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08-18-2026
CLERK OF WISCONSIN
SUPREME COURT

State of Wisconsin
Court of Appeals
District II

Appeal No. 2025AP002229

Circuit Court Case No. 2021FA000047

To the Esteemed Guardians of Wisconsin Jurisprudence

I once believed appellate review existed principally to identify legal error. My experience has been educational. I now understand that its equally important function may be to demonstrate just how many layers of review an error can survive before, through sheer institutional endurance, it becomes functionally correct.

A valuable lesson, really.

One I did not anticipate paying quite so handsomely to learn.

Consider the elegance of the present result.

The circuit court expressly found **no contempt** for the school conduct. Then, with the creative flourish of a poet who has abandoned grammar, the same court imposed school-and-location restrictions directed at precisely that conduct. The Court of Appeals actually acknowledged the no-contempt finding, an impressive act of judicial honesty swiftly rendered considerably less meaningful by the conclusion that followed. The appellate record confirms both the contempt finding concerning social-media conduct and the separate determination that the school conduct itself was not contemptuous.

My petition for review then reduced the problem to what I had assumed was a reasonably straightforward legal proposition: if the court expressly found no contempt on the school allegation, why were school-and-location restrictions imposed through the remedial contempt order anyway? The petition expressly argued that once contempt was rejected on that allegation, the resulting restrictions required an independent legal basis, and none appeared in the ruling.

The Wisconsin Supreme Court's contribution to this fascinating exercise in doctrinal geometry was admirably concise:

Petition denied.

No analysis.

No explanation.

Just the quiet, dignified thud of a gavel falling on what remained of a litigant's faith that somebody, somewhere, might eventually answer the actual question.

Apparently, Wisconsin has achieved something remarkable: conduct may be insufficient to support a finding of contempt while simultaneously sufficient to support contempt-based restrictions.

One hesitates to call that inconsistent.

That would require the sort of logical rigor that appears to have taken a sabbatical.

Perhaps this is simply a particularly advanced form of discretion, the kind sophisticated enough not to trouble itself with such bourgeois concerns as internal coherence, logical sequencing, or whether the sanction bears any discernible relationship to the conduct actually adjudicated.

I confess that I had approached the law with the embarrassingly simplistic assumption that findings were supposed to correspond with sanctions.

My mistake.

The more sophisticated understanding appears to be that a court may decline to find conduct contemptuous, restrict a parent based upon that conduct anyway, and then rely upon the appellate process to convert the resulting contradiction into permanence through a sufficiently disciplined sequence of affirmances and denials.

Efficiency has many forms.

What makes the exercise considerably less amusing is that two children exist on the other side of these abstractions.

I mention this only because it seems occasionally forgotten.

Wisconsin family court is supposedly organized around the **best interests of the child**. Yet “best interests” begins to sound almost ceremonial, a liturgical refrain repeated for comfort rather than guidance, when restrictions affecting a parent-child relationship can survive without the legal analysis supposedly accompanying them.

The children, apparently, are the *best interests* in theory and the *collateral consequences* in practice.

A subtle distinction.

Rather less subtle if one happens to be the child.

And if our family-court culture is going to indulge the traditional assumption that mothers represent nurturing and caretaking while fathers must continually prove that their desire to remain involved is benign, an assumption so tired it ought to come with its own retirement party, perhaps we should at least have the courtesy to admit that we have substituted a casting decision for individualized adjudication.

A parent's title is not evidence.

A father's persistence is not misconduct.

A mother's allegation is not a finding merely because it was spoken first.

And judicial discretion is not improved merely by exercising it repeatedly in the same direction, any more than a broken clock is correct two times a day.

There is another feature of this litigation that deserves recognition for its almost architectural consistency:

Contempt.

From my review of the docket, contempt has repeatedly functioned as Petitioner's preferred vehicle for addressing conduct she attributes to me. The June 2 filing provides an obvious example. Petitioner alleged violations of the social-media and placement restrictions¹, and the machinery of contempt promptly followed with the sort of eager efficiency one usually reserves for fire alarms or tax audits.

This would be considerably easier to understand if the underlying orders operated as one-way streets.

They do not.

The social-media restriction expressly applied to **neither party**.

Yet throughout these proceedings I have repeatedly presented the court with concrete evidence, substantially similar conduct and violations by Petitioner while receiving remarkably different institutional response.

