



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

MARCH 2010

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of March 2010 and to date for the term that began on September 1, 2009.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 9 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 2010</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>9</u>	<u>28</u>
Attorney disciplinary cases	5	21
Judicial disciplinary cases	0	0
Civil cases	2	3
Criminal cases	2	4

Petitions for Review

A total of 59 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 97 petitions for review, of which 7 petitions were granted. The Supreme Court currently has 172 petitions for review pending.

	<u>March 2010</u>	<u>Term to Date</u>
Petitions for Review filed	<u>59</u>	<u>411</u>
Civil cases	26	201
Criminal cases	33	210

Petition for Review dispositions	<u>97</u>	<u>479</u>
Civil cases (petitions granted).....	51 (3)	246 (25)
Criminal cases (petitions granted)	46 (4)	233 (14)

Petitions for Bypass

In March, the Supreme Court received no petitions for bypass and disposed of 1 petition 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 no petitions for bypass pending.

	<u>March 2010</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>0</u>	<u>9</u>
Civil cases	0	9
Criminal cases	0	0
Petition for Bypass dispositions.....	<u>1</u>	<u>12</u>
Civil cases (petitions granted).....	1 (0)	10 (1)
Criminal cases (petitions granted)	0 (0)	2 (0)

Requests for Certification

During March 2010, the Supreme Court received no requests for certification and disposed of one 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 1 request for certification pending.

	<u>March 2010</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>0</u>	<u>7</u>
Civil cases	0	6
Criminal cases	0	1
Request for Certification dispositions.....	<u>1</u>	<u>8</u>
Civil cases (requests granted)	1 (1)	6 (6)
Criminal cases (requests granted)	0 (0)	2 (0)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 6 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed, and one such case was reopened. The Supreme Court also received 10 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 22 regulatory matters and 16 petitions for supervisory writ pending.

March 2010 Term to Date

Filings

Attorney discipline (including reopened cases).....	7	23
Judicial discipline.....	0	1
Bar admission.....	0	0
Petitions for Supervisory Writ	10	34
Other (including Original Actions).....	1	5

Dispositions by Order

Attorney discipline.....	2	9
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	10	39
Other (including Original Actions).....	3	7

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING MARCH 2010

ATTORNEY DISCIPLINE CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2006AP001021-D	Office of Lawyer Regulation (OLR) v. Michael A. Gral Reinstatement Granted Per Curiam ¹	03/09/2010
2008AP002366-D	OLR v. Jeffrey T. Roethe Public Reprimand Per Curiam	03/24/2010
2008AP002043-D	OLR v. David G. Merriam 90 Day Suspension Per Curiam	03/25/2010
1997AP003862-D	Board of Attorneys Professional Responsibility v. Nancy A. Schlieve Reinstatement Denied Per Curiam	03/30/2010
2008AP001416-D	OLR v. John R. Loew 60 Day Suspension Per Curiam	03/30/2010

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

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2008AP001385	Volvo Trucks North America v. Wausau Truck Center, Inc. Court of Appeals decision affirmed. <u>Majority Opinion</u> : Abrahamson, C.J.	03/11/2010
2007AP2767-CR	State v. John A. Wood Circuit Court orders affirmed. <u>Majority Opinion</u> : Crooks, J. <u>Dissent</u> : Abrahamson, C.J., joined by Bradley, J.	03/19/2010
2007AP1011-CR	State v. James W. Smith Court of Appeals decision affirmed. <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, C.J.	03/19/2010
2008AP0010	Mark J. Solowicz v. Forward Geneva National Court of Appeals decision affirmed. <u>Majority Opinion</u> : Roggensack, J. <u>Concurrence</u> : Abrahamson, C.J. <u>Concurrence</u> : Bradley, J., joined by Prosser, J. <u>Concurrence</u> : Prosser, J.	03/24/2010