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VERIFIED COMPLAINT

Judge Annette Ziegler

Ethics Board Proceeding QA-2007-5

The State of Wisconsin Ethics Board, with offices at 44 E. Mifflin St., Suite. 601, Madison, Wisconsin, 53703-2800, makes the following complaint against Judge Annette Ziegler. Based on the Report of Investigation in this matter, the Ethics Board complains and alleges as follows:

1. That Annette K. Ziegler is and, at all relevant times, was a Circuit Court Judge for Washington County and a state public official¹ subject to Subchapter III of Chapter 19, *Wisconsin Statutes*.
2. That during all relevant times, Judge Ziegler was associated² with West Bend Savings Bank by reason of her husband's (J.J. Ziegler) service as a director of West Bend Savings Bank, a corporation.
3. That, from April 1, 2004 through March 8, 2007, while Judge Ziegler's husband was a director of West Bend Savings Bank, Judge Ziegler presided over 5 or more cases in which West Bend Savings Bank was a party plaintiff and in which a defendant appeared, as detailed in the Report of Investigation.

¹ §§ 19.42 (13) (c) and (14) and 20.923 (2) (b), *Wisconsin Statutes*, provide, in pertinent part:

19.42 Definitions. In this subchapter:

(13) "State public office" means:

(c) All positions identified under s. 20.923 (2) . . . , except clerical positions.

(14) "State public official" means any individual holding a state public office.

20.923 (2) (b) . . . circuit judge

² §§ 19.42 (2) and (11), *Wisconsin Statutes*, provides, in pertinent part:

19.42 Definitions. In this subchapter:

(2) "Associated", when used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity or of which an individual or a member of his or her immediate family is an authorized representative or agent.

(11) "Organization" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.

4. That 19.46 (1) (a), *Wisconsin Statutes*, provides in pertinent part:

19.46 Conflict of interest prohibited; exception. (1) Except in accordance with the board's advice under sub. (2) and except as otherwise provided in sub. (3), no state public official may:

(a) Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.

WHEREFORE, the State of Wisconsin Ethics Board seeks a determination that Judge Annette K. Ziegler has violated § 19.46 (1) (a), *Wisconsin Statutes*, and an order imposing appropriate sanctions pursuant to §19.53 (6), *Wisconsin Statutes*.³

Dated this 18th day of April, 2007

STATE OF WISCONSIN ETHICS BOARD

by: James R. Morgan
James R. Morgan, Chair

Subscribed and sworn to before me
this 18th day of April, 2007

Laura B. Huddleston
Notary Public, State of Wisconsin
My Commission: expires 11/25/07

³ §19.53 (3) and (6), *Wisconsin Statutes*, provide in pertinent part:

19.53 Findings of fact and conclusions; orders and recommendations. If the board determines that no violation of this subchapter or subch. III of ch. 13 has occurred, it shall immediately send written notice of such determination to the accused and to the party who made the complaint. If the board determines that a violation of this subchapter or subch. III of ch. 13 has occurred, its findings of fact and conclusions may contain one or more of the following orders or recommendations:

(3) In the case of a justice or judge, a recommendation that the justice or judge be reprimanded, censured, suspended or removed from office. Such recommendation shall be sent to the supreme court and to the presiding officer of each house of the legislature.

(6) An order requiring the accused to forfeit not more than \$500 for each violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of any other provision of this subchapter * * * *