



# Supreme Court of Wisconsin

OFFICE OF THE CLERK

110 E. MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Annette Kingsland Ziegler  
Chief Justice

Telephone (608) 266-1880  
TTY Users: Call WI TRS at 1-800-947-3529; request (608) 266-1880  
Fax (608) 267-0640  
Web Site: [www.wicourts.gov](http://www.wicourts.gov)

Hon. Randy R. Koschnick  
Director of State Courts

Sheila T. Reiff  
Clerk of Supreme Court

## WISCONSIN SUPREME COURT ANNUAL STATISTICAL REPORT

### 2021-2022 TERM

This annual statistical report presents information about the work of the Wisconsin Supreme Court in its judicial and rulemaking functions from September 1, 2021 through August 31, 2022. Included are statistics on case filings, opinions, and dispositions issued by the Court and information about the creation or amendment of rules governing pleading, practice and procedure in judicial proceedings in all Wisconsin courts.

### Opinions Issued by the Court

The Supreme Court issued opinions resolving 78 cases<sup>1</sup> during the 2021-2022 term.

|                                                 | <u>2020-2021</u> | <u>2021-2022</u> |
|-------------------------------------------------|------------------|------------------|
| Total number of cases resolved by opinion ..... | <u>97</u>        | <u>78</u>        |
| Attorney discipline cases .....                 | 33               | 13               |
| Judicial discipline cases .....                 | 1                | 0                |
| Bar admission cases .....                       | 0                | 0                |
| Civil cases .....                               | 44               | 45               |
| Criminal cases .....                            | 19               | 20               |

### Petitions for Review

<sup>1</sup> The number of authored opinions for the term may differ from the number of cases resolved by opinion for the term; multiple cases resolved by one opinion (consolidated cases) and *per curiam* opinions (by the court as a whole) account for this difference.

A total of 567 petitions for review were filed during the term. 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. During the 2021-2022 term, the Supreme Court disposed of 624 petitions for review, of which 52 petitions were granted. At the end of the term, the Court had 164 petitions for review pending.

|                                            | <u>2020-2021</u> | <u>2021-2022</u> |
|--------------------------------------------|------------------|------------------|
| Petitions for Review filed .....           | <u>658</u>       | <u>624</u>       |
| Civil cases .....                          | 244              | 263              |
| Criminal cases .....                       | 407              | 361              |
| <br>Petition for Review dispositions ..... | <br><u>596</u>   | <br><u>596</u>   |
| Civil cases (petitions granted).....       | 225 (28)         | 225 (29)         |
| Criminal cases (petitions granted) .....   | 371 (24)         | 371 (20)         |

### **Petitions for Bypass**

This term, the Supreme Court received 12 petitions for bypass and disposed of 13 petitions for bypass, of which 5 were granted. 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. At the end of the term, the Court had 2 petitions for bypass pending.

|                                           | <u>2020-2021</u> | <u>2021-2022</u> |
|-------------------------------------------|------------------|------------------|
| Petitions for Bypass filed .....          | <u>16</u>        | <u>12</u>        |
| Civil cases .....                         | 8                | 11               |
| Criminal cases .....                      | 8                | 1                |
| <br>Petition for Bypass dispositions..... | <br><u>13</u>    | <br><u>13</u>    |
| Civil cases (petitions granted).....      | 5 (2)            | 12 (5)           |
| Criminal cases (petitions granted) .....  | 8 (2)            | 1 (0)            |

## Requests for Certification

During the 2021-2022 term, the Supreme Court received 5 requests for certification and disposed of 5 requests for certification, of which 4 were granted. 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. At the end of the term, the Court had 1 request for certification pending.

|                                             | <u>2020-2021</u> | <u>2021-2022</u> |
|---------------------------------------------|------------------|------------------|
| Requests for Certification filed.....       | <u>7</u>         | <u>5</u>         |
| Civil cases .....                           | 3                | 2                |
| Criminal cases.....                         | 4                | 3                |
| Request for Certification dispositions..... | <u>9</u>         | <u>5</u>         |
| Civil cases (requests granted) .....        | 4 (3)            | 3 (2)            |
| Criminal cases (requests granted) .....     | 5 (3)            | 2 (2)            |

## Regulatory Matters, Supervisory Writs, and Original Actions

During the 2021-2022 term, a total of 22 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed. The Supreme Court also received 51 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. Four original actions were filed and no certified questions. An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. Opinions disposing of cases in these categories are included in “Opinions Issued by the Court” above; statistics on dispositional orders are listed below. At the end of the term, the Court had 83 regulatory matters and 15 petitions for supervisory writ pending.

|                                         | <u>2020-2021</u> | <u>2021-2022</u> |
|-----------------------------------------|------------------|------------------|
| <u>Filings</u>                          |                  |                  |
| Attorney discipline.....                | <u>25</u>        | <u>22</u>        |
| Judicial discipline.....                | 0                | 0                |
| Bar admission.....                      | 2                | 0                |
| Petitions for Supervisory Writ .....    | 41               | 51               |
| Other (including Original Actions)..... | 19               | 4                |
| <u>Dispositions by Order</u>            |                  |                  |
| Attorney discipline.....                | 6                | 0                |
| Judicial discipline.....                | 0                | 0                |
| Bar admission.....                      | 0                | 0                |
| Petitions for Supervisory Writ .....    | 29               | 50               |
| Other (including Original Actions)..... | 20               | 1                |

## Rules Petitions

Each term, the Court notices and holds public hearings on petitions for the creation or amendment of rules governing pleading, practice and procedure in judicial proceedings in all courts, provided that the Court deems the petition to have arguable merit. In the term just ended, the Court held 4 rules hearings and convened 9 administrative conferences at which 13 petitions were discussed. During the term, the Court issued 9 orders, all of which were amendments or new rules governing practice and procedure in Wisconsin.

### New and Amended Rules

The Court entered the following rule orders during the term:

**Petition 21-08** In the matter of Amending Supreme Court Rule 31.01 (11) pertaining to continuing legal education and pro bono legal services. Granted. Effective April 20, 2022.

**Petition 21-03** In re Amendment of Wis. Stat. §§ 753.24, 753.26, 757.12, 757.14, and 757.70 Relating to the Location of Court. Granted. Effective July 1, 2022.

**Petition 21-05** In the Matter of the Proposed Amendment to Wis. Stat. § 804.03, Relating to the Remote Administration of Oaths at Depositions. Granted. Effective July 1, 2022.

**Petition 21-07** In the Petition to Amend SCR 40.02 Relating to the Qualifications For Admission. Granted. Effective July 1, 2022.

**Petition 21-04** In the Matter of Amending Wis. Stats. §§ 48.299 and 938.299 Regulating the Use of Restraints on Children in Juvenile Court. Granted. Effective July 1, 2022.

**Petition 21-04A:** In the Matter of the correction to Wis. Stat. § 938.299 (2m). On the Courts Own Motion. Granted.

**Petition 22-04** In the Matter of Amendment of Court Rules Governing Private Pay Guardian Ad Litem (GAL) Fees and Liability. Dismissed on June 24, 2022

**Petition 16-05D:** In re creation of a pilot project for dedicated trial court judicial dockets for large claim business and commercial cases. Amended. Effective June 29, 2022.

**Petition 19-02B and 20-07B:** In re Interim Court Rule Governing Electronic Filing in the Supreme Court. Court Amended on July 7, 2022.