IN THE SUPREME COURT OF WISCONSIN
No. 2022-AP-2026

KONKANOK RABIEBNA, RICHARD A. FREIHOEFER, DOROTHY M. BORCHARDT, RICHARD HEIDEL and NORMAN C. SANNES,

Plaintiffs-Appellants,

v.

HIGHER EDUCATIONAL AIDS BOARD and TAMMIE DEVOOGHT-BLANEY,

Defendants-Respondents-Petitioners.

BRIEF OF *AMICI CURIAE* RUBEN L. ANTHONY, JR., PH.D., VINA XIONG, AND SINCEREE DIXON IN SUPPORT OF PETITIONERS

T.R. Edwards (SBN 1119447)
Jeffrey A. Mandell (SBN 1100406)
Douglas M. Poland (SBN 1055189)
Kacy C. Gurewitz (SBN 1118507)
Taylor A. Gilbertson (SBN 1126688)
LAW FORWARD, INC.
222 West Washington Avenue, Suite 680
Madison, Wisconsin 53703
tedwards@lawforward.org
jmandell@lawforward.org
dpoland@lawforward.org
kgurewitz@lawforward.org
tgilbertson@lawforward.org
608.283.9822

Table of Contents

Table of Authorities

Cases

Statutes and Constitutional Provisions

Other Authorities

Interests of *Amici Curiae*

Dr. Ruben L. Anthony, Jr., Ph.D., is the President and Chief Executive Officer of the Urban League of Greater Madison (ULGM). ULGM is an organization with a longstanding commitment to advancing educational equity, eliminating racial disparities, and supporting students navigating Wisconsin's technical and post-secondary institutions. Dr. Anthony is a respected Wisconsin civic leader with more than three decades of experience in public administration, civil rights compliance, community development, and educational equity. He previously served as Deputy Secretary and Chief Operations Officer of the Wisconsin Department of Transportation; founded and led a consulting firm specializing in civil rights and disadvantaged business enterprise capacity-building; and has taught at the university level. His professional work centers on dismantling structural inequities, improving educational attainment, and expanding opportunities for historically marginalized Wisconsinites.

Vina Xiong is the Executive Director of the Hmong American Women's Association (HAWA), a Milwaukee-based nonprofit organization dedicated to advocacy, education, leadership development, and community support for Hmong women and families throughout Wisconsin. HAWA has longstanding experience addressing barriers to educational access and success faced by Hmong and Southeast Asian students, including barriers rooted in refugee resettlement, poverty, and intergenerational educational disruption.

Sinceree Dixon is a Black and Ojibwe woman and a Milwaukee-based civic organizer and advocate. She is a first-generation college graduate and earned a degree in sociology from the University of

Wisconsin-Milwaukee and has spent her career working in nonprofit and civic-engagement roles focused on educational equity, community empowerment, and amplifying underrepresented voices. She currently serves as the Communications Manager for the League of Women Voters of Wisconsin. Ms. Dixon brings lived and professional experience with the structural barriers Black and Indigenous Wisconsinites face in accessing and completing higher education.

Amici share a strong interest in ensuring that Wisconsin courts give full and independent effect to article I, section 1, of the Wisconsin Constitution, distinct from federal courts' interpretation of the Equal Protection Clause in the Fourteenth Amendment to the U.S. Constitution. In particular, given their own experiences and those of students and families in the communities with whom they work and whose interests they represent, *amici* have an interest in advocating for this Court's interpretation of the equal protection guarantee in article I, section 1 of the Wisconsin Constitution as allowing carefully tailored legislative efforts, as exemplified by the Minority Undergraduate Retention Grant codified in Wis. Stat. § 39.44, to remedy persistent inequities rooted in the State's own history.

Introduction

This case presents a question thus far unaddressed: how article I, section 1 of the Wisconsin Constitution applies to remedial legislation enacted to address persistent disparities rooted in historical discrimination. This Court must determine that, as Defendants-Respondents-Petitioners argue and as *amici* agree, the program at issue

here does not violate the federal equal protection clause.[1] Nevertheless, in assessing whether Wisconsin's equal protection guarantee tolerates remedial programs such as this one, *amici* urge the Court to develop a distinct approach to our state constitution, grounded in Wisconsin's constitutional structure, history and sovereignty.