One might call that *asymmetric enforcement*.

One might also call it something considerably less flattering, but decorum presumably remains fashionable somewhere.

Perhaps I have misunderstood the function of symmetry.

I had assumed that when an order says **neither party**, the operative word was *neither*.

A quaint assumption, I now realize, the sort of literal-mindedness that probably explains why I continue filing appeals instead of accepting that words in Wisconsin family court occasionally appear to function more as atmospheric guidance than enforceable commands.

Apparently the more sophisticated interpretation depends upon which party arrives carrying the contempt motion.

Timing, it seems, is everything.²

Substance, considerably less so.³

¹ One might reasonably ask: why would a judge gag a litigant from speaking about misconduct? If everything was aboveboard—if the ex parte communications were innocent, if my federal lawsuit allegations were baseless—then transparency should be welcome. Yet here we are. A gag order. Silencing the very person raising the concerns. One cannot help but wonder: is there something in those communications the court would prefer remain unexamined? Something about the ex parte exchanges? Something about the evidence I detailed in federal court? Perhaps I am cynical. Perhaps there is a perfectly innocent explanation for restricting speech rather than addressing the misconduct itself. I am sure it exists. I am equally sure it will remain unstated, conveniently protected by the same discretion that has accompanied every other aspect of this litigation.

² The docket reflects my many attempts at de-escalation. I have the filings to prove it. Motions to clarify. Requests to narrow. Efforts to resolve. Attempts to communicate. A reasonable observer might even conclude that I have been trying quite earnestly to make this process **less** adversarial.

Instead of acknowledging those efforts, the Kenosha Circuit Court elected to escalate—contacting the State Police, as though my attempts to calm the situation were themselves somehow indicative of a need for heightened official attention.

³ Apparently truth under oath is optional—I have transcripts of both Petitioner and the social worker lying. Accountability? The DA treats it like a buzzing mosquito: swat it and move on. Why waste the court's time with perjury, evidence, or inconvenient facts? Much easier to ignore them and let the machine keep running.

Which raises a rather elementary question for a family-court system supposedly organized around children:

Is family court intended to enforce orders neutrally in the best interests of children, or has contempt quietly evolved into an à la carte punishment mechanism for fathers who become inconvenient?

Because if the same or substantially similar conduct receives materially different treatment depending upon who committed it, then the problem is no longer merely contempt.

It is the application of law itself, performed with the impartiality of a home-team referee.

And there is an especially curious feature to this arrangement.

The more I challenge the restrictions, the more the continued litigation itself appears capable of becoming part of the narrative about me.

That is a fascinating inversion.

The father asks why the machine keeps producing the same result.

The machine responds by noting that the father asks an unusual number of questions about the machine.

Eventually, persistence in seeking review becomes more conspicuous than the reason review was sought.

The logical equivalent of criticizing a patient for continuing to cough while declining to examine the illness.

Remarkably efficient, if the objective is to discourage further questioning.⁴

Throughout this process I have alleged manipulation affecting the children, challenged statements by a social worker that I contend are contradicted by body-camera evidence, raised concerns regarding conduct toward my children that I believe required investigation, and challenged what I contend has been materially asymmetric treatment of allegations made against me compared with evidence I have presented concerning others.

I have also raised concerns regarding ex parte communications and the route by which information and proposed orders moved through the circuit court.

Perhaps I misunderstood the assignment.

I believed bringing evidence to courts was the recognized method of asking courts to examine evidence.

In retrospect, that may have been terribly naïve.

The more effective procedure apparently may be to establish a narrative early, allow that narrative to travel comfortably from proceeding to proceeding, and permit the individual challenging it to spend years purchasing transcripts and briefing increasingly elaborate explanations of why the underlying evidence should also be considered.

One must admire the economy.

The narrative travels free.

⁴ But yet, here we are. Men and women sitting in high courts, making decisions that permanently alter the lives of parents and children, while never once feeling the weight of those decisions themselves. No sleepless nights. No missed birthdays. No explaining to a crying child why they can't see their father. Just a signature on a piece of paper, a denial on attractive letterhead, and off to the next case. Am I missing something here? Perhaps I am. Perhaps there is a portion of the judicial oath that reads: *"Thou shalt not be troubled by the consequences of thine own rulings."* I must have misplaced that part. Afterall, we put our pants on the same way and brush our teeth the same way – no one is better than the other.

