

# SUPREME COURT OF WISCONSIN

No. 02-03

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In the matter of the adoption of procedures for  
original action cases involving state  
legislative redistricting

**FILED**

**JAN 30, 2009**

David R. Schanker  
Clerk of Supreme Court  
Madison, WI

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On November 25, 2003, this court appointed a committee to review the opinion in Case No. 02-0057-OA, Jensen v. Wisconsin Elections Bd., 2002 WI 13, 249 Wis. 2d 706, 639 N.W.2d 537. The court directed that committee to review Wisconsin state legislative redistricting history, redistricting rules and procedures in other jurisdictions, and to propose procedural rules in the event that due to legislative impasse, an original action challenging existing districts would be filed and accepted.

The committee filed its initial report with the court in September 2007. The court received comments from interested persons. On April 8, 2008, the court held an open administrative conference to discuss the report and comments received. It requested the committee to prepare a supplemental memorandum, which the committee filed on September 12, 2008. The court invited comments and scheduled two open administrative conferences to discuss the matter further. The conferences were set for January 22, 2009, and February 20, 2009.

At the January 22, 2009, open administrative conference, the court discussed the committee's report, supplemental memorandum, and comments it received. The majority of the court voted in favor of a motion not to invoke the court's rule-making authority and not to entertain a rules petition from the committee for the adoption of procedures in the event an action is filed in a state court involving state legislative redistricting.<sup>1</sup> The entire court expressed its appreciation and thanked the committee for its work over the years. The court discharged the committee of further duties in this matter. Therefore,

IT IS ORDERED the matter of the adoption of procedures for original action cases involving state legislative redistricting is hereby dismissed. No further action will be taken.

IT IS FURTHER ORDERED that the open administrative conference scheduled for February 20, 2009, to discuss this matter is hereby cancelled.

Dated at Madison, Wisconsin, this 30th day of January, 2009.

BY THE COURT:

David R. Schanker  
Clerk of Supreme Court

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<sup>1</sup> Chief Justice Abrahamson, Justice Bradley, and Justice Crooks dissented.

