



INSTITUTE FOR
REFORMING GOVERNMENT

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IRG

COURTWATCH

DECISIONS THAT MATTER

A WISCONSIN SUPREME COURT SCORECARD (2025 TERM)



ABOUT THE INSTITUTE FOR REFORMING GOVERNMENT'S COURT WATCH INITIATIVE

The Institute for Reforming Government, along with its partner organization IRG Action Fund, is focused on developing free-market and limited-government reforms, taking action on them, and getting results for Wisconsin. Founded in 2018, IRG has quickly grown into one of the state's largest think tanks, boasting an elite policy team with decades of experience in state and federal government, trade associations, and statewide campaigns. Most importantly, IRG gets results for the conservative movement in Wisconsin.



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EXECUTIVE SUMMARY

The Wisconsin Supreme Court decides many of the most important questions in state government: Can the Governor rewrite laws through his veto of individual digits in a budget bill? Can a state agency issue binding rules without going through the legislature? How broad are our rights to free speech or religious liberty, to carry firearms or go hunting? These are not just legal technicalities—they determine who actually runs Wisconsin.

Until now, Wisconsin residents have had no systematic, transparent framework for evaluating how the state's justices reason and rule on the cases that matter most. This IRG Court Watch Judicial Scorecard ("Scorecard") changes that.

A PERFORMANCE REVIEW

Think of this Scorecard as a performance review. Half of a justice's score is based on scoring **all seven justices across 25 cases from the 2025 term on five criteria**: Do they follow established precedent, or reverse it when court membership changes? Do they respect the constitutional boundary between the legislature, governor, and courts? Do they start with what the law actually says? Do they decide only what the case requires? And do they protect constitutional rights as written—without inventing new ones? The other half of a score is based on key cases IRG identified as critical from the past term, assessing whether a particular justice "voted" consistent with what IRG considers core jurisprudential principles, e.g. originalism, textualism, and a healthy respect for separation of powers.

A perfect score means the justice reasoned exactly as the methodology demands—grounding every conclusion in constitutional text, respecting precedent and institutional boundaries, observing their judicial role, and protecting fundamental individual liberties.

WHAT WE FOUND

Justice Rebecca Grassl Bradley earned **96.40/100**—the highest overall score, with a perfect record in the term’s most critical cases. Chief Justice Annette Ziegler earned **95.30/100**. Justice Brian Hagedorn earned **84.85/100**—strong analytical work overall, with two misalignments in major constitutional decisions. The remaining four justices earned the following scores: Protasiewicz **61.70**, Dallet **60.80**, Karofsky **59.60**, and Ann Walsh Bradley **50.45**.

The headline finding is straightforward: in the cases that mattered most, the differing philosophies and values of the justices came to the fore. In the ten most consequential decisions of the term—involving gubernatorial veto power, legislative oversight, religious liberty, and the continued effect of a century-old abortion statute—the three conservative justices sided with the constitutionally sound position in 80–100% of cases. The four progressive justices did so only 40% of the time. **This 40-point gap in the highest-stakes decisions drove the spread in the final evaluation.**

In rare instances, the 2024–2025 term showed the Court at its best: four of those ten critical cases were decided unanimously, with all seven justices agreeing on the constitutionally correct result. That matters. The Court is not simply divided by politics on every question—but when the cases are close and the constitutional stakes are high, the division is consistent and sharp. **The justices tend to vote in two separate and predictable blocs.**

Wisconsinites should know more about their state’s highest court—our hope is that by studying the key findings, full results, case analyses, and individual justice profiles that follow, they will find an accessible, informative tool to better engage as citizens around these important issues.

KEY FINDINGS

- **Methodology scores were relatively close across the court.**
Methodology scores ranged from **92.8/100** (Rebecca Bradley) to **78.9/100** (Ann Walsh Bradley), indicating broadly comparable levels of legal craft in written opinions but clear distinctions in their respective constitutional approaches.
- **The largest divide occurred in the term's most consequential cases.**
The three conservative justices aligned with IRG's constitutional position in 80–100 percent of critical cases, while the four progressive justices aligned in 40 percent.
- **Unanimous decisions show the court can reach broad agreement.**
Four of the ten critical cases were decided unanimously.
- **Separation-of-powers disputes dominated the term.**
Several critical cases involved conflicts between the legislature, executive branch, and administrative agencies.
- **Interpretive methodology remains a central divide.**
Disagreements about textualism, precedent, and statutory interpretation shaped several of the term's most important decisions.

It's important to keep this fact in mind: the Wisconsin Supreme Court plays a central role in shaping the state's constitutional framework. The Court's decisions don't exist in a vacuum: they influence election administration, the balance of power between branches of government, the scope of administrative authority, the protection of individual rights, and other issues that directly impact you, the Wisconsinite.

This scorecard was developed to provide a structured and transparent framework for evaluating how Wisconsin Supreme Court justices approach these responsibilities. The scorecard evaluates both the reasoning reflected in judicial opinions and the outcomes of the most consequential cases decided by the Court.

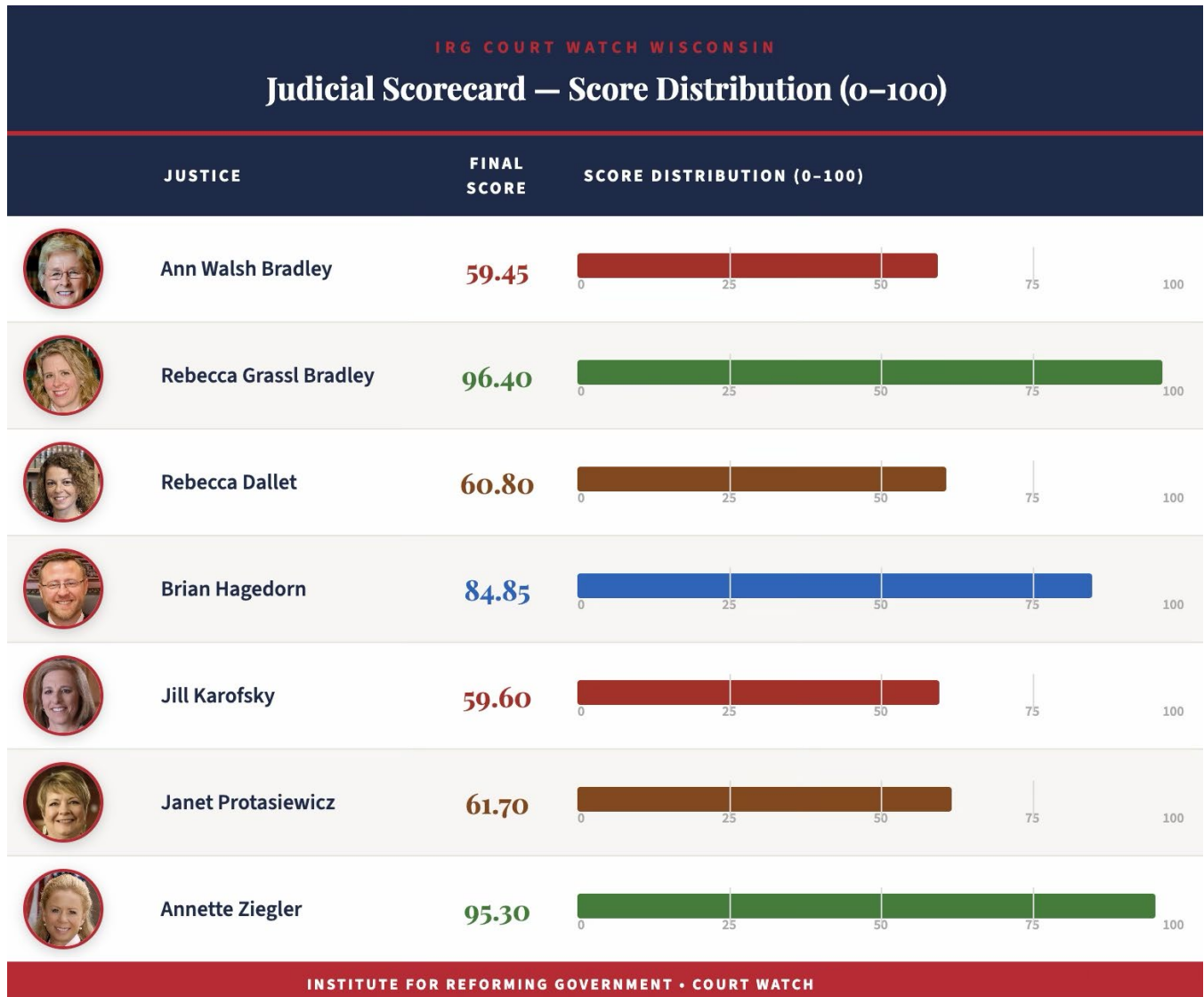
The scorecard evaluates Wisconsin Supreme Court justices using a two-component scoring system designed to measure both judicial reasoning and decision-making in the most consequential cases of the term.

