



Wisconsin Supreme Court 2024-25 Term Review and 2025-26 Preview

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The 2024-25 Wisconsin Supreme Court term wrapped up in June and July with a series of high-profile decisions, including on abortion, administrative rulemaking, and the governor's partial veto power. The court issued a total of 23 opinions this term,¹ an increase from last term's record low of 14 opinions² but still far below the past decade's average of roughly 50 opinions per term.³

The term also saw the lowest percentage of 4-3 splits in six years. Even including two cases that arguably did not entail a true 4-3 divide,⁴ the court split 4-3 only five times – 22% of cases – all on ideological lines. (Without those two cases, only 13% of the court's rulings were 4-3.) That marks a return to pre-2019 levels. In the past five years, the court has split 4-3 in an average of 35% of cases each term, though often not on ideological lines.⁵

This article summarizes some of the court's most notable 2024-25 rulings, including several that implicate democracy and state constitutional law. It also previews what could be ahead in the court's next term, which begins in September 2025.

Abortion

The term's headliner case was [*Kaul v. Urmanski*](#),⁶ a long-awaited decision on the legality of abortion in Wisconsin. The case began in 2022 after the U.S. Supreme Court overturned federal abortion protections in *Dobbs v. Jackson Women's Health Organization*.⁷ Wisconsinites immediately faced uncertainty over the status of an 1849 law that prohibits "intentionally destroy[ing] the life of an unborn child."⁸

In *Urmanski*, the Wisconsin Supreme Court ruled 4-3 that the 1849 law was impliedly repealed by later laws and therefore does not ban abortion today.⁹ The majority opinion, by Justice Rebecca Dallet, concluded that the past 50 years of Wisconsin laws regulating "virtually every aspect of abortion" were "clearly meant as a substitute" for the preexisting "near-total ban."¹⁰ If



the 1849 law did operate as a ban, the court reasoned, these later statutes would be unnecessary or “swallowed whole.”¹¹ In a concurrence, Chief Justice Jill Karofsky¹² provided historical and “real-world” context for the court’s decision, describing the accounts of women who died under abortion bans, including her own great-grandmother.¹³

In three dissenting opinions, Justice Rebecca Grassl Bradley, Justice Annette Ziegler, and Justice Brian Hagedorn (joined by Justice Bradley), accused the majority of “eras[ing] a law it does not like,”¹⁴ “legislating under the guise of a judicial opinion,”¹⁵ and engaging in “pure policymaking.”¹⁶ They argued that the court should have instead left the question to the Wisconsin Legislature.¹⁷

Notably, the court based its decision on principles of statutory interpretation, not constitutional law. The court did not address whether the Wisconsin Constitution provides any protections for abortion. Because the court concluded that the 1849 statute is no longer in effect as an abortion ban, it dismissed as moot a related case raising the constitutional issue.¹⁸

Separation of powers

In the 2024–25 term, the court also continued to address major constitutional questions about legislative and executive powers. These cases largely centered on the governor’s partial veto and the powers of legislative committees – both areas in which Wisconsin has long been a national outlier.¹⁹

Partial veto

The court issued two rulings involving the governor’s power to issue partial vetoes, agreeing with Governor Tony Evers in one case and rejecting his position in the other.

In *LeMieux v. Evers*,²⁰ the court upheld Governor Evers’ creative partial veto of a provision in the state’s 2023–25 budget that increased an education revenue limit. By striking individual digits and dashes, Evers changed “2025” to “2425,” thereby extending the revenue limit increase for 402 years instead of two.²¹ His veto continued a long history of Wisconsin governors using the partial veto to creatively rewrite budget provisions.²² Aside from a 2020 case in which no majority could agree on a new standard,²³ the court has long been extremely deferential to these maneuvers,²⁴ requiring only that the remaining bill be “complete, entire, and workable”²⁵ and “germane” to the original bill.²⁶ Voters, meanwhile, have twice approved constitutional amendments reining in this power, prohibiting the governor from combining parts of sentences to create new sentences and from “creat[ing] a new word by rejecting individual letters.”²⁷

In *LeMieux*, the court disagreed with the argument that, by striking individual digits to create a new year, Governor Evers violated the constitutional restriction on deleting letters. In a 4–3 decision written by Justice Karofsky, the court noted that it “has explicitly treated letter and



digit vetoes separately, both before and after [the constitutional amendment's] adoption" – and the amendment only applies to "letters," not "digits."²⁸ The court also rejected petitioners' arguments for further reining in the partial veto, noting that petitioners had not asked the court to overrule any of its partial veto precedents.²⁹

Justice Dallet concurred but noted that she would be "open to revisiting" the court's partial-veto jurisprudence if given a "clear opportunity" to do so.³⁰ Justice Hagedorn, joined by Chief Justice Ziegler and Justice Rebecca Bradley, dissented, arguing that "*stare decisis* should yield" "where the governor's actions are so out of step with the constitutional order."³¹ Thus, at least four justices appear open to limiting the governor's broad partial-veto authority, suggesting more litigation to come.