The rebuttal requires filing fees.

I have even preserved body-camera material in which an officer refers to internal communications. I do not claim to know every communication that occurred, and I will not pretend to know what I cannot prove. But after watching strikingly similar assumptions follow me through different proceedings, one cannot help appreciating the extraordinary efficiency with which institutional impressions apparently travel.

Evidence must be authenticated.

Narratives apparently enjoy expedited shipping.

Before this litigation, I was not a habitual participant in the court system.

I was not collecting contempt findings.

I was not filing appellate briefs.

I was not petitioning supreme courts.

I was living my life and raising my children.

Then came a family dispute, allegations, litigation, and eventually a version of me that seems to have acquired a remarkably durable independent existence within the system.

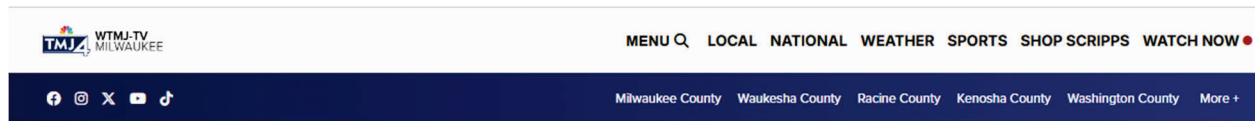
Apparently I should introduce myself to him or her.

He appears extraordinarily influential.

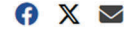
And I have also recently learned something charming about judicial administration.

Judges apparently **read the filings**.

A recent local profile of Kenosha County Circuit Court Judge David Hughes described the preparation undertaken before court, including reviewing cases, researching applicable law, and making notes.



NEWS > LOCAL NEWS > IN YOUR COMMUNITY > KENOSHA COUNTY



'Judges shouldn't be unknown or mysterious': Kenosha County judge opens courtroom for behind-the-scenes look



Most people only see the inside of a courtroom when they have to. However, a Kenosha County judge wanted to give people a behind-the-scenes look at this day-to-day life in the courtroom.



By: Glenda Valdes

Posted 10:51 PM, Aug 04, 2026 and last updated 11:15 PM, Aug 05, 2026

KENOSHA — Most people only see the inside of a courtroom when they have to. Today, TMJ4 News gets a look behind the bench.



Meet your Kenosha County reporter: Glenda Valdes

I appreciated the disclosure.

Until then, based solely upon my own experience, I confess I had begun to wonder whether reading the filings remained mandatory.

Apparently it remains available.

Judge Hughes' description does, however, create an awkward question:

What, precisely, has everyone been reading in my cases?

Because I have filed motions.

Lots of them.

Exhibits.

Transcripts.

Affidavits.

Record citations.

Statutory arguments.

Constitutional arguments.

Reconsideration motions.

Appellate briefs.

Petitions.

And painstaking explanations identifying exact contradictions.

My appellate brief itself identified multiple post-order motions seeking clarification, narrowing, or vacatur and stated that no substantive written order resolved the core challenges to the contempt finding, speech restraint, or school-and-event restrictions.

Yet somehow the institutional understanding of this litigation often appears remarkably resistant to whatever may actually be contained in those documents.

At some point, a reasonable observer might begin wondering whether the filings are being independently reviewed or whether the conclusion arrives first and the record is simply given a sporting opportunity to catch up.⁵

⁵ Nine videos. Sent to the court as exhibits. Never reviewed by me. I have that documented—by your clerk, no less. So let me be clear: those videos belong to me. They are my property. Yet they have been circulated in your court without my review, without my consent, and apparently without any concern for who owns them or what they actually show. Should there be a conversion lawsuit? One might think so. But then again, why let something as trivial as *property rights* interfere with the smooth operation of judicial discretion? Much easier to just pass them around and hope nobody asks uncomfortable questions about where they came from or why the owner never got to see them.

----- Forwarded message -----

From: Sheelah Guild <Sheelah.Guild@wicourts.gov>
 Date: Fri, Jan 16, 2026 at 2:49 PM
 Subject: RE: [E] 2025AP2492
 To: Mathiew Fox <mathiew.fox@gmail.com>

There are 9 videos on the flash drive and 12 pictures/images.