This report evaluates 25 Wisconsin Supreme Court decisions from the 2025 term, covering disputes involving election administration, administrative law, separation of powers, criminal procedure, and statutory interpretation.

INTRODUCTION

The Wisconsin Supreme Court is the court of last resort for questions of state law. Its decisions shape the balance of power between the branches of government, the interpretation of statutes enacted by the legislature, and the protection of individual rights guaranteed by the Wisconsin Constitution. In recent years, it has been called on to resolve some of the most consequential constitutional disputes in the state’s history—cases involving gubernatorial veto authority, legislative oversight of administrative agencies, religious liberty, and the scope of statutory rights.

This report presents the results of the first comprehensive evaluation of the 2024–2025 term, covering 25 decisions across administrative law, separation of powers, election administration, criminal procedure, and statutory interpretation.



The scorecard evaluates Wisconsin Supreme Court justices using a two-component scoring system designed to measure both **judicial reasoning** and **decision-making in the most consequential cases of the term**.

The first component—the **IRG 5-Metric Methodology Score**—evaluates the reasoning used in written opinions across five dimensions of constitutional adjudication.

1. **Adhering to precedent (stare decisis),**
2. **Respecting constitutional boundaries and horizontal separation of powers,**
3. **Applying textualism and originalism,**
4. **Observing the judicial role, and**
5. **Protection of individual liberty.**

These metrics focus on *how* justices reason through legal questions rather than simply the outcomes they reach.

The second component—the **Critical Cases Score**—evaluates how each justice voted in the ten most consequential decisions of the term. These cases were selected based on their significance to the structure of Wisconsin government, the interpretation of major statutes, and the protection of constitutional rights.

Each justice received one point for voting in alignment with IRG’s identified constitutional position in each of these cases, producing a score from 0 to 100 percent.

The **final score** for each justice is the simple average of these two components.

COMPONENT 1 5-METRIC METHODOLOGY SCORE	COMPONENT 2 CRITICAL CASES SCORE
<p>50% Weight</p> <p>Weighted average of all 5 categories across 25 evaluated cases</p>	<p>50% Weight</p> <p>Binary alignment on 10 critical cases (10 pts per aligned case)</p>
<ul style="list-style-type: none"> • Metric 1: Precedent (25%) • Metric 2: Sep. of Powers (25%) • Metric 3: Textualism (20%) • Metric 4: Restraint (15%) • Metric 5: Liberty (15%) 	<p>10 cases across 5 issue areas:</p> <ul style="list-style-type: none"> • Election Administration (2 cases) • Religious Liberty (1 case) • Collective Bargaining / Act 10 (1 case) • Bureaucracy / Administrative Law (3 cases) • Abortion (1 case) Gubernatorial Veto (2 cases)

MATHEMATICAL SCORE CALCULATION IN A NUTSHELL

$$\text{Final Score} = (\text{5-Metric Methodology Score} + \text{Critical Case Score}) \div 2$$

INTERPRETING THE RESULTS

The results reveal two distinct patterns in the court’s decision-making during the 2025 term.

First, the justices’ **5-Metric Methodology Scores** were *relatively* close. The highest methodology score was 92.8/100 and the lowest was 78.9/100—a spread of fewer than 14 points. This suggests that across the full body of opinions issued during the term, the justices generally demonstrate comparable levels of legal craft in written analysis—but this metric alone fails to capture their fundamental disagreements on constitutional interpretation.

Second, the largest divergence emerged in the **term’s most consequential cases**. The ten critical cases included disputes involving legislative oversight of administrative rulemaking, gubernatorial veto authority, election administration, abortion regulation, religious liberty, and public-sector collective bargaining.

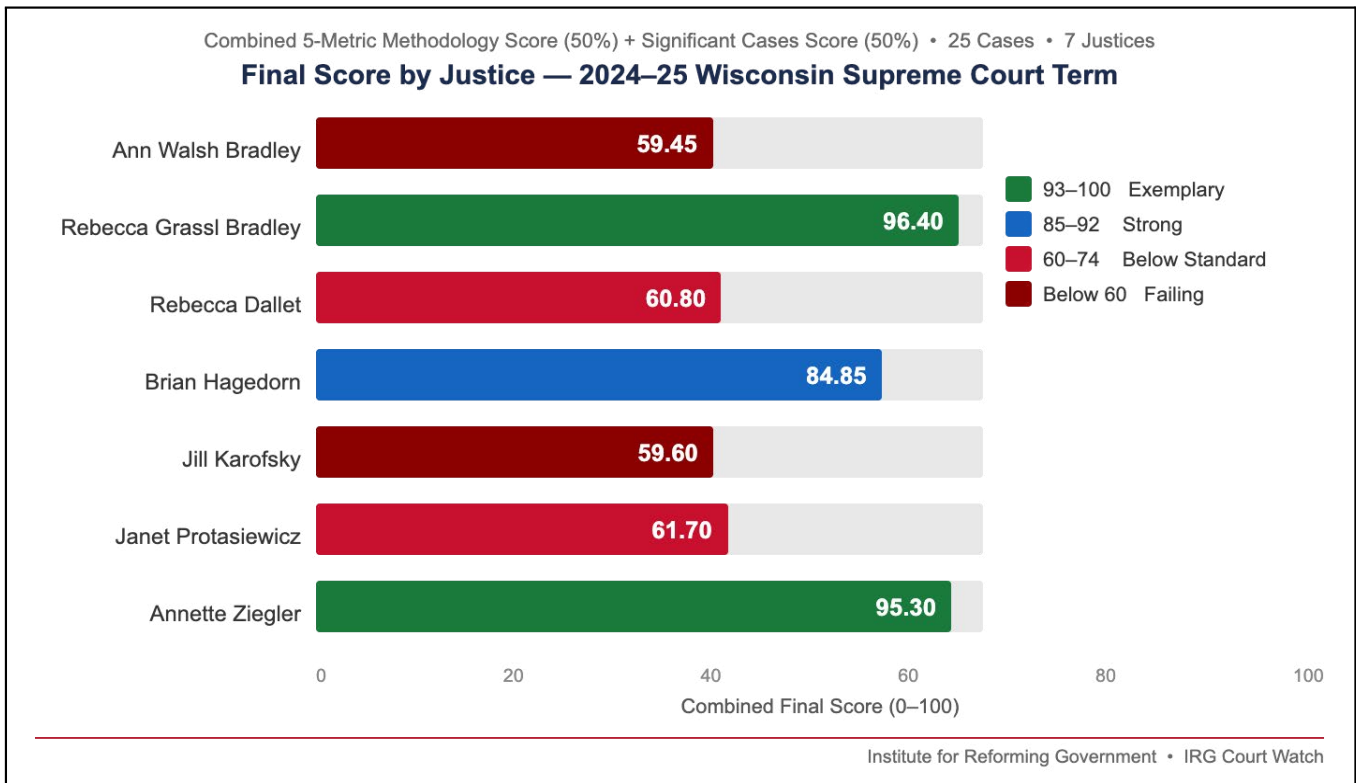
In these cases, the three conservative justices—Rebecca Grassl Bradley, Annette Ziegler, and Brian Hagedorn—aligned with IRG’s identified constitutional position in 80–100 percent of decisions, while the four progressive justices aligned in 40 percent of those cases.