Meanwhile, in a second partial-veto case, the court ruled against the governor, reinforcing the requirement that the partial veto can only be used on appropriation bills. In [*Wisconsin Legislature v. Department of Public Instruction \(DPI\)*](#),³² the court unanimously reaffirmed a bright-line rule that, "To qualify as an appropriation bill, a bill must set aside public funds for a public purpose within its four corners."³³ Governor Evers had vetoed part of a bill that related to funding for a literacy program. Because the bill did not appropriate money within its "four corners," the court rejected the partial veto as invalid.³⁴

The *DPI* case also raised key questions about a budgetary practice of allocating money for planned expenses to the Joint Committee on Finance's (JFC) supplemental funding account, which JFC members then control. The governor and DPI argued that this arrangement unconstitutionally allows the JFC to operate as a "mini legislature" when doling out those funds.³⁵ But the court largely sidestepped those issues based on the lack of an appropriate remedy, concluding that, "[e]ven if [DPI and the governor] were correct that appropriating money to [the JFC] is unlawful, no remedy under law entitles DPI to receive it instead."³⁶ The constitutionality of this budgeting process thus remains an open question, and the 2025–27 budget continues this practice.³⁷

Legislative committee powers

Although the court did not address the legislative committee issues in the *DPI* case, it did rein in legislative committee powers in two other key cases: *Evers v. Marklein* and *Kaul v. Wisconsin Legislature*.

[*Evers v. Marklein \(Evers II\)*](#)³⁸ continued a case that began in the 2023–24 term, challenging various legislative committee vetoes over executive branch actions. In *Evers v. Marklein (Evers I)*,³⁹ the court struck down the JFC's ability to veto Department of Natural Resources' expenditures of already appropriated funds, concluding 6–1 that the practice violated the Wisconsin Constitution's separation-of-powers principles.

In *Evers II*, the court held that it violates the separation of powers for the Joint Committee for Review of Administrative Rules (JCRAR) to unilaterally block administrative rules, which it sometimes did for months to years at a time.⁴⁰ In a 4–3 decision by Chief Justice Karofsky, the court adopted the U.S. Supreme Court’s approach in *Immigration & Naturalization Service v. Chadha*,⁴¹ holding that “legislative action that alters the legal rights and duties of persons outside of the legislative branch triggers the requirements of bicameralism and presentment.”⁴² According to the court, because the JCRAR’s interventions altered legal rights and duties without bicameralism and presentment, they violated the state constitution.⁴³ The court overruled a prior case, *Martinez v. Department of Industry, Labor & Human Relations*,⁴⁴ and several paragraphs of *Service Employees International Union Local 1 v. Vos*,⁴⁵ which had allowed legislative committees to temporarily suspend administrative rules.⁴⁶

Justice Hagedorn concurred in part, agreeing that the JCRAR’s objection to a proposed building code rule was unconstitutional given its indefinite nature.⁴⁷ But he also dissented in part, arguing that deeper questions about administrative rulemaking were “insufficiently addressed by the parties and the majority” and that the court therefore should have left the broader challenges to the JCRAR’s authority for another day.⁴⁸ Justice Ziegler and Justice Rebecca Bradley dissented in full, rejecting the majority’s separation-of-powers analysis.⁴⁹ In line with her *Evers I* concurrence, Justice Bradley invoked the nondelegation doctrine, arguing that administrative rulemaking involves an unconstitutional delegation of lawmaking power.⁵⁰ In her view, it was the administrative rules themselves, rather than the JCRAR’s role in blocking those rules, that raised separation-of-powers concerns.⁵¹

