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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

NOVEMBER 2018

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 10 cases in November. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

| | <u>Nov 2018</u> | <u>Term to Date</u> |
|---|-----------------|---------------------|
| Total number of cases resolved by opinion | 3 | 11 |
| Attorney disciplinary cases | 2 | 9 |
| Judicial disciplinary cases | 0 | 0 |
| Bar Admissions | 0 | 0 |
| Civil cases | 9 | 10 |
| Criminal cases | 1 | 1 |

Petitions for Review

A total of 45 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 November, the Supreme Court disposed of 62 petitions for review, of which 1 petition was granted. The Supreme Court currently has 187 petitions for review pending.

| | <u>Nov 2018</u> | <u>Term to Date</u> |
|----------------------------------|-----------------|---------------------|
| Petitions for Review filed | 45 | 171 |
| Civil cases | 17 | 51 |
| Criminal cases | 28 | 120 |

| | | |
|--|--------|---------|
| Petition for Review dispositions | 62 | 234 |
| Civil cases (petitions granted)..... | 20 (0) | 83 (12) |
| Criminal cases (petitions granted) | 42 (1) | 151 (6) |

Petitions for Bypass

In November, the Supreme Court received 2 petitions for bypass and disposed of 4 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 4 petitions for bypass pending.

| | <u>Nov 2018</u> | <u>Term to Date</u> |
|--|-----------------|---------------------|
| Petitions for Bypass filed | 2 | 4 |
| Civil cases | 0 | 2 |
| Criminal cases | 2 | 2 |
| | | |
| Petition for Bypass dispositions..... | 0 | 3 |
| Civil cases (petitions granted)..... | 0 (0) | 1 (0) |
| Criminal cases (petitions granted) | 0 (0) | 2 (0) |

Requests for Certification

During November 2018, the Supreme Court received 2 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 2 requests for certification pending.

| | <u>Nov 2018</u> | <u>Term to Date</u> |
|---|-----------------|---------------------|
| Requests for Certification filed..... | 2 | <u>2</u> |
| Civil cases | 0 | 0 |
| Criminal cases | 2 | 2 |
| | | |
| Request for Certification dispositions..... | <u>0</u> | <u>1</u> |
| Civil cases (requests granted) | 0 (0) | 0 (0) |
| Criminal cases (requests granted) | 0 (0) | 1 (1) |

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of no matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed and 2 such cases were reopened. The Supreme Court also received 1 petition 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 116 regulatory matters and 10 petitions for supervisory writ pending.

| | <u>Nov 2018</u> | <u>Term to Date</u> |
|---|-----------------|---------------------|
| <u>Filings</u> | | |
| Attorney discipline (including reopened cases)..... | 0 | 8 |
| Judicial discipline..... | 2 | 2 |
| Bar admission..... | 0 | 0 |
| Petitions for Supervisory Writ | 1 | 9 |
| Other (including Original Actions)..... | 0 | 1 |
| <u>Dispositions by Order</u> | | |
| Attorney discipline..... | 2 | 4 |
| Judicial discipline..... | 0 | 0 |
| Bar admission..... | 0 | 0 |
| Petitions for Supervisory Writ | 6 | 10 |
| Other (including Original Actions)..... | 1 | 3 |

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING NOVEMBER 2018**

| <u>Docket No.</u> | <u>Title</u> | <u>Date</u> |
|--------------------------|---|--------------------|
| #2016AP2148-D | Office of Lawyer Regulation v. Jason C. Gonzalez Public Reprimand Pay Costs Per Curiam ¹ | 11/8/2018 |
| #2017AP208-CR | State of Wisconsin vs. Johnny K. Pinder Judgment of the Circuit Court Affirmed Concurring: Kelly, J. and Bradley, R.G., J | 11/16/2018 |
| #2017AP512-D | Office of Lawyer Regulation v. Gerald P. Boyle License Suspended for an indefinite period, commencing November 30, 2018 until further order of the court Costs held in abeyance Comply with SCR 22.26 Per Curiam | 11/30/2018 |

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

