



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

MARCH 2019

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of March 2019 and to date for the term that began on September 1, 2018.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 17 cases in March. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>March 2019</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>10</u>	<u>46</u>
Attorney disciplinary cases	1	17
Judicial disciplinary cases	0	0
Bar Admissions	0	0
Civil cases	4	34
Criminal cases	5	10

Petitions for Review

A total of 53 petitions for review were filed during the month. A petition for review asks the Supreme Court to review the decision of the Court of Appeals. The Supreme Court's jurisdiction is discretionary, meaning that review is granted in selected cases only. In March, the Supreme Court disposed of 47 petitions for review, of which 2 petitions were granted. The Supreme Court currently has 178 petitions for review pending.

	<u>March 2019</u>	<u>Term to Date</u>
Petitions for Review filed	53	365
Civil cases	20	110
Criminal cases	33	255

Petition for Review dispositions	47	437
Civil cases (petitions granted).....	16 (2)	124 (15)
Criminal cases (petitions granted)	31 (0)	313 (12)

Petitions for Bypass

In March, the Supreme Court received 2 petitions for bypass and disposed of no petitions for bypass. In a petition for bypass, a party requests that the Supreme Court take jurisdiction of an appeal or other proceeding pending in the Court of Appeals. A matter appropriate for bypass is usually one which meets one or more of the criteria for review by the Supreme Court and one the Supreme Court concludes it will ultimately choose to consider regardless of how the Court of Appeals might decide the issues. A petition for bypass may also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has 5 petitions for bypass pending.

	<u>March 2019</u>	<u>Term to Date</u>
Petitions for Bypass filed	2	9
Civil cases	1	5
Criminal cases	1	4
 Petition for Bypass dispositions.....	 0	 7
Civil cases (petitions granted).....	0 (0)	3 (1)
Criminal cases (petitions granted)	0 (0)	4 (1)

Requests for Certification

During March 2019, the Supreme Court received no requests for certification and disposed of no requests for certification. In a request for certification, the Court of Appeals asks the Supreme Court to exercise its appellate jurisdiction before the Court of Appeals hears the matter. A request for certification is decided on the basis of the same criteria as a petition to bypass. The Supreme Court currently has 4 requests for certification pending.

	<u>March 2019</u>	<u>Term to Date</u>
Requests for Certification filed	0	<u>5</u>
Civil cases	0	3
Criminal cases	0	2
 Request for Certification dispositions.....	 <u>0</u>	 <u>2</u>
Civil cases (requests granted)	0 (0)	0 (0)
Criminal cases (requests granted)	0 (0)	2 (1)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 7 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such cases were reopened. The Supreme Court also received 9 petitions for supervisory writ, which ask the Supreme Court to order the Court of Appeals or a circuit court to take a certain action in a case. No original actions was filed. An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. When an opinion is issued in these cases, the disposition is included in “Opinions Issued by the Court” above; otherwise, the case is disposed of by order and is included in the totals below. The Supreme Court currently has 112 regulatory matters and 19 petitions for supervisory writ pending.

	<u>March 2019</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	6	26
Judicial discipline.....	0	3
Bar admission.....	1	1
Petitions for Supervisory Writ	9	32
Other (including Original Actions).....	0	1
 <u>Dispositions by Order</u>		
Attorney discipline.....	2	16
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ	5	25
Other (including Original Actions).....	0	3

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING MARCH 2019**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2016AP880	In the Interest of A.L., a person under the age of 17; State of Wisconsin v. A.L. The Decision of the Court of Appeals is Affirmed <u>Majority Opinion:</u> Dallet, J. <u>Concur:</u> Kelly, J., Opin filed	03/07/2019
#2017AP1337-CR	State of Wisconsin v. Zachary S. Friedlander The Decision of the Court of Appeals is Reversed. Majority Opinion: Ziegler, J. Dissent: Abrahamson, J., Opin. filed Dissent: Bradley, A. W., J., Opin. filed	03/12/2019
#2017AP516	State of Wisconsin, ex rel. The Peter Ogden Family Trust of 2008 and the Therese A. Mahoney-Ogden Family Trust of 2008 v. Board of Review for the Town of Delafield The Decision of the Court of Appeals is Affirmed and the Cause Remanded to the Circuit Court. <u>Majority Opinion:</u> Abrahamson, J. <u>Concur:</u> Dallet, J. and Bradley, A.W., J. – Opin filed	03/14/2019
#2017AP850-CR	State of Wisconsin v. Joseph B. Reinwand The Decision of the Circuit Court is Affirmed <u>Majority Opinion:</u> Roggensack, C.J. <u>Concur:</u> Dallet, J., Bradley, A.W., J, and Abrahamson, J. – Opin. filed	03/19/2019

#2016AP1525	<p>Milwaukee District Counsel 48 v. Milwaukee County. The Decision of the Court of Appeals is Affirmed. <u>Majority Opinion:</u> Bradley, R. G., J. <u>Dissent:</u> Ziegler, J., and Roggensack, C.J. – Opin. Filed.</p>	03/19/2019
#2017AP1618-CR	<p>State of Wisconsin v. Michael A. Keister The Decision of the Court of Appeals is Reversed; Circuit Court Order Vacated. <u>Per Curiam</u></p>	03/19/2019
#2017AP631	<p>Christopher Kieninger and Dwayne Meek v. Crown Equipment Corporation d/b/a Crown Lift Trucks, LLC. The Decision of the Court of Appeals is Reversed. <u>Majority Opinion:</u> Kelly, J.</p>	03/20/2019
#2014AP1523-D	<p>Office of Lawyer Regulation v. John F. Koenig Petition for Reinstatement is granted effective the date of this order. Pay OLR costs within 60 days Per Curiam</p>	03/21/2019
#2018AP2457-D	<p>Office of Lawyer Regulation v. David P. Templeton License Suspended for six months, effective the date of this order. Shall comply with SCR 22.26 Comply with conditions imposed upon reinstatement. Administrative suspension will remain until each reason for the suspension has been rectified, pursuant to SCR 22.28(1) Per Curiam</p>	03/21/2019

#2018AP1397-D

03/22/2019

Office of Lawyer Regulation v. Diann P. Burton
Public Reprimand for Professional Misconduct
Pay OLR costs within 60 days.
Director of OLR shall notify the court if there has not been full compliance
License is temporarily suspended pursuant to this court's July 10, 2018 order.
Administrative Suspension remains in effect until each reason has been rectified pursuant to SCR 22.28(1).
Per Curiam

#2016AP2491

03/26/2019

David MacLeish, Hayden MacLeish, Kay MacLeish and Robin MacLeish v. Boardman & Clark, LLP, Quale Hartmann, SC., Continental Casualty Company and OneBeacon Insurance Company.
The Decision of the Court of Appeals is Affirmed.
Majority Opinion: Bradley, A. W., J.

2016AP2258-CR

03/28/2019

State of Wisconsin v. Corey R. Fugere
The Decision of the Court of Appeals is Affirmed.
Majority Opinion: Ziegler, J.
Dissent: Bradley, A.W.,J., Abrahamson, J. and Dallet, J. - opin filed.