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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

DECEMBER 2023

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of December and to date for the term that began on September 1, 2023.

OPINIONS ISSUED BY THE COURT

The Supreme Court issued 4 opinions resolving 3 cases in December. Information about these opinions, including the Court's disposition and the names of the authoring justices, can be found in the attached table.

	<i>December 2023</i>	<i>Term to Date</i>
Total number of cases resolved by opinion	3	8
<i>Attorney disciplinary cases</i>	3	6
<i>Judicial disciplinary cases</i>	0	0
<i>Civil Cases</i>	0	1
<i>Criminal Cases</i>	0	1

PETITIONS FOR REVIEW

A petition for review is a request made to the Supreme Court to review the decision made by the Court of Appeals. It is important to note that the Supreme Court has discretionary jurisdiction, which means that it only grants review in selected cases. During the month of December, a total of 50 new petitions for review were filed. In addition, the Supreme Court disposed of 80 petitions for review during the month, 3 of which were granted. At present, the Supreme Court has 189 petitions for review that are still pending.

	<i>December 2023</i>	<i>Term to Date</i>
Petitions for Review filed	50	195
<i>Civil Cases</i>	28	102
<i>Criminal Cases</i>	22	93
Petitions for Review dispositions	80	214
<i>Civil Cases (petitions granted)</i>	31 (1)	78 (2)
<i>Criminal Cases (petitions granted)</i>	49 (2)	136 (3)

PETITIONS FOR BYPASS

A petition for bypass is a request made by a party to the Supreme Court to take jurisdiction of an appeal or other proceeding that is pending in the Court of Appeals. The Supreme Court may consider a case appropriate for bypass if it meets one or more of the criteria for review. In such cases, the Supreme Court will ultimately decide to consider the matter, regardless of how the Court of Appeals may decide the issues. This type of petition may also be granted where there is a clear need to speed up the ultimate appellate decision. In December, the Supreme Court received 2 petitions for bypass and disposed of 1 petition. The Supreme Court currently has 4 petitions for bypass pending.

	<i>December 2023</i>	<i>Term to Date</i>
Petitions for Bypass filed	2	5
<i>Civil Cases</i>	1	3
<i>Criminal Cases</i>	1	2
Petitions for Bypass dispositions	1	5
<i>Civil Cases (petitions granted)</i>	0 (0)	3 (0)
<i>Criminal Cases (petitions granted)</i>	1 (0)	2 (0)

Requests for Certification

A request for certification arises when the Court of Appeals calls upon the Supreme Court to hear a case before the Court of Appeals has had the opportunity to do so. This type of request is typically made when the Court of Appeals believes that the case is of such significance that it is essential for the Supreme Court to consider it at the earliest opportunity.

The criteria for evaluating such a request are the same as those used when assessing a petition to bypass. The Supreme Court considers various factors, including the importance of the issues at stake, the likelihood that the case will return to the Supreme Court if it is not heard, and whether the case would benefit from the Supreme Court's guidance.

If the Supreme Court decides to grant the request for certification, it means that it will consider the case first, before the Court of Appeals has had the opportunity to hear it. If the Supreme Court declines the request, the case will proceed to the Court of Appeals in the usual way. During December, the Supreme Court received no requests for certification and disposed of no requests for certification. The Supreme Court currently has no requests for certification pending.

	<i>December 2023</i>	<i>Term to Date</i>
Requests for Certification filed	0	0
<i>Civil Cases</i>	0	0
<i>Criminal Cases</i>	0	0
Requests for Certification dispositions	0	0
<i>Civil Cases (petitions granted)</i>	0 (0)	0 (0)
<i>Criminal Cases (petitions granted)</i>	0 (0)	0 (0)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 2 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such cases were reopened. The Supreme Court also received 3 petitions for supervisory writ, which ask the Supreme Court to order a lower court to take a certain action in a case. The Supreme Court currently has 17 regulatory matters and 13 petitions for supervisory writ pending.

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. No original actions were filed.

	<i>December 2023</i>	<i>Term to Date</i>
Total number of Filings <i>(including reopened cases)</i>	5	36
<i>Attorney disciplinary cases</i>	2	8
<i>Judicial disciplinary cases</i>	0	0
<i>Bar Admission</i>	0	0
<i>Petitions for Supervisory Writ</i>	3	16
<i>Other (including Original Actions)</i>	0	3
	<i>December 2023</i>	<i>Term to Date</i>
Total number of Dispositions by Order <i>(including reopened cases)</i>	5	17
<i>Attorney disciplinary cases</i>	0	1
<i>Judicial disciplinary cases</i>	0	0
<i>Bar Admission</i>	0	0
<i>Petitions for Supervisory Writ</i>	4	13
<i>Other (Including Original Actions)</i>	1	3

DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING DECEMBER 2023

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2020AP2166-D	<u>Office of Lawyer Regulation v. Matthew T. Luening</u> PER CURIAM. Attorney disciplinary proceedings. Attorney's license suspended.	12-15-2023
2022AP745-D	<u>Office of Lawyer Regulation v. Gary King</u> PER CURIAM. Attorney disciplinary proceedings. Attorney's license suspended.	12-15-2023
2022AP745-D	<u>Office of Lawyer Regulation v. Peter J. Nickitas</u> PER CURIAM. Attorney disciplinary proceedings. Attorney's license suspended.	12-15-2023
2023AP1399-OA	<u>Rebecca Clarke v. Wisconsin Elections Commission</u> RIGHTS DECLARED. KAROFKY, J. , delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET and PROTASIEWICZ, JJ. , joined. ZIEGLER, C.J. , filed a dissenting opinion. REBECCA GRASSL BRADLEY, J. , filed a dissenting opinion. HAGEDORN, J. , filed a dissenting opinion.	12-22-2023