

Wisconsin Institute for Law & Liberty: Wisconsin Supreme Court agrees to hear WILL case against State Superintendent Evers

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Statement from WILL President and General Counsel, Rick Esenberg
Milwaukee, WI – Today, the Wisconsin Supreme Court of Wisconsin has agreed to hear oral arguments in *Koschkee v. Evers*, WILL's case about whether the State Superintendent of Public Instruction violated state law when he ignored the REINS Act, a newly enacted law meant to curb the power of state agencies. A date for the hearing will be decided later.

A statement by WILL President Rick Esenberg:

"We are thrilled that the State Supreme Court has agreed to hear our case. The legislature passed the REINS Act to increase oversight of all state agencies, including the DPI. Regulations from DPI impact every school, teacher, and student. State Superintendent Tony Evers has blatantly violated state law and ought to be held accountable for his actions."

In 2017, the state legislature passed the [REINS Act](#), which gave the state legislature more oversight over regulations promulgated by agencies. Among other things, the REINS Act requires statements of scope for proposed rules to be submitted to the State Department of Administration for an analysis of whether the agency has authority to promulgate the proposed rule. It also requires the governor to approve or reject statements of scope.

Evers has not followed the law and is incorrectly relying on a prior state Supreme Court case, *Coyne v. Walker*. On November 20, 2017, WILL, on behalf of several taxpayers, asked the State Supreme Court to hear the case.