From: Mathiew Fox <mathiew.fox@gmail.com>
 Sent: Friday, January 16, 2026 2:34 PM
 To: Sheelah Guild <Sheelah.Guild@WICOURTS.GOV>
 Subject: Re: [E] 2025AP2492

[E] CAUTION: This email originated from outside the Wisconsin Judicial Branch. Do not click links or attachments unless you recognize the sender and know the content is safe. If this email appears suspicious, or is asking you to provide sensitive information, contact the CCAP Call Center for further guidance.

Chief Deputy Clerk Guild—

Thank you for confirming receipt of Exhibit P17 and that it will be shared between appeal nos. 25AP2229 and 25AP2492.

For clarity, I have not had an opportunity to review the contents of Exhibit P17. If the Clerk's Office is able to confirm from any inventory, labeling, or file listing, please advise how many videos (and/or total video files) are contained on the flash drive.

If your office does not review or inventory the contents of physical exhibits, please let me know the proper procedure (and which office) to request confirmation of the number of videos.

Respectfully,
 Mathiew Fox

On Fri, Jan 16, 2026 at 12:33 PM Sheelah Guild <Sheelah.Guild@wicourts.gov> wrote:

Good afternoon, Mr. Fox,

I'm writing to confirm the Court of Appeals' receipt of Exhibit P17 (flash drive). That the exhibit was received at our office on November 11, 2025, associated with appeal number 25AP2229. Please note that the court will share that exhibit between the two appeal numbers and the proper notations have been made at the Court of Appeals for both matters.

Best regards,

Sheelah Guild
 Chief Deputy Clerk
 Wisconsin Supreme Court & Court of Appeals Clerk's Office
 Direct line: 608-261-4306

Perhaps somewhere there exists a wonderfully efficient executive summary:

MATHIEW FOX: CONTINUES LITIGATING.

No need for the tedious sequel:

WHY?

I have challenged statements by a social worker that I contend are contradicted by evidence. I have presented material concerning conduct toward my children that I believe warranted investigation and judicial scrutiny. I have repeatedly asked officials to examine the evidence rather than inherit someone else's characterization of it.

Yet the institutional response has too often seemed to resemble:

Thank you for the documentation. We have elected to continue with the summary.

Very efficient.

No danger of fresh information complicating anything.

The irony becomes considerably richer, positively decadent, really, when one remembers the recent Wisconsin Supreme Court campaign.

Google

lazar and taylor about recusal and judicial commission

✦ AI Overview

During the 2026 Wisconsin Supreme Court campaign, appellate judges Maria Lazar and Chris Taylor addressed recusal standards and complaints filed with the [Wisconsin Judicial Commission](#) amidst heightened political scrutiny over judicial ethics, campaign donations, and past state-level litigation.  Facebook · WisPolitics ... +1



Recusal Positions and Standards

- Individual Discretion:** Both candidates acknowledged that under current Wisconsin rules, individual justices decide whether to recuse themselves, and campaign contributions or general political statements are typically not automatic grounds for recusal.  Facebook · PBS Wisconsin
- Chris Taylor's Stance:** Taylor expressed support for considering stricter recusal guidelines, specifically regarding campaign donations that could raise reasonable questions about impartiality. 
- Maria Lazar's Stance:** Lazar noted she would recuse herself on narrow procedural questions tied to past state cases she litigated as an assistant attorney general (such as specific implementation questions surrounding Act 10), but maintained there was no broader legal basis for recusal on substantive constitutional merits.  Racine County Eye

The Wisconsin Judicial Commission

- Campaign Scrutiny:** During the high-profile election cycle, critics lodged various complaints with the Wisconsin Judicial Commission—which investigates judicial ethics violations—regarding candidate statements and prior involvement in politically sensitive redistricting and voting rights cases.  Facebook · WisPolitics ... +1
- Dismissed Complaints:** The Wisconsin Judicial Commission ultimately rejected ethics complaints lodged against the candidates concerning campaign commentary on controversial state issues, allowing both appellate judges to remain on the ballot for the 10-year term race.  Facebook · WisPolitics ... +1

During the campaign, Wisconsinites heard considerable discussion concerning judicial independence, integrity, recusal, impartiality, accountability, and public confidence in courts.

Beautiful principles. Stirring, even. The sort of sentiments that make one want to stand and salute.