Amici do not ask this Court to recognize new constitutional rights or abandon federal equal protection principles, but rather, to interpret article I, section 1 of the Wisconsin Constitution to allow the enactment of reasoned, evidence-based measures to remediate obstacles hindering full participation in society, including where those obstacles arise from historical discrimination. The Minority Undergraduate Retention Grant (codified at Wis. Stat. § 39.44), is such a measure. The Legislature enacted section 39.44 to address the lower college-retention and degree-completion rates of certain student populations, where existing financial aid was inadequate to eliminate those disparities. The statute provides need-based grants—modest in scope, subject to regular reauthorization, and administered by educational institutions themselves—to support students already attending post-secondary institutions within Wisconsin.

Wisconsin's Constitution neither mandates historical amnesia nor requires courts to view with suspicion legislation enacted to ameliorate persistent racial disparities rooted in documented past discrimination. To the contrary, where the Legislature has identified a disparity, supported by evidence, the elimination of which is in the public interest,

[1] *Amici* adopt the State's argument applying federal equal protection principles.

article I, section 1 permits remedial responses, including the one at issue here.

Argument

I. The Court should interpret and apply article I, section 1 of the Wisconsin Constitution independently from interpretations of the Fourteenth Amendment.

The Wisconsin Constitution's equal protection guarantee in article I, section 1 is distinct from and need not be interpreted in lockstep with the Fourteenth Amendment. Wisconsin's Constitution "was written independently of the [federal] Constitution" and ***preceded*** the Fourteenth Amendment by 20 years. *A.M.B. v. Cir. Ct. for Ashland Cnty.*, 2024 WI 18, ¶50, 411 Wis. 2d 389, 5 N.W.3d 238 (Dallet, J., concurring), *cert. denied*, 145 S. Ct. 1051 (2025); *see also id.*, ¶57. Moreover, the language and historical context of our state equal protection guarantee differ substantially from those of its federal analogue.[2] *See id.*, ¶¶55-56. Accordingly, the Court "must interpret it as such." *Id.*, ¶50. As *amici* show in Part II, *infra*, it is more appropriately interpreted in light of other states' Declarations of Rights, which it more closely resembles, and associated state jurisprudence.

Since statehood, this Court has "embraced" its role as chief interpreter of Wisconsin's Constitution. *Id.*, ¶51. That role includes interpreting and applying state constitutional protections of fundamental rights. Shirley S. Abrahamson, *Reincarnation of State*

---

[2] Wisconsin Constitution article I, section 1 provides: "All people are born equally free and independent, and have certain inherent rights: among these are life, liberty and the pursuit of happiness." The federal analogue provides: "No State shall ... deny to any person in its jurisdiction the equal protection of the laws." U.S. Const. amend. XIV, § 1.

Courts, 36 SW. L.J. 951, 956 (1982). This Court cannot fulfill that interpretive role unless litigants develop robust arguments grounded in the state constitution. *See A.M.B.*, 2024 WI 18, ¶36 (Grassl Bradley, J., concurring). With the mid-century federalization of constitutional rights protection, "[l]itigants stopped arguing their cases under state constitutions," "the relevance of state constitutions appeared to fade," and some state courts adopted a jurisprudence reflexively lockstepping with the federal constitution. *Id.* Although Plaintiffs-Appellants allege both state and federal constitutional claims, neither the parties nor the court of appeals separately analyzed or applied pertinent provisions of the Wisconsin Constitution. *Amici* therefore analyze Wisconsin's equal protection guarantee and explain why this Court should apply it distinctly from federal equal protection jurisprudence.

Both this Court and the U.S. Supreme Court recognize that states may interpret their own constitutional provisions—even those with federal analogues—differently than federal constitutional jurisprudence. *See, e.g.*, *State v. Knapp*, 2005 WI 127, ¶¶57-60, 285 Wis. 2d 86, 700 N.W.2d 899 (collecting cases). Although this Court generally has interpreted equal protection under article I, section 1 in the same way as the federal Equal Protection Clause, *Milwaukee Cnty. v. Mary F.-R.*, 2013 WI 92, ¶10, 351 Wis. 2d 273, 839 N.W.2d 58, this Court must consider "the unique features of our state and its laws, our history, and the 'distinctive attitudes of [our] state's citizenry,'" *A.M.B.*, 2024 WI 18, ¶53 (Dallet, J., concurring) (quoted source omitted), and the "textual and contextual" differences with its federal analogues "as part of the pluralistic approach to state constitutional interpretation [it] has applied previously," *id.* Here, a lockstep approach to article I, section 1 of the

Wisconsin Constitution is inappropriate because of the ways in which it differs both textually and historically from its federal counterpart.

