

EXCLUSIVE: State Supreme Court Chief Justice Orders Waukesha County Judge To Hear Cases Remotely Because Of Refusal To Wear Mask
By Mark Belling, WISN-AM

The chief justice of the Wisconsin Supreme Court last week took action to bar Waukesha County Circuit Judge Brad Schimel from hearing cases in person in his own courtroom after a complaint about Schimel not wearing a mask. The order has since been lifted and Schimel is being allowed to preside in court, so long as he wears a mask.

Here, according to court sources, is what happened.

Chief Justice Patience Roggensack, after receiving a complaint that Schimel was not wearing a mask in court, ordered Waukesha County Chief Judge Jennifer Dorow to make Schimel preside over cases remotely (via TV). Sources indicate the complaint came from the head of the State Public Defender's Office, Kelli Thompson. I am told Thompson complained to Roggensack after getting complaints from Waukesha County public defenders that Schimel wasn't wearing a mask.

Sources say Roggensack then directed Dorow, the chief judge for this region, to issue an order that Schimel only preside over cases remotely. That order was lifted last Friday. Schimel has agreed to wear a mask. Schimel is still hearing cases remotely this week because one of his court staff is sick (not with Covid) but that has nothing to do with any directive.

Schimel, according to sources, is adamantly opposed to the rule issued earlier this year by the State Supreme Court that judges, and everybody else, wear masks during court proceedings. The court directive is separate from Governor Tony Evers' statewide mask mandate, which is being challenged in the courts and will ultimately be decided by Roggensack and the Supreme Court.

The behind the scenes component of this story is fascinating as the personalities are some of the most prominent in the state Republican legal community. Roggensack, the chief justice, is a member of the high court's conservative wing. Schimel is the former Republican Attorney General of Wisconsin and was appointed a judge by former Governor Scott Walker after both lost their 2018 reelection bids. Dorow, the Waukesha County chief judge caught in the middle here, is a prominent legal conservative who many believe is planning a future bid for the state Supreme Court. Thompson, the public defender office head, is the daughter of UW System President and former Governor Tommy Thompson.

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