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Wisconsin Governor's Suit over GOP Lawmaker Vetoes under High State Court Scrutiny

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[Misha Tseytlin](#)

Misha Tseytlin, a partner with Troutman Pepper, was quoted in the April 17, 2024 *Courthouse News Service* article, "[Wisconsin Governor's Suit over GOP Lawmaker Vetoes under High State Court Scrutiny](#)."

Arguing on behalf of Vos and his fellow legislators, Misha Tseytlin of the national firm Troutman Pepper Hamilton Sanders said Governor Evers' proposed separation of powers scheme improperly removed authorities the Legislature had held for decades without any proposed limits on his own office.

"My friends, despite being given multiple opportunities," Tseytlin said, "were not willing or able to offer any limiting principle whatsoever to the revolution they would have the court unleash in this original action."

The panel was skeptical of both proposed allocations of powers.

"It seems to me that your argument, if we accept it, would enshrine the idea that we don't really have a separation of powers," Justice Brian Hagedorn told Tseytlin. "That we accept the idea that drawing lines between the powers is not something we're interested in doing other than to ensure that one power isn't unchecked."

Tseytlin pointed to the federal government as an example.

He argued that the U.S. Supreme Court's 1982 [decision](#) in *INS v. Chadha*, which found that a statute allowing a one-house legislative veto of certain executive actions violated separation-of-powers doctrine, had effectively failed in preventing further legislative vetoes.

"We know that on the federal level this has completely failed," he said. "80% of legislative veto provisions on the federal level were enacted after *Chada*."

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