First, Wisconsin's equal protection guarantee differs insofar as it promises equality in language that is distinct from the federal Equal Protection Clause in a way that is significant for the purposes of the challenged legislation at issue here. As Justice Dallet has noted, "[a]side from two shared words—'life' and 'liberty'—article I, section 1 and the Fourteenth Amendment are worded in dramatically different ways." *Id.*, ¶55. Rather than prohibit government action denying equal protection, our state constitution affirmatively proclaims all people's inherent right to equality.[3] *See* Wis. Const. art. I, § 1. That matters here, not only because the language in the two constitutional provisions is so different, but because the inherent right to equality is bound up in the essence of the remedial purpose of this legislation. The Legislature has indicated through the challenged legislation that Wisconsin's technical schools are a means of fulfilling that promise. For instance, one explicit purpose of the technical college system is "to [p]rovide education and services which address ***barriers created by stereotyping and discriminating and assist individuals with disabilities, minorities, women, and the disadvantaged to participate in the work force*** and the full range of technical college programs and activities." Wis. Stat. § 38.001(3)(e) (emphasis added).

This is far from the only statutory provision ensuring the Technical College System and other post-secondary opportunities mitigate such challenges. *See, e.g.*, Wis. Stat. §§ 38.001(1), (2)(a), (3)(a);

[3] *See infra*, n.2.

38.04(8); 38.26; 39.38; 39.40. The grant challenged here is one element of a holistic legislative effort to remediate stubborn inequities in Wisconsin's economy and society borne of historical discrimination. This legislative aim is emphatically harmonious with article I, section 1.

Second, the history of Wisconsin's article 1, section 1, invites independent construction. For instance, our constitution contains a "Lockean guarantee" of "certain inherent rights" unmentioned in the Fourteenth Amendment. *See* Martha F. Davis, *Slavery, "Inalienable Rights," and Abortion in State Constitutions*, 75 SYRACUSE L. REV. 693, 696 (2025). That significant textual difference between the two constitutions arises out of our state's particular constitutional history: as part of the Northwest Territory, Wisconsin's entry into the Union is inextricable from its anti-slavery commitment. *See* David R. Upham, *The Understanding of "Neither Slavery Nor Involuntary Servitude Shall Exist" Before the Thirteenth Amendment*, 15 GEO. J.L. & PUB. POL'Y 137, 139 (2017). As do other states' organic laws, Wisconsin's Constitution incorporates provisions "first stipulated" in the Northwest Ordinance and, accordingly, speaks with that "strong regional accent." *Id*. This, along with article I, section 1's pre-Civil War adoption, justifies a departure from a lockstep approach based on these differences in history, context, and identity. *See Commonwealth v. Gonsalves*, 429 Mass. 658, 711 N.E.2d 108, 114-15 (1999) (noting precedence of Massachusetts Declaration of Rights to U.S. Constitution as supporting departure from lockstepping with federal jurisprudence); *Baker v. State*, 170 Vt. 194, 744 A.2d 864, 870 (1999) (same for Vermont's Common Benefits Clause).

In sum, Wisconsin's distinct constitutional text and history counsel against overlaying federal equal protection doctrine on Wisconsin's

Constitution. With federal equal protection jurisprudence "turned on its head" and wielded "not to fight against the constant pull of our collective historical failing toward the promise of a better future, but [instead] to bar our government's ability to remedy past mistakes," this Court need not march down the same road when interpreting Wisconsin's Constitution. *Johnson v. WEC*, 2022 WI 19, ¶175, 401 Wis. 2d 198, 972 N.W.2d 559 (Karofsky, J., dissenting).

II. This Court should set aside rigid categories of tiered scrutiny in favor of a flexible approach, as other states with similar constitutional equal protection language have done.

