



WISCONSIN SUPREME COURT TERM IN REVIEW 2026

The 2025–26 Term at a Glance | IRG Court Watch

THE TERM IN THREE SENTENCES

Wisconsin’s progressive Supreme Court majority spent the 2025–26 term picking its fights. In most cases—consumer suits, criminal appeals, insurance disputes—it followed the statutes as written and ruled against the plaintiffs’ bar and criminal defendants. But in the cases that touched politics, the majority showed it is ready to exercise its power, and the biggest fights of all—Act 10, education finance, redistricting, and the future of statutory interpretation—are still in the pipeline.

THE ELEVEN CASES THAT MATTER MOST

Full analysis of each case—including the concurrences and dissents—appears in the complete Term in Review.

Case	Vote	What the Court Did
I. METHOD & THE RULE OF LAW		
<i>Koble Investments v. Marquardt</i> 2026 WI 19	7–0	A tenant tried to use Wisconsin's consumer-credit law to collect attorney's fees in a routine month-to-month lease dispute. Every justice said no: a month-to-month lease is not a loan, and a tenant who lost no money is owed no fees.
<i>State v. N.K.B.</i> 2026 WI 22	6–1	The State cannot forcibly medicate a person found incompetent to stand trial just by calling him dangerous. The real fight was over method—the majority reached past the words of the statute into its legislative history, and Justice Rebecca Bradley called them out for it.
II. EDUCATION & EQUAL PROTECTION		
<i>Rabiebna v. HEAB</i> 2026 WI 20	Unanimous result; 4–3 on the reasoning	Wisconsin handed out taxpayer-funded college grants based on race and ancestry. All seven justices agreed that is unconstitutional — but three wrote separately to argue that a better-documented race-based program could still survive.
III. PROPERTY, SOVEREIGNTY & THE TAX BASE		
<i>Legend Lake POA v. Keshena</i> 2026 WI 21	4–3	A homeowners association could not enforce its neighborhood covenants after tribal land was placed in trust inside the subdivision. Tribal immunity blocks the suit outright, leaving neighboring property owners and the local tax base without a remedy.
IV. ELECTIONS & TRANSPARENCY		
<i>Wisconsin Voter Alliance v. Secord</i> 2026 WI 27	5–2	An election-integrity group spent four years seeking the court forms that show which people have been found incompetent to vote. The majority ruled those forms are sealed court records the public may not see.

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V. BUSINESS, TORT & CIVIL LIABILITY		
<i>Estate of Lorbiecki v. Pabst</i> 2026 WI 12	5–2	The Court upheld both a jury's finding that a brewery was responsible for a fatal workplace injury and the punitive award that followed. It then read Wisconsin's punitive-damages cap to limit only what a plaintiff may actually collect—a split decision for employers.
<i>Wren v. Columbia St. Mary's</i> 2026 WI 11	7–0	A plaintiff argued Wisconsin's COVID-19 lawsuit-immunity statute violated the constitutional right to a jury trial. All seven justices disagreed: the legislature may abolish a claim, and once it does there is no case left for a jury to hear.
<i>Cincinnati Insurance Co. v. Ropicky</i> 2026 WI 25	4–3	Rain got in through a builder's defect and wrecked a home. The Court held the homeowner's policy covers the water damage, capped the mold-related loss at \$10,000, and revived the homeowner's bad-faith claim against the insurer.
<i>Racine County v. R.P.L.</i> 2026 WI 26	4–3	A person may still appeal a protective-placement order after it expires, because he remains on the hook for the cost of his care. On the facts of this case, the placement itself was upheld.
<i>Brekke v. Midwest Medical Ins. Co.</i> 2026 WI 29	7-0 result; 4–3 on the scope	All seven justices agreed that an unborn child treated in the womb and later born alive is a “patient” with her own right to informed consent. They split bitterly over how far to say it, because the language could ripple into abortion litigation.
VI. GOVERNMENT OPERATIONS		
<i>WI State Legislature v. Kaul</i> 2026 WI 28	5–2 (second issue dismissed)	The Attorney General deposits lawsuit settlement money into the state's general fund, then credits the same dollars back to an account he controls. The majority blessed the practice—then dropped the second question it had added on its own motion, leaving the larger spending fight unanswered.

ALREADY ON THE HORIZON

Act 10. The challenge to the landmark collective-bargaining reform is pending in Dane County Circuit Court.

Redistricting. Two suits scheduled for argument in September could redraw Wisconsin's congressional map.

Education finance. WEAC's case in Eau Claire challenges the statewide school finance formula.

Recusal. After a failed rewrite of the recusal rule, the majority punted the question to a study committee.

A new justice. Justice Rebecca Bradley's departure puts a conservative seat — and the Court's intellectual center of gravity — on the April ballot.

READ THE FULL REPORT

Case-by-case analysis, the complete 2026 opinion index, and Daniel R. Suhr's foreword on a half-crazy Court.

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