

to females who are prisoners as well as to females who are on probation, extended supervision, or parole.

3. Defendants, therefore, have a plain legal duty pursuant to Wis. Stat. § 301.049 to consider for participation in the mother-young child program prisoners as well as women on probation, extended supervision, or parole.
4. Plaintiffs have proven they will suffer substantial damages if the duty is not performed because losing a statutorily right without means to recover makes the harm irreparable.
5. Plaintiffs have no other adequate remedy at law.
6. Justice requires issuance of the Writ in this case. Plaintiffs have satisfied the four requirements for issuance of a Writ: (1) a clear legal right; (2) a plain and positive duty; (3) substantial damage or injury should the relief not be granted; and (4) no other adequate remedy at law. Issuance of the Writ will promote substantial justice and further the legislature's goal of including as many mothers and children in the pool of candidates considered for acceptance into this program as possible.

Accordingly, pursuant to Wis. Stat. § 783.01 *et seq.* and the inherent authority of the Court, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's request for a Writ of Mandamus is GRANTED.
2. Defendants are hereby directed and ordered to comply with Wis. Stat. § 301.049 forthwith.

This is a final order that disposes of the entire matter in litigation and is intended by the Court to be an appealable order within Wis. Stat. § 808.03(1). *See Tyler v. The Riverbank*, 2007 WI 33, ¶ 25, 728 N.W.2d 686.