Given these differences, rather than reflexively applying federal equal protection jurisprudence's rigid tiered scrutiny framework, as it has before, this Court should look to the jurisprudence of other states with constitutional language similar to ours to adopt an appropriate approach to applying Wisconsin's equal protection guarantee here. *See, e.g.*, *Gabler v. Crime Victims Rights Bd.*, 2017 WI 67, ¶100 n.25, 376 Wis. 2d 147, 897 N.W.2d 384 (looking to other states' jurisprudence when interpreting Wisconsin's Crime Victim's Rights Amendment); *State v. Cole*, 2003 WI 112, ¶23, 264 Wis. 2d 520, 665 N.W.2d 328 (for right to keep and bear arms); *State ex rel. Wis. Dev. Auth. v. Dammann*, 228 Wis. 147, 280 N.W. 698, 708 (1938) (for public purpose doctrine); *State ex rel. Wis. Tel. Co. v. Henry*, 218 Wis. 302, 260 N.W. 486, 491 (1935) (for partial veto). Several states whose constitutions also begin with declarations of rights, including equal protection guarantees with language similar to Wisconsin's, have construed their constitutions using frameworks more flexible than tiered scrutiny. *See Baker*, 744 A.2d at 871, 873 (adopting an "approach … broadly deferential to the legislative prerogative to

define and advance governmental ends, while vigorously ensuring that the means chosen bear a just and reasonable relation to the governmental objective"); *Greenberg v. Kimmelman*, 99 N.J. 552, 567, 494 A.2d 294 (1985) (balancing approach); *State v. Ostrosky*, 667 P.2d 1184, 1192-93 (Alaska 1983) (employing a sliding-scale of review that applies different levels of scrutiny depending on the degree to which a legislative classification is suspect).

Of these states, New Jersey's equal protection jurisprudence is particularly apposite here given the textual similarities between Wisconsin's article I, section 1, and New Jersey's equal protection guarantee in its constitution.[4] Moreover, looking to New Jersey constitutional jurisprudence here would not tread new ground: where provisions of New Jersey's Constitution have been adjudged "analogous to that of Wisconsin," this Court already has looked to the New Jersey Supreme Court's construction. *See State ex rel. Wis. Senate v. Thompson*, 144 Wis. 2d 429, 458, 424 N.W.2d 385 (1988).

New Jersey's balancing test weighs (1) the "nature of the affected right"; (2) the scope of the government's "intrus[ion] upon it"; and (3) the greatness of the "public need for the restriction." *Greenberg*, 99 N.J. at 567. Here, the analysis should balance the public interest in addressing continuing effects of racial exclusions against alleged harms to students ineligible for the challenged program.

---

[4] "All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness." N.J. Const. art. I, ¶1.

III. Evaluated under a balancing test framework, Section 39.44 passes muster.

Like its New Jersey counterpart, the Wisconsin Constitution's article I, section 1 does not prohibit the Legislature from drawing distinctions. A balancing approach would defer to legislation's remedial purpose, requiring this Court to consider the interest affected, the scope of any intrusion on that interest, and the magnitude of the public need being addressed. *See Greenberg*, 99 N.J. at 567.

Applied here, the balancing test that *amici* propose would require the Court to evaluate: (1) the weight of public interest in mitigating post-secondary educational attrition among groups of students confronting obstacles rooted in Wisconsin's legacy of racial discrimination; (2) whether the Legislature acted on a genuine, documented problem and employed means substantially related to that concern; and (3) whether the remedial program avoids arbitrary or disproportionate burdens. Section 39.44 readily satisfies that standard.

Here, the interest Plaintiffs-Appellants assert is not access to post-secondary education, eligibility for financial aid generally, or arbitrary exclusion from any public benefit. Rather, it is non-eligibility for a supplemental, need-based grant designed for a defined subset of students. That interest, while cognizable, is limited in scope and neither implicates a fundamental right nor imposes a direct barrier to educational opportunity outsized to the public benefit served by this remedial program.

A. Plaintiffs-Appellants misapprehend the state constitutional right affected and the Legislature's need to act.

In enacting section 39.44, the Legislature responded to disparities that are not abstract or substantially disputed. Decades of data illuminate these gaps in post-secondary retention and completion; *in totum*, they highlight a discrete public need. Wisconsin's history of segregation, dispossession, and state-tolerated discrimination is substantially related to these disparities. Plaintiffs-Appellants certainly have the right to attend any Wisconsin post-secondary institution to which they are admitted; they are not legally entitled to a grant the Legislature specifically enacted to redress a specific disparity.

