

WILL: Wisconsin Supreme Court takes redistricting case

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The News: The Wisconsin Supreme Court [agreed](#) to take an [original action](#) filed by the Wisconsin Institute for Law & Liberty (WILL) that would allow the court to take jurisdiction of the redistricting process in the event the legislature and governor cannot agree on new state legislative and congressional maps. WILL represents four Wisconsin voters who live in legislative districts that, as a result of the 2020 Census, now have their vote unconstitutionally diluted.

The Quote: WILL President and General Counsel, Rick Esenberg, said, "Adopting new state legislative and congressional maps is a state responsibility. We are pleased the Wisconsin Supreme Court reaffirmed this longstanding principle and accepted jurisdiction in the event the courts have to act."

Background: The Wisconsin Constitution guarantees that every voter is entitled to equal representation summarized in the principle of 'one person, one vote.' But the results of the 2020 Census reveal that population increases and decreases in Wisconsin have rendered Wisconsin's legislative maps unconstitutional. Voters who currently reside in districts that have seen population increases now have their votes diluted, potentially violating their constitutional rights.

The state legislature and the governor are tasked with approving new legislative maps. The expectation is divided government will result in an impasse that will require a judicial plan for apportionment.

Federal litigation is already underway. But both the United States Supreme Court and the Wisconsin Supreme Court have made clear that reapportionment is primarily a responsibility of the state legislature and state courts.

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 in the event the legislature and the governor cannot agree on

new congressional and state legislative maps.

Read More:

- [Wisconsin Supreme Court Order](#), September 22, 2021
- [Petition to the Supreme Court of Wisconsin to Take Jurisdiction of an Original Action](#), August 23, 2021
- [Memorandum in Support of Petition for Original Action](#), August 23, 2021