

# **WILL: President Rick Esenberg on supreme court decision in Zignego v. WEC**

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The News: The Wisconsin Supreme Court issued a [5-2 decision](#), Friday, that the Wisconsin Elections Commission (WEC) does not have a duty to remove voters from the rolls who have been flagged as having moved from their voting address. The Wisconsin Institute for Law & Liberty (WILL) sued WEC in November 2019 on behalf of three Wisconsin voters.

Quote: WILL President and General Counsel, Rick Esenberg, said, “This is a disappointing setback for those who expect Wisconsin state agencies to follow the law. The Court held today that the legislature created a duty and failed to provide an effective way for that duty to be carried out or enforced by voters. We respectfully disagree. It is now up to the legislature to fix the law. WILL remains committed to the rule of law and to a reasonable set of election rules that acknowledges that the right to vote involves both convenience and assurances of accuracy and integrity.”

Background: WILL [sued](#) the Wisconsin Elections Commission, on behalf of three Wisconsin voters, because the state agency made a decision in 2019 to leave old and outdated voter registrations on the voter rolls for 12 to 24 months. At a hearing on December 13, 2019 Ozaukee County Circuit Court Judge, Paul Malloy, ordered the Wisconsin Elections Commission to immediately comply with state law – cleaning up the voter rolls and removing registrations from outdated addresses. After a petition to bypass to the Supreme Court resulted in a 3-3 tie (Justice Kelly recused), the Court of Appeals issued a stay on Judge Malloy’s decision on January 14, 2020 and overturned and remanded the decision on February 28.

The Wisconsin Supreme Court agreed to hear the case in June 2020 and WILL President and General Counsel, Rick Esenberg, participated in oral arguments in September.

Read More:

- [Wisconsin Supreme Court Decision in Zignego v. WEC](#), April 9, 2021
- [Petition for Review to the Wisconsin Supreme Court](#), March 11, 2020
- [What You Need to Know: WILL's Lawsuit Against the Wisconsin Elections Commission](#), January 7, 2020
- [WILL's complaint](#), November 12, 2019