MTI-VOTERS 2020 QUESTIONNAIRE
Justice of Supreme Court

Please respond to each of the following questions. If you wish to add/clarify your response, please attach a separate sheet and designate your responses with the same number which appears in the questionnaire. Please deliver your responses to MTI by January 17, 2020.

MTI-Voters will be interviewing candidates on the evening of January 22, 2020, between 5:00 and 8:00 p.m., at MTI (33 Nob Hill Road).

1. Why are you seeking this position?

   We need to get our state and our country back on track. Too many current justices see themselves as agents of conservative ideology and as agents of the Republican Party. I don’t hold with that point of view. We need leaders who will put our strong Wisconsin political tradition of independent and honest courts first.

   I have strong Wisconsin values. I believe in our Progressive traditions of independent courts and nonpartisan local officials, strong public schools and infrastructure, protecting our beautiful natural resources, deep respect for workers and labor rights, and treating everyone with respect. Everyone deserves dignity as a human being, regardless of race, gender identity, ethnicity, first language, immigration status, or whom they love.

   It’s distressing to me that we live in a time when far-right political forces seek to roll back the advances in civil and human rights we’ve made in the last few generations. I want to continue to defend the rights of all Wisconsinites. I can best do that by becoming a Wisconsin Supreme Court Justice.

2. Contrast/Compare yourself with your opponent(s).

   I am the only woman in this race and I am the only candidate who has ever won an election.

   I am the only candidate in this race with experience as a trial court judge. This training is invaluable because every day I am reminded of how important each individual case is to those involved. The law is not an esoteric exercise when it is YOUR life that is impacted by a decision. I cannot think of a more important training ground for a Supreme Court Justice.
I also have far more experience in the courtroom than my opponents, and I’m the only candidate who has both significant criminal AND civil experience, and who was ever a prosecutor or victim advocate. I know voters care about this experience and I’m the strongest candidate we could put forward to return this seat to the people.

I have been a dedicated advocate for victims and the rights of all Wisconsin residents throughout my career. It was my honor to receive the “Outstanding Victim Advocate” Award from the Wisconsin Victim Witness Association, and the “Voices of Courage Award” from the Wisconsin Coalition Against Sexual Assault.

I believe in the rule of law, I believe in treating every single person in the courtroom with respect and dignity, and I believe in applying the constitution to today’s world. I don’t have a political agenda like the incumbent, Dan Kelly, who was appointed by Scott Walker to carry the water for right-wing special interest groups and big corporations.

3. **Explain your judicial philosophy (focus on education and labor).**

I believe strongly that the judiciary is and should be independent of the partisan branches of government. We should uphold the rule of law, and apply the law and the constitution without fear or favor. I believe everyone who walks into a courtroom should be treated with fairness, dignity, and respect. I believe the law should be dependable, stable, and predictable, and that we should respect the process, which is designed to evenhandedly surface needed information. I do not think judges are policy-makers, but that our experience should inform policy-makers. I also do not believe one should hide a political agenda behind empty rhetoric like so many judges do today.

I absolutely believe that people should be able to band together, including through PACs, professional and trade associations, and labor unions, to speak up with a collective voice. I am a former union member, and I believe deeply in the right to organize. I am concerned that recent Wisconsin state court decisions were designed to enforce a desired political outcome rather than truly examining the law. As a judicial candidate, I cannot take a stance on specific issues that may come before the court, nor promise how I would decide on any specific case. But I think the right to collective action in the workplace seems pretty fundamental, and I think legislation designed to impinge upon the right to assemble or take collective action must be viewed very skeptically.

I also believe that the law must be stable and predictable. That means I can’t always rule the way Democrats or liberals want, but my values do come into play because I believe the rule of law requires fairness, consistency, dignity for all people and an expectation that real people have rights (as opposed to corporations or right-wing political movements being supreme.) Right-wing and corporate special interests have unfortunately captured the judicial branch of Wisconsin government and we need to change that and restore the Progressive tradition of independent, non-partisan courts.
I am a tremendous believer in public schools. I was educated in public schools, and my children have benefited from amazing public schools and great teachers. We need to restore the honored place teachers held in our society, a place that has been undermined for more than 30 years but especially after Act 10.

4. Name and address of Campaign Committee.
   Jill Karofsky, 5027 W. North Ave., Milwaukee WI 53208
   Treasurer of Campaign.
   Mary McCarthy

5. Are you interested in receiving MTI VOTERS’ endorsement? If so, why?
   I would be honored to earn the endorsement of MTI VOTERS and as a partner to you, I hope I do. Educators and support staff have always had my deepest respect. I attended public schools, and where I am today is the result of the support I received from my great teachers in public school.

6. Are you interested in receiving financial support for your campaign from MTI VOTERS?
   I would be pleased and proud to earn your support in any appropriate way.

7. If you are accepting PAC contributions, from which organizations have you received/do you expect contributions?
   I have been endorsed by AFT Local 212, IBEW State Conference, and Coulee Region United Educators, and I expect to receive PAC contributions from them as well as dozens of other labor organizations, as endorsements processes proceed. I have also been endorsed by Women Lead, and expect other progressive groups like Planned Parenthood Action to endorse as the campaign progresses.

7. What help do you ask from MTI’s Political Action Committee, if your candidacy is endorsed?
   I want and need all you can do. I ask you to engage your members to volunteer and support the campaign.

8. What is your view of the work of the Court on matters related to mass incarceration?
   We must address and reduce mass incarceration, and that includes using the experience of everyone in the criminal justice system, including judges and justices, to create a better system. I’m proud that in Dane and Milwaukee County we are at least starting down the path to seek more alternatives, like drug treatment court, restorative justice, and other innovations to address the crisis of mass incarceration.
9. Supreme Court decisions impact public schools positively and negatively. Name a Wisconsin Supreme Court decision that you believe has had a positive impact on our public schools. Do you support the Court’s rationale?

I’ve spent a lot of time looking at cases, and unfortunately there isn’t a surfeit of great cases. One mixed decision was Vincent v Voight, which did reinforce the right to an equal opportunity to education for all students, similarly to Kukor v Grover, but which accepted in my view some insufficient status quo around funding.

One good recent case was Coyne v Walker, which reinforced the rights of an independently elected state superintendent to do her/his job to manage our system of public instruction. Unfortunately, as I note below, this decision was overturned a few short years later.

10. Name a Wisconsin Supreme Court decision that you believe has had a negative impact on our public schools. Do you support the Court’s rationale?

I want to point to a few. First of all, MTI v Walker was a terrible decision, clearly decided for political reasons, and missing huge chunks of obvious law. Consistent with too many other cases, our Court has gotten into a bad habit of deciding what outcome they want, and fitting their “reasoning,” such as it is, to their goals.

Jackson v Benson would be another unfortunate decision, which results in a massive subsidy for sectarian private schools with a primary mission of advancing a religious view, and also has the impact of undercutting the funding for public schools which are in the most desperate need of funds.

And, of course, I really think Koschkee is a poorly written decision, designed to achieve the outcome of overturning Coyne, addressing the law with not only poor reasoning, but a ridiculous disrespect for precedent. They simply wanted a different outcome, to achieve their policy goals.