

Wisconsin Freedom of Information Council: Statement regarding the Wisconsin Supreme Court's ruling in Friends of Frame Park v. City of Waukesha

Posted on Wednesday, Jul 6, 2022

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The Wisconsin Supreme Court's [ruling](#) today in Friends of Frame Park vs. City of Waukesha is a body blow to the state's traditions of open government. It undermines the provision in the open records law that allows litigants to recover actual costs and attorney's fees in cases in which access to records is wrongfully denied. The court's conservative majority has created new opportunities for authorities to deprive the public of access to public information.

Indeed, as Justice Karofsky writes in dissent, the ruling may actually "disincentivize government actors from making timely disclosures, eviscerating the very purpose of the public records laws." The Open Records Law states that state and local authorities in Wisconsin must provide requested records "as soon as practicable and without delay." The new standard created by this decision is "whenever you feel like it, even after you have been sued for not complying."

We hope that the governor and Legislature will look for ways to minimize the potential damage caused by this decision.