Apparently campaign season and litigation season operate under somewhat different standards of review.

During campaign season, we hear about independence, integrity, accountability, public confidence, impartial courts, and the solemn responsibility entrusted to judges.

Then a litigant asks the judiciary to apply those principles to an actual record, a record, mind you, containing actual names, actual dates, actual transcripts, and actual contradictions, and suddenly the enthusiasm becomes considerably more restrained.



**(I supported Lazar based on the integrity of her past rulings –
not merely by political stance. Although that is in question now)**

One begins to wonder whether judicial accountability is a governing principle or merely excellent television.

The ratings, I suspect, are better than the follow-through.

I once believed judicial immunity existed to protect the independence necessary for judges to apply law without fear.

I certainly did not understand it to possess the alchemical power to transform contradiction into consistency, omission into analysis, asymmetric enforcement into neutrality, or unchecked discretion into correctness.

That particular transmutation would have impressed even the most ambitious medieval alchemist.

Nor did I understand “deference” to mean that each successive tribunal should simply inherit the assumptions of the tribunal before it until nobody remains institutionally interested in asking whether the original premise was lawful.

It appears “independent review” may occasionally function more as an aspiration than an operating instruction.

Throughout this process, the contrast has become almost impressive in its consistency, a consistency noticeably more reliable in the outcomes than in the reasoning.

I have preserved objections.

Purchased transcripts.

Filed motions.

Paid filing fees.

Briefed constitutional issues.

Briefed statutory issues.

Sought reconsideration.

Pursued appellate review.

Pursued extraordinary relief.

And ultimately petitioned the Wisconsin Supreme Court.

Petitioner, meanwhile, was ordered to file an appellate response brief and simply did not do so.

The Court of Appeals expressly acknowledged that fact before affirming anyway.

One might be forgiven for wondering whether the response-brief requirement is more of a suggestion, like a “suggested donation” at a museum.

Apparently the safest litigation strategy may have been to do considerably less.

Make the allegation. Allow the machinery to begin turning.

Permit the other parent to purchase transcripts, research cases, preserve issues, brief constitutional questions, pay filing fees, and climb the appellate ladder.

Then wait.

Low overhead.

High return.

I may have been litigating entirely wrong.

Perhaps the most successful appellate brief in Wisconsin is the one never written.

The Court of Appeals even acknowledged its discretionary authority under appropriate circumstances to summarily reverse where a respondent abandons an appeal, acts egregiously, or acts in bad faith, while emphasizing that such relief was not mandatory.

There it is again.

Discretion.

The Swiss Army knife of judicial vocabulary. It can explain what happened. Excuse what was not addressed. Preserve what otherwise appears inconsistent.

And, when properly deployed, relieve everyone of the tedious burden of confronting whether the result actually tracks the rule.

I once believed judicial discretion meant selecting among lawful alternatives after applying the correct legal standard to the relevant facts.

My education has expanded.

I now understand that discretion may apparently function as an institutional inheritance.

One court exercises it. The next court defers to it. The next court declines review.

Eventually the original decision becomes nearly impossible to examine, not necessarily because anyone affirmatively established that it was correct, but because enough tribunals declined to say that it was wrong.

It is discretion all the way up.

A veritable matryoshka doll of judicial non-engagement, each layer opening only to reveal another, smaller exercise of discretion inside.⁶

One begins to appreciate why Lady Justice wears a blindfold. *She may simply be exhausted.*

And if anyone believes I exaggerate the pattern of denials, there is an exceptionally simple way to correct me.

Open the docket.

Identify the substantive motion for relief I filed that was granted.

Just one.

Surely after the motions, transcripts, constitutional challenges, reconsideration requests, appellate proceedings, extraordinary-writ efforts, filing fees, delays, and years invested navigating the system, locating one meaningful example should not require archaeological equipment.

I would welcome the correction.

I would even frame it.

Because my practical experience of review has been remarkably consistent:

The circuit court exercises discretion.

I challenge that discretion.

The next court exercises discretion not to disturb it.

I challenge that decision.

Eventually the matter reaches another tribunal possessing discretion whether to review the discretion exercised by the court reviewing the original exercise of discretion.

A magnificent ecosystem. Entirely self-sustaining.

At some point one begins to wonder what exactly all of the transcripts, filing fees, hearings, motions, appeals, preservation requirements, and meticulous record-building are purchasing.

