



INSTITUTE FOR
REFORMING GOVERNMENT

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FIVE WISCONSIN SUPREME COURT DECISIONS THAT COULD AFFECT YOU

Major Decisions Are Slowly Landing at the SCOWIS End of Term

Delafield, Wis. – Over the last several weeks, the Wisconsin Supreme Court (SCOWIS) has released a series of decisions that will affect property owners, employers, taxpayers, landlords, colleges, and state government.

While the term has ended, the Court is not exactly sprinting to the finish line. Opinions continue to trickle out into July, and several decisions remain pending. That timing matters. When the state's highest court waits until the final days of the term—or pushes public release beyond the ordinary end-of-term window—policymakers, litigants, journalists, and the public have less time to understand what the Court is doing and why it matters.

Our legal team has read every opinion and distilled each into a short, plain-English primer.

AT A GLANCE

- ✓ Legislature wins authority over COVID liability protections
- ✓ Property-owner liability expands
- ✓ Consumer Act interpretation narrowed
- ✓ Race-based grant program struck down
- ✓ Tribal sovereign immunity broadened

THE QUOTE

“When the state's highest court releases its most consequential rulings in the final days of the term, the people who actually live under them—taxpayers, employers, lawmakers, litigants—get the least time to understand them,” said **Jake Curtis, IRG General Counsel and Director of the Center for Investigative Oversight (CIO)**. “Court Watch exists to close that gap.”

Five Decisions Worth Knowing

COVID Liability Stands - [*Wren v. Columbia St. Mary's Hospital Milwaukee, Inc.*](#)

Who it affects: Health care providers and the Legislature

The Court unanimously upheld Wisconsin's COVID-era liability protections against a jury trial challenge, reaffirming that lawmakers—not courts—decide when lawsuits may be brought. Other constitutional challenges to the statute continue on remand.

Read the 2-minute primer → [*Unanimous Court Affirms Legislative Power to Reform Civil Liability*](#)

Property Owner Liability Expands - [*Estate of Lorbiecki v. Pabst Brewing Co.*](#)

Who it affects: Businesses and property owners

A divided Court broadened when property owners can be sued under Wisconsin's Safe Place Statute.

Read more → [*Wisconsin Supreme Court Turns Safe-Place Statute into Strict Liability for Property*](#)

Consumer Act Gets Limits - [*Koble Investments v. Marquardt*](#)

Who it affects: Landlords and tenants

The Court unanimously rejected an attempt to stretch Wisconsin's Consumer Act into ordinary residential leases.

Read more → [*Reading the Law as Written: A Unanimous Court Reins in the Consumer Act*](#)

Race-Based Grants Struck Down - [*Konkanok Rabiebnia v. Higher Educational Aids Board*](#)

Who it affects: Colleges, taxpayers, and state agencies

A unanimous Court struck down Wisconsin's race-based college grant program as violating the Equal Protection Clause, though on a divided (4-3) rationale.

Read more → [*Equal Protection Means What It Says: The Court Strikes Down Wisconsin's Race-Based College Grants*](#)

 Tribal Immunity Expanded - [*Legend Lake Property Owners Ass'n v. Keshena*](#)

Who it affects: Property owners and tribal governments

A divided Court held tribal sovereign immunity blocked enforcement of certain private property covenants.

Read more → [*A Question It Did Not Need to Answer: A Divided Court Expands Tribal Immunity*](#)

WHAT THIS MEANS FOR WISCONSIN

These aren't technical legal disputes. They shape who can sue, how government exercises power, what constitutional protections mean, and how laws will be interpreted for years to come.

Whether you're a taxpayer, employer, property owner, legislator, or simply someone who wants to understand how Wisconsin is governed, these decisions matter.

IRG Court Watch will continue tracking the remaining pending opinions, including major cases involving legislative authority, election administration, public records, and administrative power.

Visit IRG Court Watch:

[**IRGCourtWatch.org**](http://IRGCourtWatch.org)



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