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NEWS FOR IMMEDIATE RELEASE

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AG Kaul Announces Transparency Reforms to Opinion Process

MADISON, Wis. – Attorney General Josh Kaul today unveiled a new process and website for all Wisconsinites to provide information and perspectives on proposed Attorney General Opinion topics prior to the beginning of the Department of Justice drafting process. The new Wisconsin Department of Justice (DOJ) webpage, doj.state.wi.us/OpinionRequests gives anyone the opportunity to weigh in on issues facing opinion review.

"With the changes announced today, we are making the AG opinion process transparent and open to input from the public," said AG Kaul.

With the new website, all commentary submitted will now be open to public review through the public records process. Public records requests can be made through the Department of Justice Office of Open Government by phone, mail or online. More information about making a public records request can be found here.

By statute, the Attorney General must, when asked, provide the legislature and designated Wisconsin state government officials with an opinion on legal questions. The Attorney General may also give formal legal opinions to district attorneys and county corporation counsel under certain circumstances. Wis. Stat. § 165.25(3) and 59.42(1)(c). Please see 77 Op. Att'y Gen. Preface (1988) for a more detailed explanation of the criteria for requesting a formal opinion.

Opinions of the attorney general typically provide guidance when confusion exists about the meaning of a statute and Wisconsin appellate courts have not yet definitively answered the question. Wisconsin courts do not have any obligation to

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follow an interpretation provided by an opinion of the attorney general, but they often do. As the Wisconsin Court of Appeals has written, "Well-reasoned attorney general's opinions have persuasive value when a court later addresses the meaning of the same statute."