Supreme Court of Wisconsin

OFFICE OF THE CLERK
110 E. MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Patience Drake Roggensack
Chief Justice

J. Denis Moran
Director of State Courts

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

Diane M. Fremgen
Clerk of Supreme Court

WISCONSIN SUPREME COURT
MONTHLY STATISTICAL REPORT

March 2017

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of March 2017 and to date for the term that began on September 1, 2016.

Opinions Issued by the Court

The Supreme Court issued opinions involving 7 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.

	March 2017	Term to Date
Total number of cases resolved by opinion	7	35
Attorney disciplinary cases	1	19
Judicial disciplinary cases	0	0
Bar admission cases..	0	0
Civil cases	3	7
Criminal cases	3	9

Petitions for Review

A total of 80 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 54 petitions for review, of which 7 petitions were granted. The Supreme Court currently has 174 petitions for review pending.

	March 2017	Term to Date
Petitions for Review filed	80	396
Civil cases	44	193
Criminal cases	36	203

Petition for Review dispositions	54	454
Civil cases (petitions granted)	21 (3)	211 (22)
Criminal cases (petitions granted)	33 (4)	243 (23)

Petitions for Bypass

In March, the Supreme Court received 1 petition for bypass and disposed of 2 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 1 petition for bypass pending.

	March 2017	Term to Date
Petitions for Bypass filed	1	4
Civil cases	0	3
Criminal cases	1	1
Petition for Bypass dispositions	2	5
Civil cases (petitions granted)	2 (0)	5 (1)
Criminal cases (petitions granted)	0 (0)	0 (0)

Requests for Certification

During March 2017, the Supreme Court received 0 requests for certification and disposed of 0 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.

	March 2017	Term to Date
Requests for Certification filed	0	2
Civil cases	0	1
Criminal cases	0	1
Request for Certification dispositions	0	3
Civil cases (requests granted)	0 (0)	2 (1)
Criminal cases (requests granted)	0 (0)	1 (0)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 4 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and 3 such cases were reopened. The Supreme Court also received 2 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 actions were 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 34 regulatory matters and 6 petitions for supervisory writ pending.

	March 2017	Term to Date
Filings		
Attorney discipline (including reopened cases)	7	38
Judicial discipline	0	0
Bar admission	0	0
Petitions for Supervisory Writ	2	25
Other (including Original Actions)	0	0
Dispositions by Order		
Attorney discipline	0	2
Judicial discipline	0	0
Bar admission	0	0
Petitions for Supervisory Writ	1	23
Other (including Original Actions)	1	3

DECISIONS BY THE WISCONSIN SUPREME COURT

OPINIONS ISSUED DURING March 2017

Docket No.	Title	Date
2017AP243-D	Office of Lawyer Regulation (OLR) v. Adam Walsh License Revoked Per Curiam[1]	03/23/2017

CIVIL AND CRIMINAL CASES

Docket No.	Title	Date
2014AP1870-CR	State v. David W. Howes The order of the circuit court is reversed and remanded for further proceedings. Majority Opinion: Roggensack, C.J. Concur: Gableman, J., joined by Ziegler, J. Concur: Kelly, J. Dissent: Abrahamson, J., joined by A.W. Bradley, J. and Kelly, J. joins Part II of this dissent insofar as it discusses the constitutionality of Wis. Stat. § 343.305(3)(b) .	03/01/2017
2015AP146	Wisconsin Carry, Inc. v. City of Madison Court of Appeals decision reversed and cause remanded to the circuit court Majority Opinion: Kelly, J. Dissent: A.W. Bradley, J. joined by Abrahamson, J.	03/07/2017
2013AP950	State v. Thornon F. Talley Court of Appeals decision affirmed Majority Opinion: R.G. Bradley, J. Concur: Abrahamson, J., joined by A.W. Bradley, J. Concur: Ziegler, J., joined by Gableman, J.	03/09/2017

[1] "Per Curiam" means "by the Court." Opinions issued *per curiam* are handed down by the Court as a whole.

2015AP207	Scott Smith v. Greg Kleynerman Judgment is affirmed by an equally divided court. Per Curiam Concur: Abrahamson, J. Kelly, J. did not participate.	03/21/2017
2016AP923-W	Universal Processing Services v. Circuit Court of Milw. Co. Petition for Writ denied. Rights declared. Majority Opinion: Abrahamson, J. Concur/Dissent: Ziegler, J. Concur/Dissent: R.G. Bradley, J., joined by Kelly, J.	03/29/2017
2014AP2813-CR	State v. Jeffrey P. Lepsch Court of Appeals decision affirmed Majority Opinion: Ziegler, J. Concur: Abrahamson , J. joined by A.W. Bradley, J.	03/31/2017