interest money and by limiting spending." Like Prosser and Winnig, she has accepted public financing for the race.

She knocked Prosser for a release from his campaign that said the former GOP Assembly speaker is looking forward to preserving the conservative majority on the court to complement the work of Republican Gov. Scott Walker and a GOP-controlled Legislature.

Stephens called the current court dysfunctional.

"I think the solution to the divisiveness is to change the makeup of the court," said Stephens. "I do believe the court is stuck at this point. They are so firmly entrenched and so troubled and so dysfunctional that that really is the solution that we have."

Winnig said he was motivated to enter the race by the "disgraceful campaign" in 2008 between Justice Michael Gableman and former Justice Louis Butler, and "I'm doing this race to stand up for the integrity of our profession and the integrity of the court."

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