This divergence produced a much wider spread in final scores—nearly 37 points between the highest- and lowest-ranked justices.

COMPARATIVE SCORECARD SUMMARY

Justice	5-Metric Score	Critical Cases	Final Score (%)
Ann Walsh Bradley	78.90	40	59.45
Rebecca Grassl Bradley	92.80	100	96.40
Rebecca Dallet	81.60	40	60.80
Brian Hagedorn	89.70	80	84.85
Jill Karofsky	79.20	40	59.60
Janet Protasiewicz	83.40	40	61.70
Annette Ziegler	90.60	100	95.30

This table presents each justice’s overall results for the 2024–2025 term: final scorecard grade, combining the 5-Metric Methodology Score (50%) and Critical Cases Score (50%). Final Score = (5-Metric Score + Critical Cases %) ÷ 2



SCORECARD SNAPSHOT

The chart above illustrates the central pattern in the scorecard results: methodology scores are relatively close, while voting in the most consequential cases produces the largest divide among the justices.

First, the justices’ **methodology scores were relatively close**, indicating broadly similar levels of legal craft in written opinions. Second, the court showed **much greater divergence in the most consequential cases of the term**, where decisions affecting the structure of state government and the interpretation of major statutes produced clear voting differences among the justices. The chart above provides a visual overview of the scorecard results.

The results reveal a clear separation between the court’s three highest-scoring justices—Rebecca Grassl Bradley, Annette Ziegler, and Brian Hagedorn—and the remaining four justices. Taken together, these results illustrate an important dynamic on the Wisconsin Supreme Court. Differences in methodological reasoning are relatively modest, but voting patterns in the court’s most consequential cases produce a much clearer divide.

THE STORY OF THE 2025 TERM

The 2025 term of the Wisconsin Supreme Court revealed a court that is both capable of consensus and sharply divided on some of the most consequential legal questions facing the state. While many cases were resolved unanimously or with limited disagreement, the most significant constitutional disputes exposed clear differences in judicial philosophy and interpretation among the justices.

Several themes emerged across the court's decisions during the term, particularly in cases involving the separation of powers between branches of government, the interpretation of statutory authority granted to administrative agencies, and the role of courts in resolving politically charged disputes.

These decisions illustrate the evolving dynamics of a court operating in an environment where legal disputes increasingly intersect with major public policy questions.

THE UNANIMITY PROOF

Despite public attention often focusing on the court's most controversial decisions, the Wisconsin Supreme Court continued to resolve a significant number of cases unanimously during the 2024–2025 term. Several of the decisions included in the critical cases category were decided without dissent, demonstrating that the justices frequently reach agreement when applying established precedent or interpreting statutes with clear legislative direction.

These unanimous decisions highlight an important reality about appellate courts: many disputes involve technical questions of law where the governing legal framework is relatively settled. In such cases, the justices' interpretive methodologies often lead to similar conclusions.

The presence of unanimous decisions also demonstrates that ideological differences do not dictate outcomes in every case. When precedent is clear and statutory text is straightforward, the justices often converge on the same result. Even in these cases, however, sometimes separate writings (concurrences) from different justices still show a lack of total agreement on the reasoning or judicial tools used to reach this result.

SEPARATION OF POWERS BATTLES

The most consequential cases of the term frequently involved disputes over the balance of authority between Wisconsin's legislative and executive branches.

Several cases examined the scope of legislative oversight of administrative rulemaking and the limits of authority delegated to executive branch agencies. Others addressed the governor's veto power and the extent to which executive actions must conform to statutory constraints enacted by the legislature.

These disputes reflect broader tensions within Wisconsin's constitutional structure. As administrative agencies exercise regulatory authority across a wide range of policy areas, questions about the proper limits of that authority increasingly reach the courts.

The Wisconsin Supreme Court's decisions in these cases therefore play a critical role in defining how power is allocated among elected lawmakers, executive officials, and the administrative state.

PRECEDENT UNDER PRESSURE

Another recurring theme during the term involved debates over the role of precedent in judicial decision-making.

Several cases raised questions about whether longstanding interpretations of Wisconsin statutes or constitutional provisions should continue to govern the court's analysis. In these disputes, the justices sometimes disagreed not only about the proper outcome of a case, but also about how much weight should be given to prior decisions.

For some justices, adherence to precedent serves as a central safeguard of stability and predictability in the law. Others have expressed greater willingness to reconsider past decisions when they believe those rulings departed from the original meaning of statutory or constitutional text.

Debates over stare decisis illustrate how disagreements about judicial methodology can shape the court's decisions in ways that extend beyond the immediate dispute before it.

THE TEXTUALISM DEBATE

Questions about how courts should interpret statutes and constitutional provisions also emerged as a central feature of the 2024–2025 term.

Some opinions emphasized a textualist approach, focusing closely on the words enacted by the legislature and the original meaning of constitutional provisions. Other opinions placed greater emphasis on broader statutory purposes, legislative intent, or the practical consequences of competing interpretations.

These differing approaches to statutory interpretation can lead to markedly different outcomes, particularly in cases involving complex regulatory frameworks or statutes enacted decades earlier.

As a result, the court's debates over interpretive methodology have implications not only for the outcome of individual cases but also for how future disputes will be analyzed.

A COURT SHAPING WISCONSIN'S CONSTITUTIONAL LANDSCAPE

The decisions from the 2025 term demonstrate the Wisconsin Supreme Court's substantial influence over the state's constitutional and legal framework. Cases involving administrative authority, election administration, executive power, and statutory interpretation increasingly arrive before the court, placing the justices in the position of resolving disputes that can have significant implications for public policy and the operation of state government.

The patterns observed during the term suggest that while the court often reaches agreement on routine legal questions, deeper divisions emerge when disputes involve fundamental questions about constitutional structure and the allocation of governmental power.

WHY THESE CASES MATTER

The ten most consequential cases capture many of the most important constitutional and statutory questions before the Wisconsin Supreme Court during the 2024–2025 term. Several decisions addressed the proper balance of authority between the legislative and executive branches, while others involved election administration, religious liberty, or the interpretation of major state statutes.

Because these disputes often involve structural questions about how state government operates, the court's decisions in these cases carry implications far beyond the immediate parties involved.

The following section examines how these and other decisions illustrate broader trends in the court's jurisprudence during the term.

A note on case selection: Like legislative scorecards produced across the political spectrum—from business groups to good-government organizations—this scorecard evaluates a targeted subset of the court's decisions rather than the full docket. No legislative scorecard scores every bill before the legislature; it selects the votes that best reveal a lawmaker's governing philosophy. The same principle applies here.

Cases are identified based on their constitutional significance. The selection focuses on decisions addressing the proper allocation of authority between branches of government, the scope and limits of administrative agency power, the protection of individual rights against government overreach, and interpretive methodology questions likely to shape Wisconsin law for years to come. IRG's "call" in each case identifies which outcome best reflects these principles—limited government, individual liberty, constitutional structure, and fidelity to enacted text. The criteria are defined in advance; the call follows from the criteria.

METHODOLOGY OVERVIEW

The scorecard evaluates Wisconsin Supreme Court justices using a structured framework designed to measure both the quality of judicial reasoning and the alignment of judicial decisions in the most consequential cases of the term. The methodology combines two equally weighted components: a 5-Metric Methodology Score, which evaluates how justices reason through cases, and a Critical Cases Score, which evaluates how justices vote in the most significant decisions of the term.

5-METRIC METHODOLOGY SCORES

Adherence to Precedent (25%) — Measures whether the justice demonstrates consistent respect for established legal precedent and applies existing case law in a principled and predictable manner. A high score reflects fidelity to precedent even when the justice might disagree with a prior ruling; a low score reflects willingness to overturn precedent when the court’s composition changes rather than when the legal basis for the prior decision has been shown to be wrong.

