



School Law FYI

Update on Act 10 Decision and Year-End Matters

BRIAN P. GOODMAN, DOUGLAS E. WITTE, RICK VERSTEGEN | 12.19.24

ACT 10 DECISION PUT ON HOLD

Below is a quick update on the status of the Act 10 decision issued by a Dane County Circuit Court Judge earlier this month which held portions of Act 10 were unconstitutional (See, [Wait and See After Dane County Judge Issues Decision on Act 10](#)). As we mentioned in our previous article, an appeal challenging that decision was filed immediately with the Wisconsin Court of Appeals. More recently, a Motion to Stay the Circuit Court's decision was filed on December 11. On December 18, 2024, the Circuit Court Judge issued a Temporary Stay of his decision and established a briefing schedule with the last briefs due on January 24, 2025. After that date, he will make a decision as to whether his Act 10 decision should be put on hold until the Wisconsin Court of Appeals (or possibly the Wisconsin Supreme Court) renders a decision on the appeal. This means that for now, the status quo of Base Wage bargaining remains in effect pending further decisions from the courts. As we previously noted, it is likely the Wisconsin Supreme Court will hear this case at some point, and our advice continues to be to wait until further definitive rulings are issued. In the meantime, if you have any questions about what any of this might mean for your particular district, please reach out to a member of the Boardman Clark School Law Practice Group.

BOARDMAN CLARK ATTORNEYS NAMED TO BEST LAWYER LIST

Nineteen Boardman Clark attorneys were selected by their peers for inclusion in the 2025 Edition of the Best Lawyers in America®, spanning numerous practice areas. In the area of Education Law, Attorney Doug Witte was named to the List; in the area of

Employment Law – Management, Attorneys Jennifer Mirus and Doug Witte were named to the List; and, in the area of Real Estate Law, Bill Fahey was named to the List. Three lawyers were recognized in the “Ones to Watch” category including Dan Fahey in Real Estate Law, Chris Schmidt in Tax Law, and Brian Goodman in Education Law. Inclusion in Best Lawyers is based entirely on peer review, using the methodology designed to identify the consensus opinion of leading lawyers about the professional abilities of their colleagues. You can see the full list of recognized Boardman Clark attorneys and read more about the Best Lawyers methodology on [our website](#).

BRIAN GOODMAN ELECTED TO PARTNERSHIP

Boardman Clark is pleased to announce that Brian Goodman will be joining the partnership as of January 1, 2025. Brian represents school boards, school districts, CESAs, school-related associations, municipalities, and private employers across the state — and these entities and his colleagues here at Boardman Clark — have benefited greatly from his knowledge and advice. We are confident that Brian will continue to provide an excellent level of service to all of Boardman Clark’s clients.

COME SEE US AT THE CONVENTION

Multiple members of our School Law Practice Group will be on hand at the **Wisconsin State Education Convention in Milwaukee on January 22 and January 23, 2025.**

- Nicole Schram will be part of a panel presenting on *Don’t Miss the Boat! Your Passport to Staffing Hard-to-Fill Positions* on **Thursday, January 23 at 8:45 a.m.**
- Doug Witte will be serving as parliamentarian and legal counsel at the Convention’s Delegate Assembly and related activities.

Please also come see us at Booth 838 during exhibit hours. We look forward to seeing you there!

We also wish all of you a Happy Holiday Season.

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