



November 23, 2020

Wisconsin State Supreme Court  
Clerk of the Supreme Court  
P.O. Box 1688  
Madison, WI 53701

To: the Members of the Wisconsin State Supreme Court  
Re: Petition for Proposed Rule to Amend Wis. Stat. § 809.70 (Relating To Original Actions).  
Petition from Scott Jensen And Wisconsin Institute for Law & Liberty

Honorable Justices of the Supreme Court:

On behalf of Wisconsin Faith Voices for Justice, I am writing in opposition to the petition for a proposed rule to encourage any lawsuit about future maps to go straight to the State Supreme Court, even before an impasse has been reached among the political branches.

As people of faith, the members of Wisconsin Faith Voices for Justice believe in a just and equitable system for adjudicating legal disputes, one which takes into account the needs and the will of the electorate, not just that of political parties. The proposed rule would do the exact opposite, favoring partisan politics over community and individual interests.

Specifically, we object to the proposed rule on the following grounds:

1. The proposal would bypass the usual route of lawsuits making their way through lower courts, a route which allows for robust discovery, review of the issues, and transparency in the process. Justice cannot be rushed, and fair, representative maps are a cornerstone of our representative democracy.
2. The rule would restrict intervention as of right only to partisan political parties and their representatives, potentially excluding the important voices of advocacy organizations, community groups, and individuals from any suit. This is contrary to previous practice and undermines the principles of fairness and equity that should govern the redistricting process.
3. The proposed rule undermines public trust in the Court and in the redistricting process itself. In bypassing public input, short-circuiting the usual process, and listening only to partisan voices, the Court risks being perceived as a partisan body that favors party over the voices of the community. The Court has traditionally held such political disputes at

arm's length to maintain its neutral posture. It should only weigh in here when there is truly a particular dispute and the legislative and executive branches have failed to resolve the dispute.

Wisconsin Faith Voices for Justice therefore urges the Court to deny this petition and refuse to subvert the normal process of review which allows for a thorough consideration of the issues, inclusion of all voices, and transparency for the public.

Respectfully submitted,  
Rabbi Bonnie Margulis  
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