

Editorial: Judges in name only

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Wisconsin law endorses blind justice. It also makes room for unlicensed justice, minimally educated justice and I-might-be-in-over-my-head justice.

Ballot eligibility for a municipal court judgeship requires only proof of adulthood and residency. That's it.

Candidates don't need a law degree, a license to practice law or even a passing knowledge of "Law & Order."

Of the 239 municipal court judges in the state, 124 are not lawyers. Kim Moe, for instance, spent 13 years as a part-time municipal court judge in Glenwood City backed by professional training in holistic animal nutrition and animal massage therapy.

It's entirely possible she performed her job admirably before retiring to spend more time on her dog grooming business. But what assurances were there when she first took the bench?

Once elected, municipal judges must attend four days of training and then accumulate three to six credits of judicial education every year. They learn about municipal statutes, trial procedure and traffic laws.

These judges also can consult with mentors when cases get confusing.

It's like telling an IndyCar racer without a driver's license that he can get on the track as soon as he attends a quick course on how to operate a car. Oh, and he can call someone when he forgets where the brake pedal is.

It's true municipal judges don't rule on multimillion-dollar malpractice suits, nor would they determine the fate of someone charged with first-degree murder.

But these people must pass judgment, and anyone who stands before them deserves competence no matter the stakes of the case. Degrees and licenses measure capability. A legal system that diminishes those measurements threatens the integrity of the bench.

Some municipalities, such as Milwaukee, recognized that and passed ordinances requiring municipal judges have licenses to practice law.

State Rep. Fred Kessler, D-Milwaukee, a lawyer and former circuit court judge, is pushing a simple bill that would extend to all municipal judges the requirement that they be a licensed Wisconsin attorney. He argues that if municipal judges have the responsibility to make a decision of law, they probably should understand what the law is.

The only degree needed to grasp Kessler's reasoning is a degree of common sense.