B. Wisconsin's history of racial discrimination justifies the targeted remedy adopted.

This Court has recognized that "Wisconsin routinely ranks as one of the most racially disparate states in terms of housing, incarceration, education, income, and even infant mortality rates between Black and White residents." *Johnson*, 2022 WI 19, ¶165 (Karofsky, J., dissenting). These are not isolated phenomena; they cluster geographically and compound generationally, perpetuating a legacy of state-tolerated exclusion that shaped where families could live, where their children could attend school, and whether wealth could be accumulated. Furthermore, Wisconsin's Hmong and other Southeast Asian refugee communities included in section 39.44 faced distinct barriers tied to refugee resettlement, concentrated poverty, and resulting

intergenerational educational disruption.[5] The endemic effects of dispossession and forced concentration of Native populations have produced similarly towering barriers to educational achievement for local Native communities.[6]

A common root for many of these impediments is stable housing. Wisconsin bears the unenviable title of national leader in housing discrimination; it was at the fore of imposing racially restrictive covenants, redlining, and other related practices tolerated or fostered by state government.[7] Through such policies, equity in homes—a central way families build intergenerational wealth and leverage to finance higher education—was denied to racial minorities, placing educational

---

[5] BENGSTON ET AL., U.S. FOREST SERV. N. RESEARCH STATION, THE HMONG AND PUBLIC LANDS IN WISCONSIN (2008); Chong A. Moua, *"Being Hmong, you don't really have a place": Hmong American Alumni at UW Madison*, CENT. FOR CAMPUS HISTORY BLOG (April 26, 2021), https://campushistory.wisc.edu/hmong-american-alumni/; Duke Behnke, *A Struggle to be Seen: Why Wisconsin's Hmong American Community Continues to Face Discrimination*, MILWAUKEE INDEP. (May 19, 2022), https://www.milwaukeeindependent.com/syndicated/struggle-seen-wisconsins-hmong-american-community-continues-face-discrimination/.

[6] *See generally* EMILIE CONNOLLY, VESTED INTERESTS: TRUSTEESHIP AND NATIVE DISPOSSESSION IN THE UNITED STATES (2025). Land holdings upon which many major "land grant" universities emerged in the mid-nineteenth century, including in Wisconsin, and from which they continue to generate profits, were unscrupulously taken from Native Nations. Theresa Jean Ambo & Stephen M. Gavazzi, *Native Nations and Land-Grant Universities at the Crossroads*, 28 J. HIGHER ED. OUTREACH & ENGAGEMENT, 1, 45 (2024); *see also* Stephen M. Gavazzi & John N. Low, *Confronting the Wealth Transfer from Tribal Nations That Established Land-Grant Universities*, ACADEME MAG. (2022), https://www.aaup.org/academe/issues/spring-2022/confronting-wealth-transfer-tribal-nations-established-land-grant.

[7] This Court has noted that the fact that "many restrictive covenants [have] remained on the books [conveys] an obvious signal to minority populations that they [are] not welcome in White neighborhoods, thus perpetuating the history of segregation." *Johnson*, 2022 WI 19, ¶166 n.7 (Karofsky, J., dissenting).

attainment beyond reach for many.[8] The bitter fruits of these policies—entrenched residential segregation and a persistent wealth gap—continue to shape opportunities and outcomes, including in education, for racial minorities in Wisconsin.[9] The results manifest in gaps in educational opportunity and achievement.

As the State's opening brief explains, a joint DPI/UW committee concluded that "[e]quality of educational opportunity is not yet a reality in the State of Wisconsin" and that our educational system does not serve minority students "as fully as their White counterparts." (Pet'rs' Br. at 14) Further, the committee found retention rates for Hispanic,[10] Hmong,[11] and Native American students,[12] were "below those of White

---

[8] Kelly Meyerhoffer, *Wisconsin Ranks 46th in Nation for College Affordability, New Report Says*, MILWAUKEE J. SENTINEL (Oct. 15, 2025), https://www.jsonline.com/story/news/education/2025/10/15/wisconsin-ranks-among-the-worst-for-college-affordability-in-new-report/86680705007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z11xx24p001650c001650d00----v11xx24d--69--b--69--&gca-ft=253&gca-ds=sophi.

[9] Wisconsin has the largest black-white student achievement gap in the country. WIS. DEP'T OF PUB. INSTRUCTION, STATE SUPERINTENDENT CALLS FOR INCREASED INVESTMENTS AFTER NAEP RESULTS HIGHLIGHT WISCONSIN STUDENT ACHIEVEMENTS, GAPS (Jan. 29, 2025), https://dpi.wi.gov/news/releases/2025/naep-results-wisconsin-achievement-gap.

[10] *Latino College Completion: Wisconsin*, ERIC ED. (July 13, 2022), https://files.eric.ed.gov/fulltext/ED532143.pdf. (Wisconsin's Latino communities have faced barriers that include poverty, first-generation status, and uneven access to college-preparatory resources—conditions that help explain why race-neutral aid and loans often fail to address persistence gaps).