In contrast to the split decision in *Evers II*, another legislative-committee case drew unanimous agreement. In *Kaul v. Wisconsin Legislature*,⁵² Attorney General Josh Kaul challenged a law barring the Wisconsin Department of Justice (DOJ) “from settling most civil cases unless and until it receives the approval of the Joint Finance Committee.”⁵³ The court in 2020 rejected a facial challenge to the law.⁵⁴ But in *Kaul*, the attorney general challenged the provision’s application to two narrower sets of cases: “civil enforcement actions and cases DOJ brings at the request of executive-branch agencies for programs those agencies are statutorily charged with administering.”⁵⁵ In a unanimous opinion by Justice Hagedorn, the court concluded that settling these types of cases falls “within the core powers of the executive branch, and the statutory requirement to obtain JFC’s approval prior to settling these cases violates the Wisconsin Constitution’s separation of powers.”⁵⁶

Elections

For a term that fell during a presidential election year, the court ultimately addressed relatively few election-related cases.

The most significant of these may be [*Brown v. Wisconsin Elections Commission*](#),⁵⁷ which will affect who can bring election lawsuits to state court. The case stemmed from a complaint Kenneth Brown filed with the Wisconsin Elections Commission (WEC), arguing that aspects of the Racine clerk's administration of in-person absentee voting in the August 2022 primary violated state law.⁵⁸ The WEC found no probable cause that a violation had occurred,⁵⁹ and Brown then appealed under a statute that allows a "complainant who is aggrieved by an order" of the WEC to appeal to circuit court.⁶⁰

In a 4–3 decision by Justice Karofsky, the supreme court dismissed Brown's appeal for lack of legal standing.⁶¹ It rejected the idea that complainants are always "aggrieved" when the WEC dismisses their allegations of unlawful activity.⁶² Instead, the court held, to be "aggrieved by" an adverse WEC decision, a complainant must show that "WEC's decision personally affected [the complainant]," such as by showing "that the challenged election activity ... made it more difficult for [the complainant] to vote."⁶³

In dissent, Justice Rebecca Bradley, joined in large part by Justice Hagedorn, argued that the statute's "plain language" applies to complainants who receive unfavorable decisions from the WEC.⁶⁴ She further argued, in a paragraph joined by both Justice Hagedorn and Chief Justice Ziegler, that Brown would also meet the majority's heightened standard because the clerk's "alleged failure to conduct an election in accordance with [state election laws] harmed [Brown's] legal right" "to have local election officials in his area comply with the law."⁶⁵

In another election case, [*Wisconsin Elections Commission v. LeMahieu*](#), the court issued a unanimous decision that allowed WEC Administrator Meagan Wolfe to keep her job. The WEC unanimously appointed Wolfe to the elections administrator role in 2018,⁶⁶ and the Republican-controlled Wisconsin State Senate unanimously confirmed her in 2019.⁶⁷ But after the heated 2020 election, which involved unsuccessful efforts to overturn the results of the state's presidential vote, some Republican legislators sought to oust Wolfe.⁶⁸ She declined to resign, and impeachment efforts fizzled.⁶⁹

Wolfe's four-year term expired in July 2023, setting up the confrontation that led to the *LeMahieu* case. When the WEC voted in June 2023 to reappoint Wolfe, the three Democratic WEC appointees abstained, blocking her nomination. This maneuver meant that the senate could not vote to reject Wolfe's appointment, which would have ended her tenure as administrator. Instead, pursuant to *State ex rel. Kaul v. Prehn*,⁷⁰ a 2022 case in which the court allowed an appointee of former Governor Scott Walker to remain in his position after his term expired, Wolfe has been able to hold over as WEC's administrator despite the expiration of her term.



In *LeMahieu*, several legislators sought mandamus relief, arguing that the WEC was required to appoint a new administrator when Wolfe's term expired.⁷¹ In an opinion by Chief Justice Ziegler, a unanimous court disagreed, concluding that, under *Prehn*, "WEC does not have a duty to appoint a new administrator ... simply because [Wolfe's] term has ended."⁷² Instead, Wolfe can remain in her position as a holdover indefinitely, unless and until the WEC appoints and the senate confirms a new administrator. In a concurrence, Justice Ann Walsh Bradley, joined by Justice Dallet and Justice Karofsky, criticized the 2022 *Prehn* decision, in which all three of them dissented.⁷³ But no party in *LeMahieu* asked for *Prehn* to be overruled—indeed, they expressly disclaimed that argument—so the result was a unanimous court.⁷⁴

