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**Wisconsin Supreme Court passes on early redistricting request**

*By WisPolitics.com*

The once-every-decade process of redistricting is getting a slow start this year because of Census delays.

And the state’s highest court is signaling that conservatives shouldn’t depend upon a fast-track legal remedy.

On May 14, the Wisconsin Supreme Court declined to create a rules process to ensure redistricting lawsuits go straight to the justices for consideration.

But the court also made clear it wasn’t ruling out taking original jurisdiction over a future redistricting controversy.

The conservative Wisconsin Institute for Law & Liberty and former GOP Assembly Speaker Scott Jensen last year asked the court to adopt procedures that would ensure redistricting lawsuits end up before the state Supreme Court and not the federal courts, which drew the lines in 2002.

A dozen years ago, the court considered but ultimately decided against creating a process to specifically handle redistricting suits.

In the ruling, the court found the process WILL and Jensen proposed was unlikely to aid the justices if a redistricting case was filed with the court. But it noted the denial of the rules petition shouldn’t be read as an indication of how the court might respond if asked to take original jurisdiction in a redistricting suit or to review a lower court’s ruling in such a case.

It’s expected that drawing Wisconsin’s new political boundaries will end up in court with a GOP-controlled Legislature and Democratic Gov. Tony Evers unlikely to reach an agreement on a new map.

“It remains well-settled that redistricting challenges often merit this court’s exercise of its original jurisdiction,” the court wrote.

The rules petition laid out a road map of how to handle redistricting suits. For example, it called for the governor, the Senate, the Assembly, and the political parties to be “granted intervention as of right.” Also, if a petition for original action were filed before the Legislature had adopted a new map, the court would be able to stay all or part of the action until lawmakers approved a plan.

Numbers to draw the maps aren’t expected to be released until late September.

Doug Poland of Law Forward, a progressive law firm that opposed the rules petition, hailed the court for rejecting the proposal.

“In doing so, the Court further distanced itself from the practice — too often used by political actors of late — of treating the Wisconsin Supreme Court as a court of first resort, rather than its intended function as a court of last resort,” Poland said.

WILL’s Rick Esenberg said the rules petition was filed because prior remarks from the court suggested it would be helpful in assessing redistricting cases.

“The Court has determined the proposed rule is not needed, but has made clear that rejection of the rule does not mean the Court will reject its jurisdictional role with respect to redistricting,” said Esenberg, the group’s president and general counsel.

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