

CIVIL JUSTICE & LEGAL REFORM

The Wisconsin Legislature has an opportunity to build upon award-winning legal reforms enacted in our state over the past several years. We can add even more fairness, transparency and predictability to our legal system with the following reforms.



PREVENT PLAINTIFFS FROM RECOVERING PHANTOM DAMAGES

Allow juries to review the amount billed and the amount actually paid for medical costs in personal injury cases when deciding how to assess damages.



PLACE REASONABLE LIMITATIONS ON LAWSUIT LENDING

Lawsuit lending interferes with the administration of justice in our court system because the interest of the lenders often supersedes the interest of the parties to the lawsuit themselves. In addition, lawsuit lending is currently unregulated in Wisconsin. The legislature should place a cap on the interest lawsuit lenders can charge to ensure that the rights of the borrower are protected.



PRE-EMPT LOCAL EMPLOYMENT DISCRIMINATION ORDINANCES

Employers need consistency and certainty in the employment laws they must follow. As it has done for many other areas of employment law, the state should recognize discrimination law as an area of statewide concern and prohibit local units of government from establishing employment discrimination classes that differ from state law.



OPPOSE CIVIL JUSTICE CHANGES THAT NEGATIVELY IMPACT JOB CREATORS

Oppose proposals that would unfairly increase liability of employers or restrict their access to the court system.



ELIMINATE THE JUDICIAL COUNCIL

The Wisconsin Judicial Council is an unelected body of attorneys that the state has granted administrative and policy making authorities. The Council has used this authority to undermine duly enacted laws. Eliminating this Council will reinvest this authority where it belongs, within offices of government accountable to the people of Wisconsin: the Legislature, Wisconsin Courts and Governor.



PROHIBIT PRIVATELY FUNDED STATE ATTORNEYS

There is a nationwide trend of private interests funding assistant attorneys general and other legal positions that have regulatory authority over businesses. These positions are less accountable to the public. Prohibit the attorney general or district attorneys from accepting funding from private citizens, businesses or non-profit organizations to pay for employees who have a role in regulation, litigation or policymaking related to environmental, energy, labor or taxation.



LEGISLATIVE OVERSIGHT OF SUE & SETTLE LAWSUITS

Third party interest groups have been known to sue businesses, and then ask the Attorney General to coerce businesses into agreeing to a favorable financial settlement for the interest group. This is highly unethical. The Attorney General must be prohibited from engaging in settlement discussions involving private parties where the state government is not a party to the litigation.



REMOVE FELONS AS A PROTECTED CLASS UNDER THE FAIR EMPLOYMENT ACT

Allow employers to terminate or refuse to employ someone convicted of a felony. Require uniform enforcement at the state, county and municipal levels, pre-empting local governments from treating felons as a protected class.