

# Wisconsin Institute for Law and Liberty: Files two amicus briefs advocating for better judicial decision-making

Posted on Wednesday, Aug 16, 2017

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Milwaukee, Wisconsin – The Wisconsin Institute for Law & Liberty has recently filed two amicus briefs advocating for the application of better legal tests in our highest courts.

In *Tetra Tech v. Department of Revenue*, the Wisconsin Supreme Court invited briefing on the question of whether requiring courts to defer to agency interpretations of statutes is constitutional. Over the past several decades, courts have given greater and greater deference to unelected bureaucrats, effectively giving them final say in what statutory language means, even when the agencies are enforcing those statutes against private citizens. WILL's brief argues that courts have a constitutional obligation to be the final arbiters of what a statute means, and when they allow an agency's interpretation to prevail over the court's own reading, they fail in that obligation.

The other case, *City of Bloomfield v. Felix*, is another in a long line of cases challenging government displays of monuments like the Ten Commandments. Courts currently apply varied and inconsistent tests to determine whether such displays violate the Constitution's Establishment Clause, with incoherent results. Judge Easterbrook of the Seventh Circuit famously compared asking judges to critique the arrangement of monuments on public grounds to asking them to be interior decorators. WILL filed a brief asking the United States Supreme Court to

hear the case and return to the original understanding of the Establishment Clause.  
Copies of the briefs can be read here:

[TetraTech](#)

[City of Bloomfield](#)

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