

FILED

10-23-2025

CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin



No. 2024AP2356-D

OFFICE OF LAWYER REGULATION

V. MICHAEL J. GABLEMAN

October 23, 2025

Justice Susan M. Crawford has entered the following order:

Unbiased decision making by a fair and impartial judiciary is one of the cornerstones of our democracy. To protect against conflicts of interest and bias, actual and perceived, Wisconsin's Code of Judicial Conduct requires recusal in a variety of circumstances implicating a judge's ability to be impartial. *See* SCR 60.04(4). These rules state broadly that a judge shall recuse "when reasonable, well-informed persons knowledgeable about judicial ethics standards and the justice system and aware of the facts and circumstances the judge knows or reasonably should know would reasonably question the judge's ability to be impartial." *Id.* The rules caution, however, that care must be taken that the rules not become a weapon that litigants may wield against a judge or justice. After careful consideration, I conclude that the rules mandate my recusal for the reason explained below.

In this disciplinary proceeding, the Office of Lawyer Regulation charges Michael J. Gableman with violating a number of Wisconsin Supreme Court Rules of Professional Conduct for Attorneys. Several of the charged violations pertain to his conduct during hearings before Dane County Judge Frank D. Remington in a public records lawsuit against him. *See* Referee's Report and Recommendation at 5–6, *In re Disciplinary Proceedings Against Gableman*, No. 2024AP2356-D (Wis. filed Sept. 26, 2025) (counts 4–6). At the time of the circuit court proceedings, I was serving as a circuit court judge in Dane County and was frequently in contact with Judge Remington and his staff due to the proximity of our chambers and courtrooms. I became aware of the conduct now at issue in this case through such contacts.

OFFICE OF LAWYER REGULATION V. MICHAEL J. GABLEMAN
No. 2024AP2356-D

I believe it is likely I was exposed to information and impressions related to Attorney Gableman's conduct and demeanor in the circuit court that fall outside of the record before this court. The referee's report indicates that Attorney Gableman "after some initial denials in this disciplinary case and refusals to sit for deposition . . . did agree to resolution of this case by pleading no contest and agreeing that factual allegations in the complaint . . . could be used against him." *Id.* at 10. Because I may have been exposed to factual allegations beyond those Attorney Gableman has chosen not to contest, I may have "personal knowledge of disputed evidentiary facts concerning the proceeding." SCR 60.04(4)(a). The rule provides that recusal is mandatory under these circumstances. For that reason, I recuse.

IT IS ORDERED that Justice Susan M. Crawford will not participate in this matter.

Samuel A. Christensen
Clerk of Supreme Court

Distribution List:

James J. Winiarski, Referee (U.S. Mail)
Peyton B. Engel (U.S. Mail)
Michael J. Gableman (U.S. Mail)
Skylar Croy (U.S. Mail)
Donald K. Schott (U.S. Mail)
Francis X. Sullivan (Via Intragovernmental Delivery)
Robert Cynkar (U.S. Mail)
Patrick M. McSweeney (U.S. Mail)
Jeffrey A. Mandell (U.S. Mail)