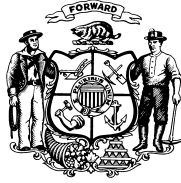


**STATE OF WISCONSIN  
JUDICIAL COMMISSION**

Suite 700, Tenney Building  
110 East Main Street  
Madison, Wisconsin 53703-3328



**James C. Alexander**  
Executive Director

Phone: (608) 266-7637  
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September 6, 2007

Honorable Annette K. Ziegler  
P.O. Box 1688  
Madison, WI 53701

Dear Justice Ziegler:

The Judicial Commission has considered the allegations of misconduct filed against you arising out of your presiding over cases in which you may have had an economic interest. The Commission understands that you have waived your right to confidentiality but only to the extent that the Commission may make public a copy of this letter. At this point, the Commission can dismiss the matter, dismiss the matter with an expression of concern or warning pursuant to JC 4.08(4) Wisconsin Administrative Code or file a complaint with the Supreme Court. The Commission has decided to dismiss the allegation with an expression of warning. An expression of warning is defined in JC 1.02(8) Wisconsin Administrative Code.

The Commission found credible evidence to believe that you presided over cases in which you and/or your husband owned stock in one of the parties. In the years 2000 through 2004 you presided over four cases in which Federal National Mortgage Association (FNMA) was involved. Between the end of 2002 and 2004 the value of the stock you and/or your husband owned in FNMA ranged between \$51,464 and \$60,048. The Commission found credible evidence to believe that you presided over one case involving Ford Motor Company during a time in which you and/or your husband owned stock in Ford Motor Company valued at \$7,320. Similarly, the Commission found credible evidence to believe that during the years 2002 through 2004 you presided over two cases in which General Motors Corporation was a party and that during that period of time you and/or your husband owned General Motors Corporation stock valued at between \$7,009 and \$33,804 during those years. The Commission understands that you did not disclose the stock ownership on the record in any of the cases cited above.

The Commission considered your position that your ownership of stock as described above was *de minimis* and its value could not have been affected by the outcome of the cases. The Commission, however, is concerned that any judge presiding in a case in which the judge or their spouse own stock in a party without disclosing that fact on the record may give the appearance of impropriety. Even the appearance of partiality can erode public confidence in the integrity of the judiciary. While the Commission agrees that your stock in the companies was only a very small percentage of the value of the company, the Commission believes whether an interest is *de minimis* depends not only upon the percentage of value of the company the stock represents, but also on whether the amount of stock owned could reasonably raise a question as to the judge's impartiality.

In both your written response to the Commission and in your formal appearance before the Commission, you agreed that you should have been more sensitive to the perspective of the parties and the public in the appearance of your impartiality as should any judge when they preside over a case in which they own stock in a party. Judges should disclose on the record information concerning stock ownership that, given the above considerations, the judge believes the parties, especially pro se litigants, might consider relevant to the question of recusal, even if the judge believes there is no real basis for recusal. *See* Comment to SCR 60.04(4).

The Commission appreciates your desire to be more sensitive to these types of matters in the future and the corrective actions you will take to ensure that the interest of the public in a fair and impartial judiciary will be met. The Commission takes no position on the blind trust you have created to avoid conflict of interest situations in the future.

With this expression of warning, the allegations regarding your economic interest in litigants are dismissed and, other than your agreement that this letter may be published, Commission proceedings on those allegations remain strictly confidential. The Commission appreciates your cooperation with it during the course of its investigation into these matters.

Commissioner Donald Leo Bach, Chair, did not participate in this matter.

Very truly yours,

Judge David Hansher, Vice Chair  
Wisconsin Judicial Commission

DH/llb