POLL STARS
How a Milwaukee law school became a force in state elections. BY ERIK GUNN

During this spring’s recall face-off, Marquette University Law School’s polls, punditry and primetime disputation were everywhere voters looked.

Dean Joseph Kearney, a Harvard Law School grad and former law clerk for U.S. Supreme Court Justice Antonin Scalia, is the man behind the school’s brave new elections-tracking operation. In late 2011, he unveiled a plan for an ambitious polling project to be run by UW-Madison’s Charles Franklin, a political science professor on loan to Marquette for 2012.

“This will be an academic enterprise that establishes the Law School as a serious player in campaign analysis,” said the plan, which called for somberly nonpartisan polling aimed at mapping voter’s minds, not spinning “a preordained conclusion.”

And a serious player the law school has become. To the mix, Kearney has added star TV newsmen Mike Gousha, an expert hand at guiding political debates. The result was an early and auspicious debut for a program Kearney had hoped to build slowly over 2012, in time for the November elections. Now, it’s primed to guide the public debate as Wisconsinites pick a replacement for U.S. Sen. Herb Kohl and a presidential candidate to back.

But why go to the trouble? “The legal profession inherently is engaged with matters of large public concern,” Kearney says. “Lawyers and journalists are both interested in getting at the truth.”

→ The state’s ideological split personality provided the perfect opportunity for Marquette to get into the polling game. Supporters of Milwaukee Mayor Tom Barrett scoffed at Marquette’s repeated findings that Gov. Scott Walker held a slight but consistent lead over their candidate. But the Wednesday before the election, the law school’s final forecast—Walker by 7 points—came the closest of any polling group’s predictions to the race’s actual margin of 6.8 points.

Funding for the polls comes from a discretionary fund at the dean’s disposal. The money, which pays for a number of programs, is funded by “many small donations,” the university says. As a private entity, the law school has no legal requirement to disclose these funders, and this has drawn criticism from some on the left. Political consultant Corey Liebmann says no one knows if donors are influencing the results. “Where is the money coming from?” he asks.

→ Marquette hosted the last pre-recall showdown in late May that defined Walker and Barrett for many voters. Also, in 2011, it staged the first debate between Supreme Court candidates JoAnne Kloppenburg and David Prosser. And in 2010’s U.S. Senate race, Ron Johnson and Russ Feingold squared off under the auspices of MU Law.

“Mike has performed brilliantly,” Kearney says of Gousha’s moderating. “His efforts have gone a long way toward helping the law school become a public square of sorts for Milwaukee and the larger region.”

So will the school make a play for an Obama-Romney faceoff? Gousha says no. It would cost millions, he says, and the sites have probably been picked already. “We haven’t tried to get one for 2012. But in the future, who knows?”

→ Gousha has been called the best TV newsmen ever to work in Milwaukee, and his work at WISN Channel 12 has helped that station cement its standing as the city’s most serious TV news shop. In the world of polling, Franklin’s a star as well—founder of Pollster.com (which he later sold to The Huffington Post) and a frequent pundit for news outlets in Milwaukee and beyond.

There are other figures at work at the law school as well, including Milwaukee Journal Sentinel retiree Alan Borzu, who’s written some of the Marquette website’s polling analysis, and Edward Fallone, an associate law professor whose writing about the right of judges to sign recall petitions made him a hero to anti-Walker activists in the state.