Lastly, in an order in [*Kennedy v. Wisconsin Elections Commission*](#), the court unanimously upheld a lower court's rejection of Robert F. Kennedy Jr.'s efforts to remove himself from Wisconsin's November 2024 presidential election ballot after various deadlines had passed. Citing inadequate appellate briefing from Kennedy, the court affirmed the circuit court's order, which had determined that Kennedy was unlikely to succeed on the merits of his statutory and constitutional challenges and thus was not entitled to a temporary injunction.⁷⁵ The case drew attention to the fact that state law appears to allow removal of candidates' names from the ballot only if they die.⁷⁶ The ultimate result was that Kennedy's name remained on the ballot, even though he had dropped out of the presidential race.⁷⁷

The term to come: 2025-26

There is a new justice on the court in the 2025–26 term. Judge Susan Crawford, who was elected in April 2025 in a race that shattered national judicial campaign-spending records, took her seat in August.⁷⁸ She replaced Justice Ann Walsh Bradley, who retired after serving on the court for 30 years, including a stint as Chief Justice for the last two months of the 2024–25 term.

The court has already accepted more than one dozen cases for review, including ones on due-process and involuntary-medication issues,⁷⁹ police interrogations in schools,⁸⁰ tribal sovereign immunity,⁸¹ and electronic privacy.⁸² But the 2025–26 term is perhaps most notable for what will not immediately be on the court's docket: congressional redistricting.

The 2025 supreme court race brought national focus on Wisconsin's U.S. House maps, with supporters of both candidates pointing to a possible congressional redistricting case as a reason to donate or vote.⁸³ In June, however, the court denied two petitions for original actions that sought to challenge those maps.⁸⁴ Two groups have refiled their cases in circuit court, arguing that the state's congressional map is an unconstitutional partisan and anticompetitive gerrymander.⁸⁵ The cases may well end up in the state supreme court eventually but only after first being heard at the trial level.⁸⁶



Some major cases now pending in the appeals court could also reach the supreme court during its 2025–26 term. These include a state constitutional challenge to 2011 Wis. Act 10, which significantly curtailed collective bargaining rights for public employees⁸⁷; a case on absentee-ballot witness requirements⁸⁸; and a challenge to the longstanding ability of Wisconsin courts to extend voting hours on election day because of emergencies, interruptions, and other special circumstances.⁸⁹ The 2025–26 term may also bring continued debates among the justices over the correct approach to statutory interpretation, including whether the court should revisit its lead statutory interpretation case, *State ex rel. Kalal v. Circuit Court for Dane County*.⁹⁰

The upcoming term will again take place alongside a state supreme court election, with Justice Rebecca Bradley’s seat up for election in April 2026. Regardless of the outcome, liberal-leaning justices will retain a majority on the court, but the race will determine whether that majority grows from four justices to five.

In short, it’s sure to be another interesting term for the Wisconsin Supreme Court.

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¹ This figure excludes attorney and judicial discipline decisions, as well as one case dismissed as improvidently granted and one abortion case, discussed further below, that was dismissed as moot after the court decided *Kaul v. Urmanski*, 2025 WI 32. This figure also includes the court’s per curiam order in *Kennedy v. Wis. Elections Commission*, 2024 WI 37, 413 Wis. 2d 509, 11 N.W.3d 786.

² Bryna Godar, Wisconsin Supreme Court: 2023–24 Term Review and 2024–25 Preview, 97 Wis. Law. 10 (Sept. 2024), <https://www.wisbar.org/NewsPublications/WisconsinLawyer/Pages/Article.aspx?ArticleID=30624&source=carousel>.

³ Alan Ball, *The Supreme Court’s 2024–25 Term: Some Initial Impressions* (July 15, 2025), <https://scowstats.com/2025/07/15/the-supreme-courts-2024-25-term-some-initial-impressions/>; Alan Ball, *The Supreme Court’s 2023–24 Term: Some Initial Impressions* (July 8, 2024), https://scowstats.com/2024/07/08/the-supreme-courts-2023-24-term-some-initial-impressions/#_ftn1.

⁴ One of these cases was 4–2 with one justice recused. *Morway v. Morway*, 2025 WI 3, 414 Wis. 2d 378, 15 N.W.3d 886. The other was a mixed 4–3 and 5–2 decision in *Evers v. Marklein (Evers II)*, 2025 WI 36, ___ Wis. 2d ___, 22 N.W.3d 789.