Separation of Powers and Constitutional Boundaries (25%) — Evaluates how the justice approaches disputes involving the allocation of authority between branches of government. A high score reflects opinions that respect constitutional limits on governmental power and decline to expand agency or executive authority beyond what the text and structure of the law permit. A low score reflects opinions that defer to whichever branch advances the preferred policy result.

Textualism and Originalism (20%) — Examines whether the justice grounds statutory and constitutional interpretation in the text of the law and the original public meaning of constitutional provisions. A high score reflects consistent engagement with text, historical meaning, and the structure of the relevant provision. A low score reflects reliance on evolving social values, legislative purpose divorced from statutory text, or contemporary policy considerations as interpretive tools.

Respect for the Judicial Role (15%) — Assesses whether the justice resolves cases narrowly, avoids unnecessary constitutional rulings, and declines to issue expansive opinions that extend beyond the dispute actually presented. A high score reflects opinions that fix the specific legal problem before the court without announcing broad new rules. A low score reflects opinions that reach beyond the case to reshape entire areas of law or impose sweeping remedial frameworks, acting more like a legislator than a judge.

Protection of Individual Liberty (15%) — Evaluates how the justice addresses disputes involving constitutional rights and statutory protections affecting individual freedom. A high score reflects rigorous application of constitutional protections for speech, religion, property, and other enumerated rights against government overreach. A low score reflects treatment of enumerated rights as subordinate to regulatory convenience or as lesser in weight than unenumerated interests.

CRITICAL CASES OVERVIEW

While the Wisconsin Supreme Court issues dozens of decisions during a typical term, not all cases carry equal significance for the structure of state government or the protection of constitutional rights. Many decisions involve narrow statutory questions or fact-specific disputes that have limited impact beyond the immediate parties.

To better evaluate judicial performance in the decisions most likely to shape Wisconsin law, the IRG Court Watch Scorecard identifies a subset of “critical cases.” These cases involve issues that directly affect the balance of power between branches of government, the interpretation of major statutes, or the protection of fundamental rights.

For the 2024–2025 term, IRG identified ten critical cases that meet these criteria. The cases include disputes involving legislative oversight of administrative rulemaking, the scope of gubernatorial authority, election administration, religious liberty, abortion regulation, and the rights of public-sector employees.

THE ROLE OF CRITICAL CASES

The **Critical Case Score** component is designed to capture the real-world impact of judicial decision-making. While methodology scores evaluate the reasoning reflected in written opinions, the critical cases score focuses on how that reasoning translates into outcomes in the disputes most likely to shape Wisconsin’s constitutional framework.

Several of the cases included in the critical cases category addressed major structural questions, including the scope of legislative oversight over administrative agencies, the limits of the governor’s veto authority, and the interpretation of election laws governing the conduct of Wisconsin elections.

Together, these cases illustrate how judicial interpretation can have significant consequences for the balance of power between branches of government and the rights of Wisconsin citizens.

The following section examines these decisions by offering a summary of each case, including the primary legal issue presented, the Court’s holding, the vote split (where the opinion was not unanimous), and an indicator as to whether the majority opinion aligned with constitutional fidelity and canons of interpretation. The following table provides a quick visual summary of where the justices aligned across the ten opinions. Critical case summaries follow the critical case voting alignment table.

CRITICAL CASE VOTING ALIGNMENT

The table below summarizes each justice's alignment with the constitutionally sound position across the ten cases identified as critical to state government operations in the 2025 term. The binary alignment score accounts for 50% of each justice's combined overall average.

Justice	Votes Aligned	Total Cases	Alignment
Ann Walsh Bradley	4	10	40%
Rebecca Grassl Bradley	10	10	100%
Rebecca Dallet	4	10	40%
Brian Hagedorn	8	10	80%
Jill Karofsky	4	10	40%
Janet Protasiewicz	4	10	40%
Annette Ziegler	10	10	100%

The voting patterns in these cases illustrate the most significant divergence among the justices during the term. While the court often produced relatively similar methodology scores in written opinions, the critical cases produced clearer differences in how the justices approached major constitutional disputes.

In these cases, the court divided more sharply. The three conservative justices aligned with IRG's identified constitutional position in **80–100 percent of decisions**, while the four progressive justices aligned in **40 percent of those cases**.

It is in the term's most consequential cases that a clear and predictable split emerges. **This divergence explains the much wider spread in final scores.**

CRITICAL CASE VOTING PATTERNS

10 critical cases from 2025 term | ✓ = aligned with constitutional principles ✗ = not aligned

Case	Vote	IRG Call	R.G. Bradley	Ziegler	Hagedorn	Protasiewicz	Dallet	Karofsky	A.W. Bradley
Evers v. Marklein	5-2	Dissent	✓ Dissented	✓ Dissented	✗ Concurred in part / dissented in part	✗ Joined majority	✗ Joined majority	✗ Authored Majority	✗ Joined majority
WMC v. DNR	5-2	Dissent	✓ Dissented	✓ Dissented	✗ Concurred	✗ Authored majority	✗ Joined majority	✗ Joined majority	✗ Joined majority
Kaul v. Legislature	7-0	Majority	✓ Joined majority	✓ Joined majority	✓ Authored majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority
Kaul v. Urmanski	4-3	Dissent	✓ Dissented	✓ Dissented	✓ Dissented	✗ Joined majority	✗ Authored majority	✗ Joined majority (concurring)	✗ Joined majority
Legislature v. DPI	7-0	Majority	✓ Authored majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority
LeMieux v. Evers	4-3	Dissent	✓ Dissented	✓ Dissented	✓ Dissented	✗ Joined majority	✗ Concurred in majority	✗ Authored majority	✗ Joined majority
Brown v. WEC	4-3	Dissent	✓ Dissented	✓ Dissented	✓ Dissented	✗ Joined majority	✗ Joined majority	✗ Authored Majority	✗ Joined majority
WEC v. LeMahieu	7-0	Majority	✓ Joined majority	✓ Authored Majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority
Catholic Charities v. LIRC	4-3	Dissent	✓ Dissented	✓ Dissented	✓ Dissented	✗ Joined majority	✗ Joined majority	✗ Joined majority	✗ Authored Majority
SEIU v. WERC	7-0	Majority	✓ Concurred	✓ Joined majority	✓ Authored majority	✓ Joined majority	✓ Joined majority	✓ Joined majority	✓ Joined majority
ALIGNMENT TOTAL			10/10 100%	10/10 100%	8/10 80%	4/10 40%	4/10 40%	4/10 40%	4/10 40%

* Alignment is binary: a justice either voted with the constitutionally sound position identified through IRG's evaluation framework or did not. Concurrences that agree with the majority result count as aligned; partial concurrences / partial dissents are evaluated case-by-case.

Unanimous decisions (7-0) count as aligned for all participating justices.

SUMMARY OF CRITICAL CASES

The 10 Critical Cases below represent the most consequential constitutional and statutory legal issues of the term. Each case affected the structure of Wisconsin government, the scope of individual rights, or the balance of power between the legislature, the governor, and the courts.

