

WILL: Wisconsin Supreme Court adopts criteria for redistricting

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Court will adopt maps without considering partisanship, will seek “least changes”
The News: The Wisconsin Supreme Court issued an [opinion](#) in [Johnson v. WEC](#), a Wisconsin Institute for Law & Liberty (WILL) redistricting case, that adopts criteria for the redistricting process. The decision from the Wisconsin Supreme Court adopts WILL’s proposal that the Court not consider political partisanship when approving new legislative districts, and will seek to make the “least changes” from the current maps. The Quote: WILL Deputy Counsel, Anthony LoCoco, said, “Today’s decision recognizes the proper role of the judiciary in the redistricting process. As the United States Supreme Court has recognized, there is no legal standard by which a court could determine what projected political outcome is “fair.” We are pleased that the Court agreed with our arguments that political partisanship is not an appropriate factor to consider when redrawing district maps and that it should follow a least-changes approach in accomplishing its task.”

Background: WILL filed an [original action](#) to the Wisconsin Supreme Court on August 23, 2021 urging the court to accept jurisdiction and declare the current state legislative and congressional districts unconstitutional. A majority on the Wisconsin Supreme Court [agreed](#) to take WILL’s original action and accept jurisdiction over Wisconsin’s redistricting process on September 22, 2021.

In November, the legislature voted to approve maps and sent them to Governor Evers. But Evers, unsurprisingly, quickly vetoed the maps. This moved the process to the Wisconsin Supreme Court where the court had to establish criteria for adopting new maps.

WILL made arguments that the Court should not consider political partisanship and should make the “least changes” when adopting new maps. In the split [decision](#) issued Tuesday, a majority on the Court agreed with WILL.

What Happens Next? The parties will provide proposed maps for the Court to consider. The Court has stated it may schedule a hearing for January 2022.

Read More:

- [Supreme Court Decision](#), November 30, 2021
- [Wisconsin Supreme Court Order Granting Original Action](#), September 22, 2021
- [Petition for Original Action](#), August 23, 2021