⁵ See Alan Ball, *Wisconsin Supreme Court Statistics, 2023–24* (July 18, 2024), <https://scowstats.com/2024/07/18/wisconsin-supreme-court-statistics-2023-24/>; Alan Ball, *Wisconsin Supreme Court Statistics, 2022–23* (July 24, 2023), <https://scowstats.com/2023/07/24/wisconsin-supreme-court-statistics-2022-23/>; Alan Ball, *Wisconsin Supreme Court Statistics, 2021–22* (July 21, 2022), <https://scowstats.com/2022/07/21/wisconsin-supreme-court-statistics-2021-22/>; Alan Ball, *Wisconsin Supreme Court Statistics, 2020–21* (July 26, 2021), <https://scowstats.com/2021/07/26/wisconsin-supreme-court-statistics-2020-21/>; Alan Ball, *Wisconsin Supreme Court Statistics, 2019–20* (July 23, 2020), <https://scowstats.com/2020/07/23/wisconsin-supreme-court-statistics-2019-20/>.

⁶ *Kaul v. Urmanski*, 2025 WI 32, ___ Wis. 2d ___, 22 N.W.3d 740.

⁷ *Dobbs v. Jackson Women’s Health Org.*, 597 U.S. 215 (2022).

⁸ Wis. Stat. § 940.04.

⁹ *Urmanski*, 2025 WI 32, ¶ 2, ___ Wis. 2d ___.

¹⁰ *Id.* ¶ 10.

¹¹ *Id.* ¶¶ 24–25.

¹² The 2024–25 term was unique in that three different justices had stints as chief justice. Justice Annette Ziegler’s term as chief ended in April. Justice Ann Walsh Bradley then assumed the role from May 1 to June 30, the last two months of her 30 years on the court. Upon Justice Bradley’s retirement, Justice Karofsky assumed the role July 1. Several opinions were released in early July. For those opinions, Chief Justice Karofsky is listed with her new title. For earlier opinions, she is referred to as “Justice.” Justice Ann Walsh Bradley and Justice Annette Ziegler are referred to as “Justice” or “Chief Justice” depending on their status when an opinion was issued.

¹³ *Urmanski*, 2025 WI 32, ¶¶ 38, 54, 58, ___ Wis. 2d ___.

¹⁴ *Id.* ¶ 73 (R.G. Bradley, J., dissenting).

¹⁵ *Id.* ¶ 70 (Ziegler, J., dissenting).

¹⁶ *Id.* ¶ 106 (Hagedorn, J., dissenting).

¹⁷ *Id.* ¶ 160; *id.* ¶¶ 77–78 (R.G. Bradley, J., dissenting); *id.* ¶ 68 (Ziegler, J., dissenting).

¹⁸ Order, *Planned Parenthood of Wis. v. Urmanski*, 2025 WI 33 (July 2, 2025). At the outset of the *Kaul v. Urmanski* case in the supreme court, the court also declined to address whether the state constitution contains a right to obtain a consensual medical abortion.

¹⁹ Richard Briffault, *The Item Veto in State Courts*, 66 Temple L. Rev. 1171, 1185, 1194–95 (1993); Derek Clinger & Miriam Seifter, *White Paper: Unpacking State Legislative Vetoes*, State Democracy Research Initiative 16 (Oct. 13, 2023), <https://statedemocracy.law.wisc.edu/featured/2023/white-paper-unpacking-state-legislative-vetoes/>.

²⁰ *Lemieux v. Evers*, 2025 WI 12, 415 Wis. 2d 422, 19 N.W.3d 76.

²¹ Scott Bauer, *Wisconsin Governor's 400-Year Veto Angers Opponents in State with Long History of Creative Cuts*, Associated Press (July 6, 2023), <https://apnews.com/article/evers-veto-400-years-wisconsin-school-funding-67a7847e4a24ea86f7d16123356f770d>.

²² See *id.*; Richard A. Champagne, Staci Duros & Madeline Kasper, *The Wisconsin Governor's Partial Veto after Bartlett v. Evers*, Legis. Reference Bureau (July 2020), https://docs.legis.wisconsin.gov/misc/lrb/reading_the_constitution/governors_partial_veto_5_3.pdf.

²³ *Bartlett v. Evers*, 2020 WI 68, 393 Wis. 2d 172, 945 N.W.2d 685.

²⁴ Champagne et al., *supra* note 22.

²⁵ *Lemieux*, 2025 WI 12, ¶ 12, 415 Wis. 2d 422 (quoting *State ex rel. Wis. Tel. Co. v. Henry*, 218 Wis. 302, 314–15, 260 N.W. 486 (1935)).