Evers v. Marklein, (2025 WI 36) | **LEGISLATIVE OVERSIGHT**

Vote	Majority	Dissent
5-2	Majority: Karofsky, A.W. Bradley, Dallet, Protasiewicz, Hagedorn	Dissent: Ziegler, R.G. Bradley

The Wisconsin Legislature had long used the Joint Committee for Review of Administrative Rules (JCRAR) to pause or suspend agency rules it believed exceeded statutory authority. Gov. Evers challenged that power. In a 5-2 decision, the Court struck down JCRAR's authority to halt rulemaking, holding that committee-level vetoes of administrative rules violate the Wisconsin Constitution's bicameralism and presentment requirements. The practical consequence: **the Legislature can now only block an agency rule by passing a bill through both chambers and obtaining the Governor's signature—meaning the Governor will almost always be able to protect his own agencies' rules from legislative reversal.**

WMC v. Wisconsin Natural Resources Board, (2025 WI 26) | **LEGISLATIVE OVERSIGHT**

Vote	Majority	Dissent
5-2	Majority: Protasiewicz, Karofsky, A.W. Bradley, Dallet, Hagedorn	Dissent: Ziegler, R.G. Bradley

Wisconsin law generally requires state agencies to go through a formal rulemaking process—with public notice, comment periods, and legislative review—before imposing binding requirements on regulated parties. The DNR bypassed that process, instead issuing informal “guidance documents” that effectively created new obligations for businesses handling certain chemical contaminants (PFAS). In a 5-2 decision, the Court upheld the DNR's approach, holding that guidance documents classifying substances as hazardous do not constitute rules requiring formal promulgation. Critics argued—and the dissent agreed—that **this empowers agencies to regulate by letter and blog post, bypassing the public processes designed to constrain agency overreach.**

Kaul v. Urmanski, (2025 WI 32) | **REPRODUCTIVE HEALTH/ABORTION**

Vote	Majority	Dissent
4-3	Majority: Dallet, Protasiewicz, A.W. Bradley, Karofsky	Dissent: Hagedorn, Ziegler, R.G. Bradley

Wisconsin's 1849 statute criminalizing abortion had been on the books for 175 years. After the U.S. Supreme Court's decision in *Dobbs* eliminated the federal constitutional right to abortion, Wisconsin Attorney General Josh Kaul sued to have the 1849 law declared unenforceable. In a 4-3 decision, the Court held that decades of subsequent abortion legislation had “impliedly repealed” the 1849 statute, even though the Legislature never expressly repealed it. Courts disfavor implied repeal precisely because it allows judges to declare statutes dead without legislative action. **All three dissenters criticized the majority for applying a rarely-used doctrine to reach a predetermined policy outcome rather than allowing the elected Legislature to resolve the issue.**

***Kaul v. Wisconsin State Legislature*, (2025 WI 23) | LEGISLATIVE OVERSIGHT**

Vote	Majority	Dissent
7-0	Majority: Hagedorn (unanimous)	Dissent: None (unanimous)

State law required the DOJ to obtain approval from the Joint Finance Committee before settling civil enforcement cases. Attorney General Kaul challenged that requirement as an unconstitutional intrusion on executive power. In a unanimous 7-0 decision, the Court agreed, holding that settling civil enforcement actions is a core executive function and that legislative approval requirements for those settlements violate the separation of powers.

***Wisconsin State Legislature v. DPI*, (2025 WI 27) | GUBERNATORIAL VETO**

Vote	Majority	Dissent
7-0	Majority: R.G. Bradley (unanimous)	Dissent: None (unanimous)

Governor Evers used his partial veto authority to rewrite a non-appropriation bill related to K-12 literacy funding—a power the Wisconsin Constitution limits to appropriations bills only. In a unanimous 7-0 decision, the Court held the Governor’s veto unconstitutional, restoring the bill to its original form. The ruling was a clear win for the Legislature and a meaningful limit on creative veto uses, affirming that the **partial veto cannot be deployed to rewrite legislation that does not actually appropriate public funds.**

***LeMieux v. Evers*, (2025 WI 12) | GUBERNATORIAL VETO**

Vote	Majority	Dissent
4-3	Majority: Karofsky, A.W. Bradley, Protasiewicz, Dallet	Dissent: Hagedorn, Ziegler, R.G. Bradley

Wisconsin governors hold one of the most powerful veto pens in the country. Governor Evers used his to strike individual words and digits from the 2023-25 biennial budget, transforming a two-year education revenue increase into one that runs for 402 years. In a 4-3 decision, the Court upheld the veto. Justice Hagedorn’s dissent captured the problem: under the majority’s logic, a governor can take any appropriations bill, cross out whatever characters he chooses, and produce a completely new law the Legislature never considered or passed. The Wisconsin Constitution has already been amended twice to stop prior abuses of the partial veto; this decision signals that further constitutional amendment may be the only remedy.

***Brown v. Wisconsin Elections Commission*, (2025 WI 5) | ELECTION ADMINISTRATION**

Vote	Majority	Dissent
4-3	Majority: Karofsky, A.W. Bradley, Protasiewicz, Dallet	Dissent: Hagedorn, Ziegler, R.G. Bradley

A Wisconsin voter filed a complaint with the Wisconsin Elections Commission after the Racine City Clerk used alternate voting sites that the voter believed violated state election law. WEC dismissed the complaint. When the voter tried to appeal that dismissal in court, the question became: does a citizen have legal standing to challenge a WEC decision in court if he was not personally prevented from voting? In a 4-3 decision, the Court said no—holding that a voter lacks standing unless he suffered a direct personal injury. The dissent argued **the ruling effectively eliminates citizen enforcement of election law compliance, since general violations of election procedures rarely prevent any individual from casting a ballot.**

WEC v. LeMahieu, (2025 WI 4) | **ELECTION ADMINISTRATION**

Vote	Majority	Dissent
7-0	Majority: Ziegler (unanimous)	Dissent: None (unanimous)

The Wisconsin Elections Commission administrator Meagan Wolfe’s four-year term expired in July 2023. Three liberal commissioners refused to appoint a replacement, leaving her in a holdover capacity. Senate Republicans went to court arguing the statute required WEC to make a new appointment. In a unanimous 7-0 decision, the Court held that no vacancy existed as long as Wolfe remained in office under holdover authority, and therefore WEC had no legal duty to appoint a replacement. The case is notable as **one of the few instances this term where the progressive majority applied a precedent it had previously dissented from rather than overturning it.**

Catholic Charities Bureau v. LIRC, (2024 WI 13/U.S. Supreme Court reversal 2025) | **RELIGIOUS LIBERTY**

Vote	Majority	Dissent
4-3 (WI) / 9-0 (SCOTUS)	Majority: WI: A.W. Bradley, Protasiewicz, Karofsky, Dallet	Dissent: WI: Hagedorn, Ziegler, R.G. Bradley

The Catholic Diocese of Superior operates charitable ministries—providing housing for low-income elderly individuals, support for people with disabilities, and similar services. These ministries sought an exemption from Wisconsin’s unemployment tax available to religious organizations. In a 4-3 decision, the Wisconsin Supreme Court denied the exemption, holding that the charitable services were not “churchy” enough because secular organizations could provide the same services. The U.S. Supreme Court unanimously reversed that decision in a 2025 opinion authored by Justice Sonia Sotomayor, holding that **Wisconsin’s application of the exemption violated the First Amendment’s Religion Clauses. Justice Sotomayor’s opinion cited extensively from Justice Rebecca Grassl Bradley’s dissent at the Wisconsin Supreme Court level—an extraordinary signal of how far the majority had strayed from established constitutional doctrine.**

SEIU Healthcare Wisconsin v. WERC, (2025 WI 29) | **COLLECTIVE BARGAINING / ACT 10**

Vote	Majority	Dissent
7-0	Majority: Hagedorn (unanimous)	Dissent: None (unanimous)

The Service Employees International Union sought to require the University of Wisconsin Hospitals and Clinics Authority to engage in collective bargaining, arguing that Act 10—Governor Walker’s 2011 landmark labor reform law—did not apply to the Authority. In a unanimous 7-0 decision, **the Court upheld Act 10’s application to the Authority and ruled that collective bargaining rights there had been lawfully eliminated by the Legislature.** Though the outcome was clear, the concurring opinions revealed a sharp ongoing divide within the Court over statutory interpretation methodology—with Justice Dallet advocating for a “holistic” approach and Justice Bradley defending strict textualism as the only reliable check on judicial overreach.

INDIVIDUAL JUSTICE PROFILES



JUSTICE ANN WALSH BRADLEY

Associate Justice (until July 2025)

Cases Evaluated: 22

5-metric Score: 78.17/100

Critical Case Score: 4/10

Overall Average: 59.09/100

59.09 / 100

EVALUATION SUMMARY

Justice Ann Walsh Bradley's record is defined by a near-complete correlation between her scores and the quality of the opinions she joined — she authored no majority opinions during the evaluation period, limiting independent evidence of her analytical approach. She did not participate in two cases.

