



# Supreme Court of Wisconsin

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## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### AUGUST 2019

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of August 2019 and to date for the term that began on September 1, 2018.

#### Opinions Issued by the Court

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

	<u>August 2019</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>3</u>	<u>89</u>
Attorney disciplinary cases .....	3	27
Judicial disciplinary cases.....	0	2
Bar Admissions .....	0	0
Civil cases .....	6	58
Criminal cases .....	1	23

#### Petitions for Review

A total of 40 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 August, the Supreme Court disposed of 48 petitions for review, of which 8 petitions were granted. The Supreme Court currently has 146 petitions for review pending.

	<u>August 2019</u>	<u>Term to Date</u>
Petitions for Review filed .....	40	609
Civil cases .....	18	183
Criminal cases .....	22	426

Petition for Review dispositions .....	48	712
Civil cases (petitions granted).....	8 (1)	200 (24)
Criminal cases (petitions granted) .....	40 (3)	512 (29)

### Petitions for Bypass

In August, the Supreme Court received 2 petitions for bypass and disposed of no 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 3 petition for bypass pending.

	<u>August 2019</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	2	13
Civil cases .....	2	9
Criminal cases .....	0	4
 Petition for Bypass dispositions.....	 0	 13
Civil cases (petitions granted).....	0 (0)	7 (4)
Criminal cases (petitions granted) .....	0 (0)	6 (1)

### Requests for Certification

During August 2019, 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 1 request for certification pending.

	<u>August 2019</u>	<u>Term to Date</u>
Requests for Certification filed .....	0	<u>5</u>
Civil cases .....	0	3
Criminal cases .....	0	2
 Request for Certification dispositions.....	 <u>0</u>	 <u>5</u>
Civil cases (requests granted) .....	0 (0)	3 (3)
Criminal cases (requests granted) .....	0 (0)	2 (1)

## Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 3 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 5 petitions for supervisory writ, which asks the Supreme Court to order the Court of Appeals or a Circuit Court to take a certain action in a case. 4 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 108 regulatory matters and 15 petitions for supervisory writ pending.

	<u>August 2019</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	3	46
Judicial discipline.....	0	3
Bar admission.....	0	1
Petitions for Supervisory Writ .....	5	56
Other (including Original Actions).....	4	11
 <u>Dispositions by Order</u>		
Attorney discipline.....	3	27
Judicial discipline.....	0	1
Bar admission.....	0	1
Petitions for Supervisory Writ .....	6	46
Other (including Original Actions).....	1	20

**DECISIONS BY THE  
WISCONSIN SUPREME COURT  
OPINIONS ISSUED DURING JULY 2019**

**Docket No.**  
#2017AP1247-D

**Title**  
In the Matter of Disciplinary Proceedings  
Against Thomas D. Vaitys, Attorney at Law:  
Office of Lawyer Regulation v. Thomas D.  
Vaitys.  
IT IS ORDERED that the petition for  
Revocation by consent is granted and the  
license of Thomas D. Vaitys to practice law is  
revoked, effective the date of this order.  
IT IS ORDERED that to the extent he has not  
already done so, Thomas D. Vaitys shall  
comply with the provisions of SCR 22.26  
concerning the duties of a person whose  
license to practice law in Wisconsin has been  
revoked. IT IS FURTHER ORDERED that  
Thomas D. Vaitys is to pay \$69,867.46 to T.  
A., \$2,130.05 to Attorney Thomas Napierala  
and \$100. To W. A. Attorney Thomas  
D.Vaitys shall reimburse his former clients  
T.A. and W.A. before satisfying his  
restitution obligation to Attoney Napierala.  
IT IS FURTHER ORDERED that as a  
condition of any further petition for  
reinstatement of his license to practice law in  
Wisconsin, Thomas D. Vaitrys will be  
required to prove that he has made restitution  
to or settled all claims of all persons injured  
or harmed by his misconduct, including  
reimbursement to the State Bar of Wisconsin  
Lawyers' Fund for Client Protection for all  
payments made by that fund, or, if restitution  
has not been made, Thomas D. Vaitrys will  
need to explain his failure or inability to do  
so. See SCR 22.29(4m). IT IS FURTHER  
ORDERED that within 60 days of the date of  
this order, Thomas D. Vaitys shall pay the  
Office of Lawyer Regulation the costs of this  
proceeding, which are \$4,703.85 as of July  
10, 2019.

**Date**  
08/22/2019

IT IS FURTHER ORDERED that the restitution specified above is to be completed prior to paying costs to the Office of Lawyer Regulation.  
Published Per Curiam

#2017AP1882-D

In the Matter of the Disciplinary Proceedings Against Cole J. White, Attorney at Law: Office of Lawyer Regulation v. Cole J. White  
IT IS ORDERED that the license of Cole J. White is suspended for a period of 15 months, effective October 4, 2019. IT IS FURTHER ORDERED that WITHIN 60 DAYS OF THE DATE OF THIS ORDER, Cole J. White shall pay restitution to R.R. in the amount of \$13,430. and to K.D. in the amount of \$1,000. IT IS FURTHER ORDERED that within 60 days of the date of this order, Cole J. White shall pay to the Office of Lawyer Regulation the costs of this proceeding, which at \$17,105.44. IT IS FURTHER ORDERED that restitution is to be completed prior to paying costs to the Office of Lawyer Regulation. IT IS FURTHER ORDERED that Cole J. White shall comply with the provisions of SCR 22.26 regarding the duties of a person whose license to practice law in Wisconsin has been suspended. IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement.  
Published Per Curiam

08/23/2019

#2019AP1149-D

In the Matter of the Disciplinary Proceedings Against Gordon C. Ring, Attorney at Law: Office of Lawyer Regulation v. Gordon C. Ring.  
IT IS ORDERED that the license of Gordon C. Ring is suspended for two years, effective the date of this order. IT IS FURTHER ORDERED that, to the extent he has not already done so, Gordon C. Ring shall comply with the provisions of SCR 22.26 concerning

08/23/2019

the duties of a person whose license to practice law in Wisconsin has been suspended. IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement. See SCR 22.29(4)(c).

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