Judicial review, presumably.

⁶ Lawyers become lawyers—at least, that is what I was told—to uphold the law and serve as officers of the court. To craft arguments through rigorous analysis, hard work, and genuine engagement with the record. Not to click a "denied" button and generate an answer. Not to run through cases like an assembly line, treating each litigant as another unit to process before lunch. Not to mention the sheer reading that this case alone required—reading that, had it actually been done, might have resulted in less court time, fewer hearings, fewer appeals, and considerably less taxpayer money spent defending the indefensible.

I wonder: is this what we call discretion?

Or is it simply a misuse of taxpayer dollars dressed in judicial vocabulary?

Because if the goal is efficiency, we have certainly achieved it. If the goal is justice—well, that appears to have been an optional objective from the start.

Yet if the anticipated final custody determination will simply inherit the same assumptions, the same asymmetrical scrutiny, and the same unwillingness to confront contradictions already preserved in the record, then the process begins to resemble less a search for the children's best interests than an extraordinarily expensive retirement program funded by litigants who were naïve enough to believe that each successive level of review would actually *review* something.

A costly tuition for an education in institutional inertia.

And then there is the Wisconsin Supreme Court.

The petition was accepted.

The filing fee was accepted.

The record existed.

The legal question was presented.

The contradiction was identified.

The result arrived on very attractive letterhead.

Denied.

I confess I had expected appellate review to involve something slightly more ambitious than premium stationery.

Perhaps that expectation was another product of my naïveté, the same naïveté that led me to believe “neither” meant neither and that an ordered response brief was something more substantial than an optional extracurricular activity.

One learns.

And this brings me to the question that becomes increasingly difficult to avoid:

What, precisely, are Wisconsin's appellate courts for if a preserved legal contradiction can travel from the circuit court, through the Court of Appeals, and ultimately to the Wisconsin Supreme Court without any tribunal being required to confront the contradiction itself?

The circuit court expressly found no contempt concerning the school allegation. The resulting restrictions nevertheless remained. The Court of Appeals acknowledged the no-contempt finding. My petition specifically isolated the mismatch. The Supreme Court declined review. Perhaps every decision was legally correct. Wonderful.

Then there should be absolutely nothing uncomfortable about another court examining them.

In fact, it should be delightful.

A chance to showcase Wisconsin's judicial craftsmanship on a national stage.

I can already imagine the congratulatory telegrams.

If Wisconsin's courts are entirely confident that these rulings represent the correct application of contempt law, constitutional principles, due process, equal treatment, and the statutory responsibilities accompanying family-court restrictions, then review outside Wisconsin should present no cause for concern whatsoever.

The United States Supreme Court may examine the record and conclude that Wisconsin got everything exactly right. Excellent. I would very much like to test that theory.

After all, a legal rule worthy of governing one Wisconsin father should presumably remain just as impressive when placed beneath brighter lights.

And perhaps other fathers would find the experiment educational too.

If this truly represents the lawful method by which **contempt, access restrictions, asymmetric enforcement, and appellate review are supposed to function**, then Wisconsin should have no difficulty defending that proposition anywhere.

Sunlight should be especially welcome when everyone is certain the room is already clean.

Unless, of course, the room is not quite as clean as advertised.

In which case the hesitation becomes considerably easier to understand.

And this brings me to an uncomfortable question that I genuinely wish I did not have reason to ask.

I have criticized judicial decisions.

I have challenged inconsistencies.

I have sought accountability.

I have petitioned higher courts.

I have questioned exercises of governmental power.

Those are things citizens are supposedly permitted to do.

Indeed, according to the civics textbooks, they were once considered rather important.

Yet this process has reached the peculiar point where merely writing a letter identifying contradictions makes me wonder whether the criticism itself will simply become another entry in the institutional narrative.

One might call that a chilling effect.

One might also call it a remarkably effective way to ensure uncomfortable questions are eventually asked less frequently.

To be clear, I am not predicting retaliation.⁷

The more troubling observation is that my confidence in the neutrality of the process has deteriorated enough that the question occurs at all.

That should bother the judiciary considerably more than it bothers me.

A citizen should not have to calculate whether politely identifying contradictions to the highest court in his state will somehow **make his experience in the lower court worse**.⁸

That is not what public confidence looks like.