5-METRIC METHODOLOGY ANALYSIS

Justice Bradley's 78.17 Five-Metric score reflects a structural evaluation limitation as much as a performance finding: she authored no majority opinions during the evaluation period and did not write separately in the most contested cases, meaning the methodology evaluated her almost entirely on the opinions she chose to join. In Category 1 (Adherence to Precedent), her independent writing in *Hubbard v. Neuman* shows grounded analysis built on the existing doctrinal foundation, invoking the legislative presumption doctrine and tracing common law lineage through statutory codification. But in the contested core cases, her silent joinder in majority opinions that departed from established precedent produced Category 1 deductions without any independent analysis to counterbalance them. Category 3 (Textualism and Originalism), when independently demonstrated, shows economy of interpretation: in *Hubbard* she explicitly declined to interpret 'any' when the case could be resolved by interpreting 'treats' alone. Category 4 (Judicial Restraint) is among her relative strengths — in *Hubbard* she declined to define the full scope of the informed consent statute at the motion-to-dismiss stage, saving 'for another day' a more robust examination of the statute's contours. Categories 2 and 5 show her weakest scores — *Van Oudenhoven* at 35.75, *Evers v. Marklein* at 46.0 — driven by her joinder in methodologically deficient majority opinions without separate writing to demonstrate her own analysis.

PERFORMANCE ON 10 CORE CASES

Ann Walsh Bradley's 4/10 core case score reflects her membership in the 4-3 majority in each of the six contested cases, matching the alignment pattern of Protasiewicz, Dallet, and Karofsky. Her core case record has a distinctive feature: she did not write separately in any of the contested core cases, meaning the methodology evaluated her exclusively on the opinion she chose to join. In *Evers v. Marklein* and *Kaul v. Urmanski* — two of the term's most significant institutional decisions — she silently joined majority opinions that drew the most significant deductions in the evaluation period without offering any independent analysis. Her four aligned votes mirror the other majority-side justices: the three unanimous decisions and *WEC v. LeMahieu*.



JUSTICE REBECCA GRASSL BRADLEY

Associate Justice

Cases Evaluated: 25

5-metric Score: 92.78/100

Critical Case Score: 10/10

Overall Average: 96.39/100

96.39 / 100

EVALUATION SUMMARY

Justice R.G. Bradley earned the highest overall score in this evaluation, driven by uniformly rigorous dissents and concurrences rooted in textual analysis and precedent fidelity. Her textualism scores are the most consistently high of any justice, rarely dipping below 90 on the category scale. She participated in all 25 evaluated cases.

5-METRIC METHODOLOGY ANALYSIS

Bradley's 92.78 five-metric score reflects near-uniform strength across all five categories. In Category 1 (Adherence to Precedent), her opinions demonstrate painstaking engagement with Wisconsin case law — in *Brown v. WEC* she traced the majority's departure from *Teigen's* standing analysis through multiple doctrinal steps, invoking Blackstone on *stare decisis*. In Category 2 (Separation of Powers), she is the court's most vocal defender of structural constitutional limits, consistently identifying specific constitutional provisions before analyzing inter-branch disputes and refusing to expand judicial power beyond textual warrant. Category 3 (Textualism and Originalism) is her signature strength: her opinions invariably open with the text at issue, apply the whole-act rule and the presumption against surplusage, and resist legislative history when text is clear — in *Brown v. WEC* she dismantled the majority's reading of Section 5.06 term-by-term, citing Scalia and Garner. Category 4 (Judicial Restraint) scores are strong but not flawless; comprehensive dissents occasionally address issues beyond strict necessity, a methodological price she appears willing to pay to lay a thorough analytical record. Category 5 (Individual Liberty) scores rank among the highest when applicable — in *Kaul v. Urmanski* she framed the liberty question squarely around enacted text rather than unenumerated constitutional values.

PERFORMANCE ON 10 CORE CASES

Bradley's perfect 10/10 core case score is the most consequential finding in her profile. She dissented in every 4-3 split that IRG identified as methodologically deficient — *Evers v. Marklein* (bureaucratic rulemaking authority), *WMC v. DNR* (DNR guidance expansion), *Kaul v. Urmanski* (abortion statute), *LeMieux v. Evers* (gubernatorial veto), *Brown v. WEC* (election standing), and *Catholic Charities v. LIRC* (religious liberty) — and she joined the unanimous court in the four cases where the correct institutional outcome was achieved. In *Legislature v. DPI* (7-0), she authored the majority opinion striking the governor's improper partial veto. Her alignment with IRG's preferred outcomes in every core case reflects not outcome-chasing but consistent application of the same methodology that produced her leading overall score.



JUSTICE REBECCA FRANK DALLET

Associate Justice

Cases Evaluated: 25

5-metric Score: 80.82/100

Critical Case Score: 4/10

Overall Average: 60.41/100

60.41 / 100

EVALUATION SUMMARY

Justice Dallet saw the widest Category 2 variance of any justice and the lowest majority-author score in the evaluation period — 67.1 in *Kaul v. Urmanski*. She demonstrates strong scores in methodologically sound majority opinions but significant deficiencies when the majority overextends constitutional boundaries or departs from text-first statutory construction.

5-METRIC METHODOLOGY ANALYSIS

Dallet's 80.82 five-metric score reflects a split profile: capable of strong work in methodologically sound opinions, but producing the lowest majority-author score in the evaluation period when analysis departs from text-first construction. In Category 1 (Adherence to Precedent), her *Morway v. Morway* concurrence (89.11) reflects careful family law doctrine engagement that outperformed the majority she joined, but her *Kaul v. Urmanski* majority opinion drew the evaluation period's most significant Category 1 deductions for inadequately grappling with the presumption against implied repeal. Category 2 (Separation of Powers) displays the widest variance of any justice: perfect marks when joining methodologically sound analysis, severe deductions in *Evers v. Marklein* (46.0) and *Van Oudenhoven v. DOJ* (52.95) where majority opinions blurred inter-branch lines. Category 3 (Textualism and Originalism) deductions in *Kaul v. Urmanski* were consequential — Hagedorn's dissent found the majority presented 'no logical textual argument' for its implied-repeal conclusion, a characterization the evaluation largely endorsed. Category 4 (Judicial Restraint) is disciplined in routine cases but weaker in politically salient ones. Category 5 (Individual Liberty) scores adequately in criminal procedure contexts but relies on broad constitutional principles rather than specific textual provisions in contested liberty cases.

PERFORMANCE ON 10 CORE CASES

Dallet's 4/10 core case alignment matches Protasiewicz's, as both were consistently in the 4-3 majority on the contested cases. Dallet's core case record is distinguished by her role as lead majority author in *Kaul v. Urmanski* — the abortion case — which produced the lowest majority-author score in the evaluation period due to the opinion's implied-repeal analysis and its departure from text-first statutory construction. In *LeMieux v. Evers*, she concurred in the majority that upheld the governor's 402-year revenue extension, drawing deductions for insufficient textual engagement with the partial-veto provision. Her highest core case performance came in the three unanimous decisions and *WEC v. LeMahieu*, where she joined methodologically sound opinions. The gap between her 5-Metric Score (80.82) and her combined overall average (60.41) reflects the significant weight the Core Cases component places on institutional outcomes in the court's most consequential decisions.



JUSTICE BRIAN HAGEDORN

Associate Justice

Cases Evaluated: 24

5-metric Score: 89.30/100

Critical Case Score: 8/10

Overall Average: 84.85/100

84.85 / 100

EVALUATION SUMMARY

Justice Hagedorn is arguably the court's most sophisticated structural analyst, authoring the unanimous opinion in *Kaul v. Legislature* and producing several of the highest individual scores in the evaluation period. His profile is defined by exceptional written analysis when he engages at length, and significant deductions when he does not.

