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Video of Cato Institute panel on *Murr v. Wisconsin*

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The Cato Institute has posted a video of a panel they hosted on *Murr v. Wisconsin*, an important takings case that will be argued before the Supreme Court on Monday, March 20. The video is available [here](#). The participants include Todd Gaziano of the Pacific Legal Foundation (the public interest law firm representing the Murr family), Michael Pappas (University of Maryland), Roger Pilon (Cato Institute), and myself.

Murr is by far the most important property rights case to come before the Supreme Court this term, and probably the most important in at least two or three years, if not longer. The case addresses a crucial question about when property owners are entitled to compensation under the Takings Clause of the Fifth Amendment: whether an action that might otherwise be a taking might cease to be one merely because the owner of the affected lot also happens to own other property contiguous to it.

As if to heighten the tension, the Court postponed consideration of *Murr* for many months, possibly because of fear of a 4-4 split between the justices after the death of Justice Antonin Scalia. However, they have not chosen to schedule the oral argument without waiting for the potential confirmation of Neil Gorsuch (whose confirmation hearings begin the same day as the new oral argument date). The oral argument may reveal to us whether a 4-4 split is actually likely or not.

I coauthored [an amicus brief](#) supporting the property owners, on behalf of nine state governments led by the state of Nevada. The state of California (joined by eight other states) later filed [an amicus brief](#) that in part responded to ours. I criticized the California brief [here](#).

NOTE: As with other posts about *Murr*, what I write here represents solely my own views, not those of the nine state governments I helped write the amicus brief for. The brief is a pro bono project, and I have no financial interest in the case.