



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

OCTOBER 2018

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 6 cases in October. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>October 2018</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>6</u>	<u>8</u>
Attorney disciplinary cases	5	7
Judicial disciplinary cases	0	0
Bar Admissions	0	0
Civil cases	1	1
Criminal cases	0	0

Petitions for Review

A total of 76 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 October, the Supreme Court disposed of 68 petitions for review, of which 7 petition were granted. The Supreme Court currently has 203 petitions for review pending.

	<u>October 2018</u>	<u>Term to Date</u>
Petitions for Review filed	76	150
Civil cases	17	33
Criminal cases	59	92

Petition for Review dispositions	65	172
Civil cases (petitions granted).....	20 (5)	63 (12)
Criminal cases (petitions granted)	45 (2)	109 (6)

Petitions for Bypass

In October, the Supreme Court received 1 petition 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 2 petitions for bypass pending.

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

Requests for Certification

During October 2018, 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 no requests for certification pending.

	<u>October 2018</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>0</u>
Civil cases	0	0
Criminal cases	0	0
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 1 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed and no such cases were reopened. The Supreme Court also received 6 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 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 32 regulatory matters and 15 petitions for supervisory writ pending.

	<u>October 2018</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	1	7
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	6	8
Other (including Original Actions).....	0	1
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	2
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	5
Other (including Original Actions).....	2	2

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

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2017AP411-D	Office of Lawyer Regulation v. Michelle A. Tjader Public Reprimand Fee dispute goes to binding arbitration Pay Restitution. Per Curiam ¹	10/16/2018
#2017AP2473-D	Office of Lawyer Regulation v. Ryan P. Thompson License Suspended 15 months effective 10/16/2018 Suspension on May 6, 2018 is lifted Attend 6 credits of CLE within 6 months Pay Restitution Comply with SCR 22.26 Comply with SCR 22.28(3) and all conditions before reinstatement Per Curiam	10/16/2018
#2018AP1185-D	Office of Lawyer Regulation v. Adam J. Wiensch License Suspended 2 years, effective November 27, 2018 Comply with SCR 22.26 Comply with SCR 22.29(4)(c) and all conditions prior to reinstatement Per Curiam	10/16/2018

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

#2008AP85-D	Office of Lawyer Regulation v. Brian P. Mularski Petition for Reinstatement is denied Within 60 days of this order, costs of this proceeding to be paid. Per Curiam	10/17/2018
#2017AP1274-D	Office of Lawyer Regulation v. Thomas R. Napierala Public Reprimand Pay Restitution Pay costs within 60 days Per Curiam	10/25/2018
#2016AP299	SECURA Ins. v. Lyme St. Croix Forest Co., LLC. The decision of the Court of Appeals is reversed and cause is remanded to the Circuit Court for further proceedings consistent with this opinion. <u>Majority Opinion:</u> Bradley, A.W., J.	10/30/2018