

GOP lawmakers ask Supreme Court to restore 15 appointments

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After an appeals court earlier this week shot down their request, GOP lawmakers asked the state Supreme Court to restore 15 appointments Gov. Tony Evers rescinded following a lawsuit over the December lame-duck session.

Wednesday's filing urged the court to immediately restore the 15 appointments. Or — at worst — issue an order by week's end so the 15 can return to their previous posts by Monday.

Instead, the justices today set a Monday deadline for responses to the request. The court also set a Tuesday deadline for responses to a second request in the GOP's filing, this one for the justices to take original jurisdiction on the merits of the case.

To justify their request for an immediate order restoring the appointments, GOP lawmakers accused Evers of “shocking actions” to “throw these public servants out of their jobs and try to keep it that way.”

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A Dane County judge on March 21 overturned actions taken in the December extraordinary session. The following day, Evers rescinded 82 appointments as GOP lawmakers asked the 3rd District Court of Appeals to stay the Dane County ruling.

The new filing charges Evers “pleaded with the court” for time to respond to the request and then “within minutes” of being given the weekend to do so, nixed the appointments without informing the courts of “his true designs.”

Evers later re-appointed 67 of the people he had stripped of their posts.

“That the Governor acted just minutes after the Court of Appeals gave him the

weekend to respond is the strongest possible evidence of the character of his conduct,” the filing reads.

The filing is the latest twist in the two lawsuits that resulted in Dane County judges issuing separate rulings overturning actions Republicans took during the lame-duck session.

The 3rd District Court of Appeals has stayed one ruling that overturned everything lawmakers did. But this week, it rejected a request from GOP lawmakers to restore the 15 appointments. The court ruled the Legislature had failed to show any authority for an appellate court to overturn an action taken while an injunction was in place.

That ruling didn't address the merits of the appeal of the Dane County judge's ruling, and the latest filing asks the Supreme Court to take on that aspect of the case without further proceedings by the lower courts.

The League of Women Voters, which filed the suit, has also asked the state Supreme Court to take the case directly.

Evers during a Capitol press conference said he was taking the “high road” in his confrontation with GOP legislative leaders over the appointments.

Evers said he was simply “following the lead of the people that are making these decisions” in the judicial system.

“I think that's the high road in my opinion,” he said.

See the court's order:

<https://www.wispolitics.com/wp-content/uploads/2019/04/190410Order.pdf>

Read the filing:

<https://www.wispolitics.com/wp-content/uploads/2019/04/190410Motion.pdf>