[11] UNIV. OF WIS. APPLIED POPULATION ET AL., *Hmong in Wisconsin, A 2020 Statistical Overview*, https://cdn.apl.wisc.edu/publications/hmong_chartbook_2020.pdf (this Wisconsin-based statistical summary shows that educational attainment patterns reflect the unique challenges of refugee history, language access, and concentrated economic disadvantage).

[12] WIS. DEP'T OF PUB. INSTRUCTION, AMERICAN INDIAN EDUCATION IN WISCONSIN, 15301 (June 2015), https://resources.finalsite.net/images/v1726866564/ashlandk12wius/axmhcdbxpyepn4t0qsk8/actamericanindianeducationinwi.pdf (federal and state policies affecting sovereignty, schooling, and access fuel today's achievement gaps).

students," with graduation "less likely for minority students than for non-minority students," resulting in "a dwindling pool" of educated minority Wisconsinites. (*Id*. at 14-15) The Legislature grounded its judgment that race-neutral aid was insufficient to solve retention problems rooted in broader inequities upon these findings. (*Id*. at 16)

Against that backdrop, the Legislature, finding that race-neutral financial aid had fallen drastically short of addressing retention gaps rooted in entrenched structural inequality, reasonably enacted a targeted, need-based grant program that has proven more effective in addressing these disparities. There is a clear connection between pressing public concern and the means chosen to ameliorate it, buttressed by continuing evidence of the program's efficacy. These facts indicate the Legislature acted in a manner consistent, and not at odds, with Wisconsin's equality guarantee.

C. Section 39.44 imposes a limited intrusion on excluded students relative to the harm it lessens.

With the nature of the public interest in remediating persistent disparities properly framed, the remaining question is the scope of any intrusion imposed by the statute. The program is modest in scope and carefully matched with purpose. Grants, ranging from $250 to $2,500 per academic year, are available only to students already enrolled and demonstrating academic progress; they are administered by the educational institutions themselves based on documented need. Wis. Stat. § 39.44(3); Wis. Admin. Code § HEA 12.03.

Any effect on students outside the program is diffuse and indirect, while benefits to recipients are concrete and measurable. HEAB's data shows that the grants more than doubled graduation rates for technical

college recipients—demonstrating that the program delivers its intended benefits in greater retention and completion rates.

In sum, section 39.44 reflects reasoned legislative judgment grounded in Wisconsin's history and supported by evidence. Here, the Legislature addressed a pressing and persistent public need through a limited, targeted mechanism that has concrete, measurable benefits and only indirect, if any, effect on others. Article I, section 1 neither requires the Legislature to ignore documented inequality nor empowers courts to second-guess measured efforts to rectify it.

Conclusion

In construing Wisconsin's organic law, this Court should depart from ossified federal jurisprudence that does not fit our state constitution's equality guarantee. Drawing on jurisprudence from sibling states construing similar provisions in their state constitutions, this Court should adopt a balancing test. When applied, such a framework would uphold the Minority Undergraduate Retention Grant program. The court of appeals' holding is inconsistent with article I, section 1 and should be reversed.

Dated: January 26, 2026. Respectfully submitted,

By: *Electronically signed by T.R. Edwards*
T.R. Edwards (SBN 1119447)
Jeffrey A. Mandell (SBN 1100406)
Douglas M. Poland (SBN 1055189)
Kacy C. Gurewitz (SBN 1118507)
Taylor A. Gilbertson (SBN 1126688)
LAW FORWARD, INC.
222 W. Washington Ave., Ste. 680
Madison, Wisconsin 53703
tedwards@lawforward.org

jmandell@lawforward.org
dpoland@lawforward.org
kgurewitz@lawforward.org
tgilbertson@lawforward.org
608.283.9822

Attorneys for amici Ruben L. Anthony, Jr., Ph.D., Vina Xiong, and Sinceree Dixon

CERTIFICATION OF COMPLIANCE WITH WIS. STAT. § 809.19(8g)(a)

I hereby certify that this brief conforms to the rules contained in s. 809.19(8)(b), (bm), and (c) for a brief. The length of this brief is 3,282 words.

Dated: January 26, 2026.

Electronically signed by T.R. Edwards
T.R. Edwards (SBN 1119447)
LAW FORWARD, INC.
222 W. Washington Ave., Ste. 680
Madison, Wisconsin 53703
tedwards@lawforward.org