



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

DECEMBER 2008

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of December 2008 and to date for the term that began on September 1, 2008.

Opinions Issued by the Court

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

	<u>December 2008</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>4</u>	<u>9</u>
Attorney disciplinary cases	1	5
Judicial disciplinary cases	0	0
Civil cases	2	3
Criminal cases	1	1

Petitions for Review

A total of 71 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 December, the Supreme Court disposed of 56 petitions for review, of which 9 petitions were granted. The Supreme Court currently has 162 petitions for review pending.

	<u>December 2008</u>	<u>Term to Date</u>
Petitions for Review filed	<u>71</u>	<u>234</u>
Civil cases	39	115
Criminal cases	32	119

Petition for Review dispositions	<u>56</u>	<u>265</u>
Civil cases (petitions granted).....	31 (5)	145 (18)
Criminal cases (petitions granted)	25 (4)	120 (7)

Petitions for Bypass

The Supreme Court received no petitions for bypass and disposed of 1 petition for bypass in December. 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 1 petition for bypass pending.

	<u>December 2008</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>0</u>	<u>2</u>
Civil cases	0	2
Criminal cases	0	0
Petition for Bypass dispositions.....	<u>1</u>	<u>6</u>
Civil cases (petitions granted).....	1 (0)	4 (0)
Criminal cases (petitions granted)	0 (0)	2 (0)

Requests for Certification

During December 2008, the Supreme Court received 1 request for certification and disposed of 1 request 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 2 requests for certification pending.

	<u>December 2008</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>1</u>	<u>3</u>
Civil cases	1	3
Criminal cases	0	0
Request for Certification dispositions.....	<u>1</u>	<u>3</u>
Civil cases (requests granted)	1 (1)	2 (2)
Criminal cases (requests granted)	0 (0)	1 (1)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 1 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed. The Supreme Court also received 5 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. One original action 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 38 regulatory matters and 8 petitions for supervisory writ pending.

December 2008 Term to Date

Filings

Attorney discipline.....	1	12
Judicial discipline.....	0	1
Bar admission.....	0	0
Petitions for Supervisory Writ	5	19
Other (including Original Actions).....	1	4

Dispositions by Order

Attorney discipline.....	1	8
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	4	18
Other (including Original Actions).....	1	6

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING DECEMBER 2008

ATTORNEY DISCIPLINE CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2008AP001791-D	Office of Lawyer Regulation (OLR) v. Gene B. Radcliffe 90 Day Suspension Per Curiam ¹	12/23/2008

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2007AP000046	D.L. Anderson's Lakeside Leisure Co., Inc. v. Donald Anderson Court of Appeals decision affirmed in part, reversed in part, and remanded. <u>Majority Opinion:</u> Crooks, J.	12/02/2008
2006AP001744-CR	State v. Jordan A. Denk Orders of Circuit Court affirmed. <u>Majority Opinion:</u> Bradley, J.	12/30/2008
2007AP000587	Albert Loth v. City of Milwaukee Court of Appeals decision reversed. <u>Majority Opinion:</u> Abrahamson, C.J.	12/30/2008

¹ “Per Curiam” means “by the Court.” Opinions issued *per curiam* are handed down by the Court as a whole.