²⁶ *Id.* (quoting *State ex rel. Wis. Senate v. Thompson*, 144 Wis. 2d 429, 451–53, 424 N.W.2d 385 (1988)).

²⁷ Wis. Const. art. V, § 10(1)(c).

²⁸ *Lemieux*, 2025 WI 12, ¶ 27, 415 Wis. 2d 422.

²⁹ *Id.* ¶¶ 22–23 (Karofsky, J., lead opinion). This portion of Justice Karofsky's opinion was only joined by Justice Ann Walsh Bradley and Justice Janet Protasiewicz. In a concurrence, Justice Dallet also rejected the petitioners' alternate argument, but she wrote separately because she had a different understanding of the argument and why it should be rejected. *Id.* ¶¶ 32, 35–40 (Dallet, J., concurring). The court also noted that its most recent partial veto case, *Bartlett*, 2020 WI 68, 393 Wis. 2d 172, "did not establish any precedent" because "there was no majority opinion." *Lemieux*, 2025 WI 12, ¶ 12 n.3, 415 Wis. 2d 422. A majority in *Bartlett* struck down several partial vetoes that would have survived under prior precedents, but the justices could not agree on a rationale. *Bartlett*, 2020 WI 68, ¶ 9, 393 Wis. 2d 172.

³⁰ *Lemieux*, 2025 WI 12, ¶ 40, 415 Wis. 2d 422 (Dallet, J., concurring).

³¹ *Id.* ¶ 92 (Hagedorn, J., dissenting).

³² *Wisconsin State Legislature v. Wisconsin Dep't of Pub. Instruction (DPI)*, 2025 WI 27, 416 Wis. 2d 611, 22 N.W.3d 932.

³³ *Id.* ¶ 25.

³⁴ *Id.* ¶ 26.

³⁵ Derek Clinger, *Explainer: Wisconsin Supreme Court Set to Consider Fate of “Mini Legislature,”* State Democracy Research Initiative (Mar. 25, 2025), <https://statedemocracy.law.wisc.edu/featured/2025/explainer-wisconsin-supreme-court-set-to-consider-fate-of-mini-legislature/>.

³⁶ *DPI*, 2025 WI 27, ¶ 36, 416 Wis. 2d 611.

³⁷ See 2025 Wis. Act 15, § 20.865(4).

³⁸ *Evers v. Marklein (Evers II)*, 2025 WI 36, ___ Wis. 2d ___, 22 N.W.3d 789.

³⁹ *Evers v. Marklein (Evers I)*, 2024 WI 31, 412 Wis. 2d 525, 5 N.W.3d 395.

⁴⁰ *Evers II*, 2025 WI 36, ¶ 1, ___ Wis. 2d ___.

⁴¹ *Immigration & Naturalization Serv. v. Chadha*, 462 U.S. 919, 952 (1983).

⁴² *Evers II*, 2025 WI 36, ¶ 39, ___ Wis. 2d ___. 1.

⁴³ *Id.* ¶ 41.

⁴⁴ *Martinez v. Department of Indus., Lab. & Hum. Rels.*, 165 Wis. 2d 687, 699, 478 N.W.2d 582 (1992).

⁴⁵ *Service Emps. Int’l Union (SEIU) Loc. 1 v. Vos*, 2020 WI 67 ¶ 98, 393 Wis. 2d 38, 946 N.W.2d 35.

⁴⁶ *Evers II*, 2025 WI 36, ¶ 36, ___ Wis. 2d ___ (“Adopting the reasoning in *Chadha* means we must overrule *Martinez*, and paragraphs 12 and 80–83 of *SEIU* which expressly rely upon *Martinez*.”).

⁴⁷ *Id.* ¶ 61 (Hagedorn, J., concurring in part, dissenting in part).

⁴⁸ *Id.* ¶ 46. Justice Hagedorn also would have resolved the challenge to the conversion therapy ban on narrow grounds, concluding the challenge is moot because the rule has been in effect since April 2024. *Id.* ¶ 59.

⁴⁹ See *id.* ¶ 74 (Ziegler, J., dissenting); *id.* ¶¶ 77, 91 (R.G. Bradley, J., dissenting).

⁵⁰ *Id.* ¶¶ 77–78 (R.G. Bradley, J., dissenting).

⁵¹ *Id.*

⁵² *Kaul v. Wisconsin State Legislature*, 2025 WI 23, 416 Wis. 2d 322, 21 N.W.3d 513.

⁵³ *Id.* ¶ 1.