That is what public confidence looks like after being asked to believe one too many improbable things before breakfast.

I do not expect a court to rule for me merely because I paid a filing fee.

⁷ Although the pattern of rulings in the circuit court 21-FA-47, and delays for parental access and remedies sought in 26-CV-107 crafts that predicted intention.

⁸ But I am certain that discretion and denial will follow as it has thus far. Punishing due process, and constitutional rights.

I do not expect to prevail merely because I bought a transcript.

I do not expect victory merely because I spent hundreds of hours preserving a record.

I expect something considerably less extravagant:

That when a citizen follows the designated procedures, raises an identifiable legal contradiction, supports it with the record, pays the required fees, preserves the issue, seeks reconsideration, appeals, and asks increasingly higher courts to examine it, somebody eventually answers the actual question.

Otherwise, we should stop calling the process appellate **review**.

“Appellate receipt and acknowledgment” would be considerably more accurate.

And considerably easier to budget for. Though I suspect the stationery budget would remain unchanged.

This is not Republican. It is not Democratic. Contradiction has no political party.

Ex parte concerns have no political party. Asymmetric enforcement has no political party.

Failure to confront evidence has no political party. And discretion does not become impartial merely because several courts exercise it in the same direction.

A group of people pointing the same way does not establish that they **are pointing toward the truth.**

After enough of this, the judiciary begins to resemble less a hierarchy of independent review and more a very sophisticated fraternity house.

Everyone knows where everyone sits. Nobody wants to upset the table. Everyone understands the seating arrangement. The same uncomfortable question travels from one table to the next.

And eventually the person asking why the rules appear different depending upon the table is identified as the problem.

The same question, repeated at every table, receives essentially the same response:

That's just how it is.

It would be charming, in a sociological sort of way, if the stakes were not so conspicuously human.

Perhaps that description is unfair.

I sincerely hope it is.

Because two children have lived through the consequences while adults entrusted with governmental power have enjoyed the luxury of describing those consequences through abstractions such as *discretion, deference, procedure, and finality*.

Children do not experience “judicial discretion.”

They experience missing a parent.

They experience restrictions.

They experience uncertainty.

They experience years passing.

They experience a childhood that does not pause while adults determine whether an argument deserves individual attention, whether a procedural vehicle was sufficiently elegant, or whether correcting an error has become institutionally inconvenient.

That is the portion I find considerably harder to make sarcastic.

I once believed the justice system represented something larger than its individual participants: law over personality, evidence over narrative, equal treatment over institutional convenience, and accountability over professional comfort.

After this experience, I occasionally find myself wondering whether I confused the Wisconsin judiciary with the Federalist Papers.

Perhaps I expected too much. Perhaps the actual governing principle is:

All litigants are entitled to equal justice, provided their narrative reaches the courthouse first.

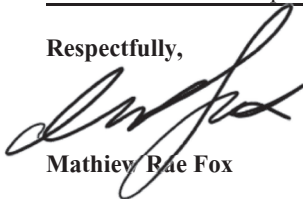
If nothing else, this process has been profoundly educational.

1. I have learned that “no contempt” can apparently coexist with contempt-based restrictions.
2. I have learned that “neither party” apparently requires additional interpretive sophistication.
3. I have learned that failure to file an ordered appellate response need not interfere with retaining the benefit of the judgment.
4. I have learned that judicial accountability photographs beautifully during election season.
5. I have learned that judges spend hours reviewing filings.
6. And I have learned that after enough courts decline to address the same contradiction, the contradiction apparently develops tenure.

For all of these lessons, I am deeply grateful.

The tuition has merely been years of my life, substantial financial cost, relentless litigation, and time with two children that no court in Wisconsin possesses the authority to give back.

Respectfully,



Mathieu Rae Fox

PS -Still attempting to locate the Wisconsin authority establishing that “no contempt” may nevertheless produce contempt-based restrictions, provided enough courts decline to address the contradiction. If anyone finds it, kindly forward a copy. I have already paid for the search.

And should the answer eventually arrive from Washington, D.C., I promise to read it. Someone should.

(Reminder of the children's lives that were destroyed by judicial doctrines Invoked and cloaked in absolute immunity, shielded by qualified immunity, protected by sovereign immunity, and backed by the full weight of the Attorney General's office)

