



Wisconsin Elections Commission

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DATE: October 9, 2020

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Meagan Wolfe
Administrator

SUBJECT: 7th Circuit Court of Appeals Decision - Judge Conley's Injunction Ruling Stayed

On October 8, 2020, the 7th Circuit Court of Appeals, stayed the lower court's decision in the *DNC, et al. v. Bostelmann, et al.* (consolidated cases) litigation involving challenges to the application of various election laws during the COVID-19 public health emergency.

The Court of Appeals decision means that the changes ordered by Judge Conley in late September are NOT in effect. The statutory deadlines and procedures for voter registration and absentee voting, as well as residency requirements for election inspectors prior to Judge Conley's decision have not changed and are currently in place. In addition, the absentee ballot return deadline is 8:00 p.m. on Election Day and the ballot return extension originally ordered by Judge Conley is not in effect.

While there is the possibility of an appeal of this decision which could result in changes, right now, none of the changes ordered by Judge Conley are in place. To avoid potential confusion by voters and local election officials as to what rules are in place, the Commission staff intend to remove the prior communications related to this lawsuit from the website. Additional updates related to this case will be provided as needed.

A copy of the decision is attached to this memorandum.

Please contact us with any questions you may have at (608) 261-2028 or elections@wi.gov.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Julie M. Glancey | Dean Knudson | Robert Spindell | Mark L. Thomsen

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