⁵⁴ *SEIU*, 2020 WI 67, ¶ 10, 393 Wis. 2d 38.

⁵⁵ 2025 WI 23, ¶ 2, 416 Wis. 2d 322.

⁵⁶ *Id.* ¶ 3.

⁵⁷ *Brown v. Wisconsin Elections Comm’n*, 2025 WI 5, 414 Wis. 2d 601, 16 N.W.3d 619.

⁵⁸ *Id.* ¶¶ 5–8.

⁵⁹ *Id.* ¶ 8.

⁶⁰ Wis. Stat. § 5.06(8).

⁶¹ *Brown*, 2025 WI 5, ¶ 26, 414 Wis. 2d 601.

⁶² *Id.* ¶¶ 18–24.

⁶³ *Id.* ¶ 16.

⁶⁴ *Id.* ¶¶ 40, 47 (R.G. Bradley, J., dissenting).

⁶⁵ *Id.* ¶ 43.

⁶⁶ Patrick Marley, *Wisconsin Elections Commission Names New Leader*, Milwaukee J.-Sentinel (Mar. 3, 2018).

⁶⁷ *Wisconsin Senate Confirms Wolfe as Elections Leader*, Associated Press (May 15, 2019, 11:41 AM CDT), <https://apnews.com/wisconsin-senate-confirms-wolfe-as-elections-leader-b4bccfd41176481e9904cca342fe7a79>.

⁶⁸ Harm Venhuizen, *Top Wisconsin Senate Republican Calls on Assembly to Impeach State’s Top Elections Official*, Associated Press (Oct. 4, 2023, 12:28 PM CDT), <https://apnews.com/article/wisconsin-legislature-elections-meagan-wolfe-impeachment-7c2ac388d47e03e40d019b14266cf913>.

⁶⁹ See *Kapenga Presses Vos to Advance Wolfe Impeachment Resolution*, WisPolitics (Dec. 5, 2023, 12:35 PM), <https://www.wispolitics.com/2023/kapenga-presses-vos-to-advance-wolfe-impeachment-resolution/>.

⁷⁰ *State ex rel. Kaul v. Prehn*, 2022 WI 50, 492 Wis. 2d 539, 976 N.W.2d 821.

⁷¹ *Wisconsin Elections Comm’n v. LeMahieu*, 2025 WI 4, ¶ 2, 414 Wis. 2d 571, 16 N.W.3d 469.

⁷² *Id.* ¶ 3.

⁷³ *Id.* ¶¶ 32–36 (A.W. Bradley, J., concurring).



⁷⁴ *Id.* ¶ 34.

⁷⁵ Order, *Kennedy v. Wisconsin Elections Comm’n*, 2024 WI 37, at 5 (Sept. 27, 2024).

⁷⁶ *Id.* at 1–2.

⁷⁷ Alexander Shur, *Wisconsin Clerks Relieved After High Court Keeps RFK Jr. on Ballot*, Wis. Watch (Oct. 1, 2024), <https://wisconsinwatch.org/2024/10/wisconsin-rfk-kennedy-ballot-supreme-court-election-clerk-republican-democrat/>.

⁷⁸ Anya Van Wagtendonk, *Susan Crawford Wins Wisconsin Supreme Court Race as Democrats Take Stand Against Donald Trump, Elon Musk*, WPR (Apr. 1, 2025), <https://www.wpr.org/news/susan-crawford-wins-wisconsin-supreme-court-race-democrats-elon-musk>.

⁷⁹ *State v. J.D.B.*, 2024 WI App 61, 414 Wis. 2d 108, 13 N.W.3d 525, petition for review granted, No. 2023AP715 (Feb. 12, 2025); *State v. N.K.B.*, 2024 WI App 63, 414 Wis. 2d 218, 14 N.W.3d 681, petition for review granted, No. 2023AP722 (Feb. 12, 2025); *Sheboygan Cnty. v. N.A.L. (In re Commitment of N.A.L.)*, No. 2024AP1195, 2025 WL 409087 (Wis. Ct. App. Feb. 5, 2025) (unpublished), petition for review granted, No. 2024AP1195 (May 21, 2025).

⁸⁰ *State v. K.R.C. (In Int. of K.R.C.)*, No. 2023AP2102, 2024 WL 4615758 (Wis. Ct. App. Oct. 30, 2024) (unpublished), petition for review granted, No. 2023AP2102 (Mar. 13, 2025).