5-METRIC METHODOLOGY ANALYSIS

Hagedorn's 89.30 five-metric score reflects the widest performance gap between peaks and valleys of any justice. His Category 2 (Separation of Powers) analysis is the court's most sophisticated: in *Kaul v. Legislature* he mapped constitutional boundaries between branches, holding that where the constitution confers power on a particular branch 'any exercise of that power by another branch is invalid,' and precisely distinguished the legislature's power to set policy from its attempt to control litigation strategy. Category 3 (Textualism and Originalism) is thorough and sophisticated when fully engaged — his *Kaul v. Urmanski* dissent traced the ordinary meaning of 'crime' through founding-era sources and the whole-act rule, concluding: 'To state the obvious, this statute hasn't been repealed by anyone.' Category 4 (Judicial Restraint) scores are characteristically excellent; he resolves only what the case requires and explicitly declines to reach issues not presented, as in *Halter v. WIAA* where he refused to reach constitutional claims the parties had not raised. Category 1 (Adherence to Precedent) reflects textbook *stare decisis* engagement in his full-length opinions but zero analysis in abbreviated ones. His *Van Oudenhoven v. DOJ* score (45.45) from a one-sentence dissent is the single largest outlier in the evaluation and drags his overall average below his typical elite-level performance.

PERFORMANCE ON 10 CORE CASES

Hagedorn's 8/10 core case score reflects two misalignments driven by his concurrence in part and dissent in part in *Evers v. Marklein*, and his concurrence in *WMC v. DNR*. In *Evers v. Marklein*, he agreed that JCRAR possessed certain review authority while declining to join the full dissent — which the methodology treats as not aligned with the IRG preferred outcome of complete dissent. In *WMC v. DNR*, he concurred rather than dissented outright. His aligned votes include authoring the unanimous *Kaul v. Legislature* opinion, dissenting in *Kaul v. Urmanski*, *LeMieux v. Evers*, *Brown v. WEC*, and *Catholic Charities v. LIRC*, joining the unanimous *Legislature v. DPI* and *WEC v. LeMahieu*, and authoring the majority in *SEIU v. WERC*. His dissents in the four contested cases produced some of the highest individual opinion scores in this category and reflect the sophisticated structural analysis that makes Hagedorn the court's most technically precise jurist when fully engaged.



CHIEF JUSTICE JILL KAROFSKY

Chief Justice (from April 2025)

Cases Evaluated: 25

5-metric Score: 78.51/100

Critical Case Score: 4/10

Overall Average: 59.26/100

59.26 / 100

EVALUATION SUMMARY

Chief Justice Karofsky's record is defined by extreme variance: perfect scores in two unanimous cases alongside some of the lowest individual scores in the evaluation period, including the lowest individual opinion score of any justice — her concurrence in *Kaul v. Urmanski* — for its overreach beyond the case presented.

5-METRIC METHODOLOGY ANALYSIS

With a five-metric score of 78.51—the lowest in this study—Justice Karofsky displays a recurring trend where high marks in unanimous rulings are offset by substantial deductions in her independent writings. Category 3 (Textualism and Originalism) remains a consistent weakness. While her scores are bolstered when joining methodologically sound majority opinions, her independent contributions contain frequent gaps. For instance, her *Kaul v. Urmanski* concurrence was criticized by dissenters for a selective and inconsistent historical-originalist analysis of the 1849 abortion statute. Similarly, her majority opinion in *Lemieux v. Evers* prioritized structural reasoning and precedent over a rigorous engagement with the constitutional text regarding gubernatorial veto power. Category 4 (Judicial Restraint) saw the evaluation's most severe failure in restraint. In her *Kaul v. Urmanski* concurrence, she addressed contested constitutional questions that were neither raised by the case nor necessary to the holding, effectively resulting in an advisory opinion. Category 2 (Separation of Powers) exhibits extreme variance, ranging from perfect scores in unanimous cases to the most significant outlier of the evaluation period in *Kaul v. Urmanski*. Categories 1 and 5 follow this same pattern: she demonstrates the ability for faithful analysis in defined contexts but remains susceptible to deductions when departing from established frameworks.

PERFORMANCE ON 10 CORE CASES

Karofsky's 4/10 core case score mirrors those of Protasiewicz and Dallet, as she joined the 4-3 majority in each contested case. Her core case record is uniquely marked by her authorship of the majority in *LeMieux v. Evers* — the 402-year gubernatorial veto case — which drew significant deductions for failing to adequately engage the constitutional text governing the partial-veto power and for issuing a holding broader than necessary to resolve the veto dispute. Her concurrence in *Kaul v. Urmanski* earned the lowest individual opinion score of any justice in the evaluation period, reflecting the methodology's severe deductions for reaching contested historical and constitutional questions not raised by the parties and not necessary to join the majority's implied-repeal holding. Her four aligned votes were the three unanimous decisions plus *WEC v. LeMahieu*.



JUSTICE JANET PROTASIEWICZ

Associate Justice

Cases Evaluated: 25

5-metric Score: 82.54/100

Critical Case Score: 4/10

Overall Average: 61.27/100

61.27 / 100

EVALUATION SUMMARY

Justice Protasiewicz possesses a scoring profile marked by substantial fluctuation. While she proved her analytical capability in unanimous and methodologically rigorous opinions—earning perfect 100.0 scores in *Kaul v. Legislature* and *WMC v. DNR*—she struggled significantly in contested election and separation-of-powers disputes. Her performance in these areas reached lows of 46.0 in *Evers v. Marklein* and 35.75 in *Van Oudenhoven v. DOJ*.

5-METRIC METHODOLOGY ANALYSIS

With a five-metric methodology score of 82.54, Protasiewicz demonstrates competent but variable analytical work. Adherence to Precedent (Category 1): Performance is strongest when applying binding authority but falters during composition-change scenarios where the majority overturned precedent without comprehensive stare decisis reviews. Separation of Powers (Category 2): This category displays the greatest internal variance. Her *Halter v. WIAA* concurrence correctly restricted certiorari to government entities, yet she scored poorly in cases where majority opinions obscured inter-branch limits without sufficient constitutional support. Textualism and Originalism (Category 3): While generally competent, scores drop when the majority utilized purposive reasoning or legislative history to override clear text—a methodology penalized by this framework regardless of the specific justice. Judicial Restraint (Category 4): This metric suffers in high-profile cases where she joined majority opinions that issued holdings exceeding the scope necessary for resolution. Individual Liberty (Category 5): Performance is adequate but rarely exceptional; she protects rights present in immediate cases but often fails to trace textual foundations with the rigor seen in higher-scoring justices.

PERFORMANCE ON 10 CORE CASES

Protasiewicz achieved a 4/10 core case score, consistently siding with the 4-3 majority in the term’s six contested cases where IRG advocated for the dissent. Her participation included joining majorities in *Kaul v. Urmanski* (abortion), *LeMieux v. Evers* (veto power), *Brown v. WEC* (standing), *Catholic Charities v. LIRC* (religious liberty), and *Evers v. Marklein* (rulemaking). Notably, she authored the majority opinion in *WMC v. DNR*, which earned a perfect methodology score despite not aligning with IRG’s preferred institutional outcome. Her four aligned votes stem from *WEC v. LeMahieu* and the term’s three unanimous decisions. The 50/50 weighting of her methodology score (82.54) against her critical case alignment (40%) creates the significant disparity in her final cumulative average.



CHIEF JUSTICE ANNETTE KINGSLAND ZIEGLER

Chief Justice (until April 2025)

Cases Evaluated: 24

5-metric Score: 90.04/100

Critical Case Score: 10/10

Overall Average: 95.02/100

95.02 / 100

EVALUATION SUMMARY

Chief Justice Ziegler earned high scores across the evaluation period. Her strongest performances came in separation-of-powers and election administration cases, including a perfect 100.0 in *Kaul v. Wisconsin State Legislature*. She did not participate in one case, resulting in 24 evaluated cases.

