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DOYLE'S CLAIMS DISMISSED BY JUDGE

AG's opinion and attacks on caucus legal fees don't hold water

MADISON – A Dane County Circuit Court judge today validated Gov. Scott McCallum's concerns regarding the use of taxpayer dollars for the legal payments in the caucus investigation, dismissing a lawsuit brought by Common Cause against the state legislature.

In a letter to Attorney General Jim Doyle on Nov. 8, 2001, Gov. McCallum urged Doyle, the state's attorney, to provide a detailed analysis that included the costs involved and the degree of success for filing a lawsuit to stop the payments. However, in letter dated Nov. 9, 2001, Doyle flatly refused to provide the requested information to the governor.

Gov. McCallum then sought an independent legal opinion that concluded the legislature, as a separate branch of state government, has the authority to direct taxpayer dollars to cover legal bills resulting from the investigation. Doyle responded, "The absurdity of such a sweeping grant of legislative authority should be obvious." The courts today confirmed the independent legal opinion and contradicted Doyle's claims.

Gov. McCallum said he opposes the use of taxpayers' money to pay for legal fees, but if the state would have followed Jim Doyle's advice, the result would have been tens-of-thousands of tax dollars wasted.

"This ruling proves that when it fits Jim Doyle's political agenda, the law takes a back seat to politics," Gov. McCallum said. "I don't like the use of state dollars to pay legal fees either, but all along I've been concerned about additional taxpayer costs on a case that has so many differing positions. The dismissal today proves that Jim Doyle would have been throwing good money after bad."

While the court's ruling confirmed that both the independent legal advice and the governor's position are accurate, Doyle has repeatedly attacked the governor through negative television ads, the media, and in the Wisconsin Broadcasters Association debate for not allowing the attorney general's office to sue on behalf of the state.

Gov. McCallum questioned why Doyle refused to provide more details of the lawsuit and whether the attorney general knew that his case was flawed. Gov. McCallum said Doyle's refusal to provide details for a lawsuit, while criticizing the governor for following sound legal advice and taking the side of taxpayers, cuts to the core of the attorney general's political agenda.

"Jim Doyle's underlying motive isn't what's good for the taxpayers of Wisconsin. What Jim Doyle cares about is what's good and politically expedient for Jim Doyle," McCallum said.

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