⁸¹ Certification by Wisconsin Court of Appeals, *Legend Lake Property Owners Ass’n, Inc. v. Keshena*, No. 2022AP937 (Jan. 22, 2025), certification granted, No. 2022AP937 (Mar. 13, 2025).

⁸² *State v. Gasper*, 2024 WI App 72, petition for review granted, No. 2023AP2319 (Mar. 13, 2025); Certification by Wisconsin Court of Appeals, *State v. Rauch Sharak*, No. 2024AP469 (Jan. 16, 2025), certification granted, No. 2024AP469 (Mar. 13, 2025).

⁸³ Lawrence Andrea, *Supreme Court Race Puts Spotlight on Congressional Maps as GOP Files Complaint Against Crawford*, Milwaukee J.-Sentinel (Feb. 26, 2025, 6:15 PM CT), <https://www.jsonline.com/story/news/politics/elections/2025/02/26/gop-files-complaint-against-susan-crawford-on-congressional-maps-issue/80273638007/>; Joe Schulz, *Elon Musk Says Wisconsin Supreme Court Race Could Affect the ‘Entire Destiny of Humanity’*, WPR (Mar. 31, 2025, 8:33 AM), <https://www.wpr.org/news/elon-musk-wisconsin-supreme-court-race-green-bay-visit-million-dollar-checks>.

⁸⁴ Rich Kremer & Anya Van Wagtendonk, *Unpacking the Wisconsin Supreme Court’s Rejection of Congressional Redistricting Lawsuits*, WPR (June 27, 2025, 11:55 AM), <https://www.wpr.org/news/unpacking-wisconsin-supreme-court-rejection-congressional-redistricting-lawsuits>.

⁸⁵ Scott Bauer, *New Lawsuit Seeks to Redraw Wisconsin’s Congressional Maps Before 2026 Midterms*, Associated Press (July 9, 2025, 4:46 PM CDT), <https://apnews.com/article/wisconsin-congress->

[redistricting-lawsuit-13e483d2ffa83ba6a1c64ea9489eb857](#). Complaint, *Wisconsin Bus. Leaders for Democracy v. Wisconsin Elec. Comm’n*, No. 2025CV2252 (July 8, 2025); Complaint, *Bothfeld v. Wisconsin Elec. Comm’n*, No. 2025CV2432, at 5 (July 21, 2025).

⁸⁶ The plaintiffs have asked the state supreme court to appoint a three-judge panel to hear the case pursuant to a state statute that establishes a special litigation process for apportionment cases. See Complaint, *Wisconsin Bus. Leaders for Democracy v. Wisconsin Elec. Comm’n*, No. 2025CV2252, at 2–3 (July 8, 2025); Complaint, *Bothfeld v. Wisconsin Elec. Comm’n*, No. 2025CV2432, at 5 (July 21, 2025); Wis. Stat. § 751.035(1).

⁸⁷ *Abbotsford Educ. Ass’n v. Wisconsin Emp. Rels. Comm’n*, No. 2023CV3152 (Wis. Cir. Ct. Dec. 2, 2024), appeal docketed, No. 2024AP2429 (Wis. Ct. App. Dec. 2, 2024).

⁸⁸ *League of Women Voters of Wis. v. Wisconsin Elections Comm’n*, No. 2022CV2472 (Wis. Cir. Ct. Jan. 2, 2024), appeal docketed, No. 2024AP166 (Wis. Ct. App. Jan. 31, 2024).

⁸⁹ *Democratic Nat’l Comm. v. Boehm*, No. 2024CV730 (Wis. Cir. Ct. Nov. 5, 2024), appeal docketed, No. 2024AP2484 (Wis. Ct. App. Dec. 9, 2024).

⁹⁰ *State ex rel. Kalal v. Circuit Ct. for Dane Cnty.*, 2004 WI 58, 271 Wis. 2d 633, 681 N.W.2d 110. For more on the debate during the 2024–25 term, see *Service Employees International Union Healthcare Wisconsin v. Wisconsin Employment Relations Commission*, 2025 WI 29, ¶ 51, 416 Wis. 2d 688, 22 N.W.3d 876 (Dallet, J., concurring) (noting that “although a majority of the court joins [the concurring] opinion, it does not overrule *Kalal*, or purport to bind our court or any other to use any particular methodology when interpreting statutes in the future”); *id.* at ¶ 36 (R.G. Bradley, J., concurring) (arguing that Justice Dallet’s approach would “unmoor the judiciary from the rule of law”).