5-METRIC METHODOLOGY ANALYSIS

Justice Ziegler’s 90.04 five-metric score reflects consistent but slightly less uniform strength than Bradley’s. In Category 1 (Adherence to Precedent), her *Kaul v. Urmanski* dissent traced statutory evolution through decades of case law before concluding the majority’s opinion was a ‘jaw-dropping breach of the separation of powers’ — precisely because it departed from settled legislative framework without applying stare decisis. In *Hubbard v. Neuman*, she invoked the legislative presumption doctrine to trace common law lineage through statutory codification. Category 2 (Separation of Powers) is a defining strength: she consistently enforces constitutional boundaries in both directions, resisting judicial overreach into legislative territory and resisting legislative overreach into executive authority. Category 3 (Textualism and Originalism) is methodologically sound — in *Hubbard* she analyzed the phrase ‘any physician who treats a patient’ through common law usage, dictionary definitions, and national consensus, concluding that recommending and formally ordering a treatment are not synonymous. Category 4 (Judicial Restraint) scores dip in cases where she included institutional commentary beyond what the case strictly required. Her lowest scores — 67.1 in *Evers v. Marklein* and 74.4 in *Wisconsin Voter Alliance v. Secord* — reflect methodological shortcomings in restraint and textualism, the only meaningful blemishes in an otherwise elite portfolio.

PERFORMANCE ON 10 CORE CASES

Ziegler’s perfect 10/10 core case record mirrors Bradley’s in alignment but reflects a parallel analytical track: she dissented alongside Bradley in all six contested 4-3 decisions and joined the unanimous court in the four cases where IRG’s preferred outcomes were unanimous. Her dissent in *Kaul v. Urmanski* characterized the majority’s implied-repeal holding as a ‘jaw-dropping breach of the separation of powers,’ her strongest Category 2 language in the evaluation period. In *Evers v. Marklein*, she resisted the majority’s expansion of administrative rulemaking power without adequate statutory grounding. In *LeMieux v. Evers*, she argued that the governor’s 402-year revenue extension exceeded any textually defensible reading of the partial-veto power. Across the six contested core cases, her dissents demonstrate the same principled textualism that characterizes her overall portfolio.

CONCLUSION

The results of the Scorecard reveal a Wisconsin Supreme Court capable of broad agreement on routine legal questions and sharply divided when confronting disputes with significant constitutional or institutional consequences.

Across the full body of opinions issued during the term, the justices generally demonstrate comparable levels of legal craft in written analysis. It is in the term's most consequential cases, however, that a clear and predictable split emerges, suggesting that their differences are not a matter of competence, but of constitutional fidelity: engagement with precedent, attention to statutory text, and application of established interpretive canons. The critical cases tell a different story.

The three highest-scoring justices aligned with the constitutionally sound position in 80 to 100 percent of the term's ten critical cases. The remaining four justices aligned in roughly 40 percent of those decisions. A court that largely agrees on ordinary legal questions divides sharply — and predictably — when the constitutional stakes are highest.

A COURT DIVIDED ON STRUCTURAL CONSTITUTIONAL QUESTIONS

The most consequential disputes of the 2024–2025 term were not contract cases or torts. They were structural: who controls the administrative state, how far the governor's veto pen reaches, whether citizens can enforce election law in court. These cases required the justices to define the limits of authority held by Wisconsin's three branches of government — and the justices disagreed.

That disagreement was not random. In case after case, the same four justices expanded executive power at the legislature's expense. The same three justices dissented, arguing each time that the majority was substituting its policy preferences for the constitutional text. The pattern is not coincidence. It is methodology.

METHODOLOGY MATTERS MOST IN HARD CASES

In routine cases involving settled law, justices frequently converge on similar outcomes regardless of their interpretive philosophy. The divide emerges when courts face statutory ambiguity, competing constitutional principles, or conflicts between branches of government. In those cases, a justice who begins from the text and its original meaning will often reach a different conclusion than one who begins from the desired policy result and works backward through the law to justify it.

What the scorecard measures is consistency: does a justice apply the same methodology to a law passed by political allies as to one passed by political opponents? A judge who scores 95 out of 100 on adherence to precedent in low-stakes commercial cases but abandons that standard when a politically charged statute is on the line is being exposed — not as liberal or conservative, but as results-oriented.

TRANSPARENCY IN JUDICIAL EVALUATION

The purpose of the Scorecard is not to reduce judicial decision-making to a numerical ranking, but to provide a structured and transparent framework for evaluating how justices approach their constitutional responsibilities. By examining both the reasoning used in written opinions and the outcomes of the most consequential cases of the term, the scorecard offers a clearer picture of how different interpretive approaches manifest in real judicial decisions.

This scorecard measures whether a justice applies the law consistently — the same principles in high-stakes cases as in low-stakes ones, regardless of which party benefits from the result.

WHY THIS MATTERS

Transparency. Courts wield enormous power but operate behind closed doors. Most people have no idea how their state supreme court justices approach the law. This scorecard makes that record visible.

Accountability. The judiciary operates largely outside public view. Citizens deserve systematic, evidence-based information about how their justices approach the law — beyond party labels or campaign endorsements.

Principles over politics. Consistent methodology is the difference between a judge and a politician in a robe. A justice who applies one standard to friendly precedents and another to unfriendly ones is not interpreting the law — they are making it.

Predictability. Consistent judicial philosophy means lawyers and citizens can predict how laws will be interpreted. Inconsistent, result-driven judging creates legal uncertainty that affects every contract, every regulatory decision, and every constitutional question that comes before the court.

THE BOTTOM LINE

This scorecard asks one question: are Wisconsin's justices acting like judges — applying the law as written — or like unelected legislators, using the bench to impose policy outcomes the political process did not produce?

Judicial power is best exercised according to principled, consistent, and transparent rules. When justices abandon those rules in high-stakes cases, the damage is not merely to the losing party. It is to the rule of law itself.

CASES ANALYZED

This appendix lists all Wisconsin Supreme Court opinions reviewed as part of the 2024–2025 term evaluation.

CASES EVALUATED

#	Case Name	Citation	Area of Law
1	<i>Bothfeld v. WEC</i>	2025 WI 53	Redistricting
2	<i>Brown v. Wisc. Elections Commission</i>	2025 WI 5	Election Administration
3	<i>Department of Corrections v. Hayes</i>	2025 WI 35	Administrative Law
4	<i>Evers v. Marklein</i>	2025 WI 36	Separation of Powers
5	<i>Halter v. WIAA</i>	2025 WI 10	Administrative Law
6	<i>Hubbard v. Neuman</i>	No. 2023AP255	Civil Procedure
7	<i>Kaul v. Urmanski</i>	2025 WI 32	Abortion Regulation
8	<i>Kaul v. Wisconsin State Legislature</i>	2025 WI 23	Separation of Powers
9	<i>Legislature v. DPI</i>	2025 WI 27	Separation of Powers
10	<i>Lemieux v. Evers</i>	2025 WI 12	Separation of Powers / Veto
11	<i>McDaniel v. DOC</i>	2025 WI 24	Administrative Law
12	<i>Morway v. Morway</i>	2025 WI 3	Family Law
13	<i>Oconomowoc v. Cota</i>	2025 WI 11	Municipal Law
14	<i>SEIU v. WERC</i>	2025 WI 29	Public Sect. Unions/1st Amend.
15	<i>State v. Grady</i>	2025 WI 22	Criminal Procedure
16	<i>State v. H.C.</i>	2025 WI 20	Juvenile Law / Due Process
17	<i>State v. McAdory</i>	2025 WI 30	Criminal / Double Jeopardy
18	<i>State v. Molde</i>	2025 WI 21	Criminal / Sentencing
19	<i>State v. Ramirez</i>	2025 WI 28	Criminal / Speedy Trial
20	<i>State v. Stetzer</i>	2025 WI 34	Criminal Law
21	<i>Van Oudenhoven v. DOJ</i>	No. 2023AP1234	Criminal / Federal Preemption
22	<i>WBLD v. WEC</i>	2025 WI 52	Redistricting
23	<i>WEC v. LeMahieu</i>	2025 WI 4	Election Administration
24	<i>WMC v. DNR</i>	2025 WI 26	Administrative Agency Power
25	<i>Wisconsin Voter Alliance v. Secord</i>	2025 WI 2	Election Administration





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