

# Annual Statistical Report

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2022 – 2023 TERM

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Wisconsin Supreme Court  
Office of the Clerk



# Wisconsin Supreme Court

2022 – 2023 Term, Annual Statistical Report

This annual statistical report presents information about the work of the Wisconsin Supreme Court in its judicial and rulemaking functions from September 1, 2022 through August 31, 2023.

Included are statistics on case filings, opinions, and dispositions issued by the Court and information about the creation or amendment of rules governing pleadings, practice and procedure in judicial proceedings in all Wisconsin courts.

Respectfully Submitted,

Samuel A. Christensen  
Clerk of the Supreme Court

*“The decisions of the Wisconsin Supreme Court affect the public as a whole, resolving issues that are of statewide significance.”*

- Chief Justice Annette Kingsland Ziegler

## SUPREME COURT JUSTICES

Chief Justice  
Annette Kingsland Ziegler  
2007 – Present  
Chief Justice 2021 – Present

Justice  
Ann Walsh Bradley  
1995 – Present

Justice  
Patience D. Roggensack  
2003 – 2023  
Chief Justice 2017 – 2021

Justice  
Rebecca Grassl Bradley  
2015 - Present

Justice  
Rebecca Frank Dallet  
2018 – Present

Justice  
Brian Hagedorn  
2019 – Present

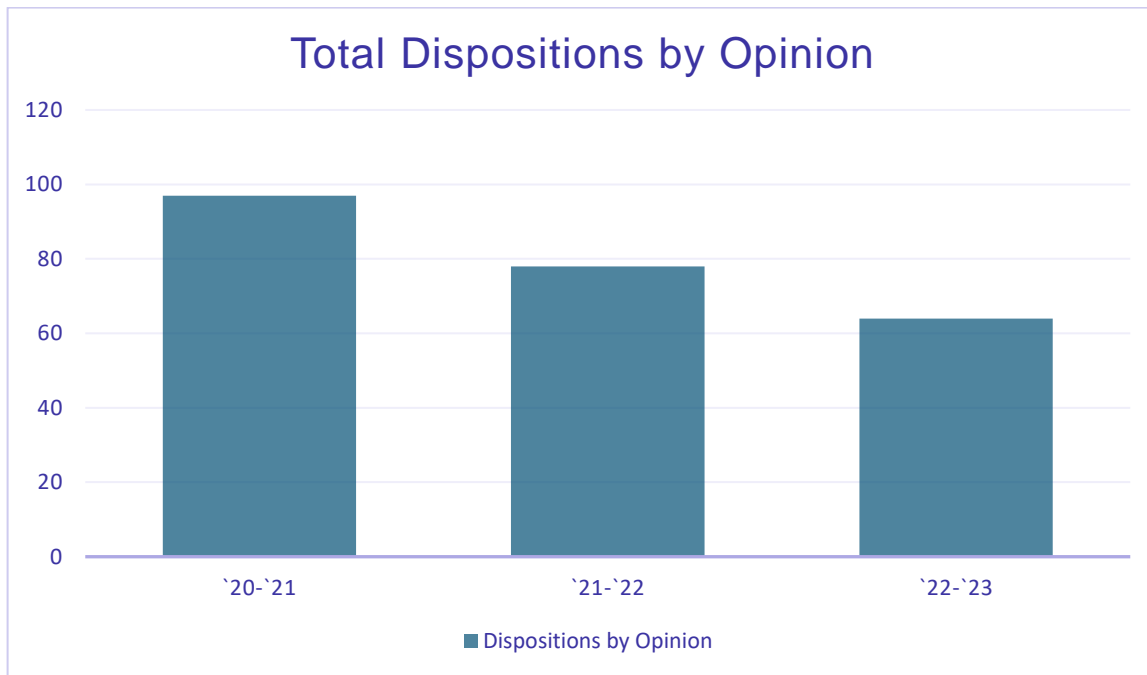
Justice  
Jill J. Karofsky  
2020 – Present

Justice  
Janet C. Protasiewicz  
2023 – Present

# Opinions Issued by the Court

The Supreme Court issued 62 opinions resolving 64 cases<sup>1</sup> during the 2022-2023 term.

|  | '20-'21 | '21-'22 | '22-'23 |
|--|---------|---------|---------|
| <b>Total number of cases resolved by opinion</b> | 97      | 78      | 64      |
| - Attorney discipline cases                      | 33      | 13      | 15      |
| - Judicial discipline cases                      | 1       | 0       | 0       |
| - Bar admission cases                            | 0       | 0       | 0       |
| - Civil cases                                    | 44      | 45      | 29      |
| - Criminal cases                                 | 19      | 20      | 20      |



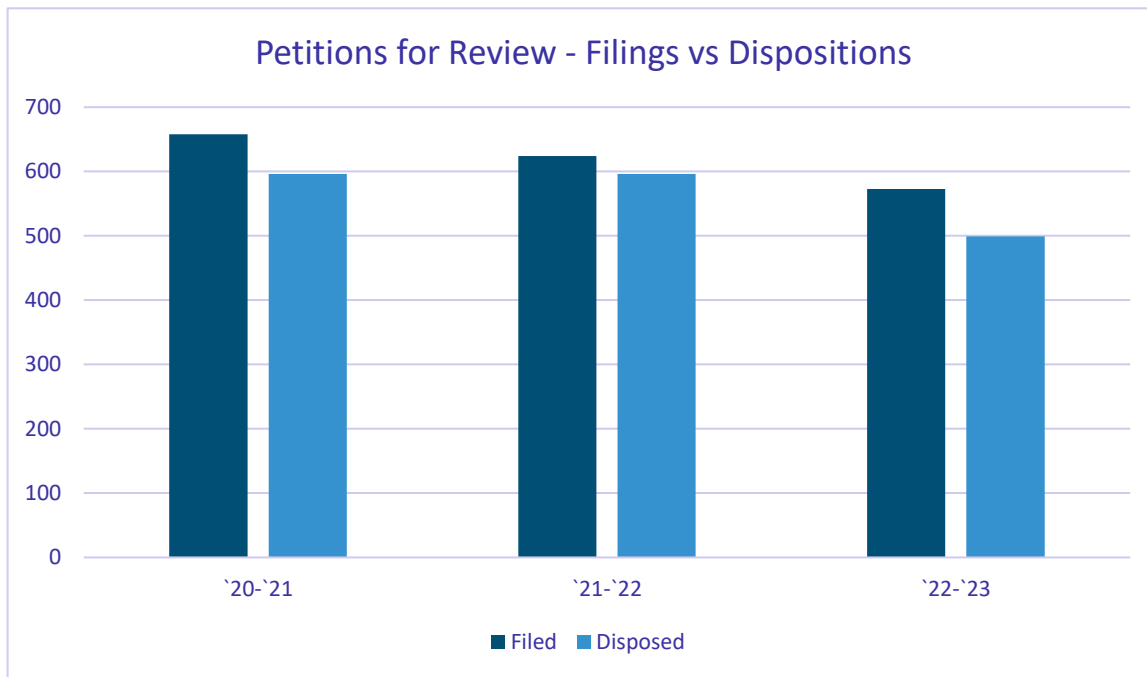
<sup>1</sup> The number of authored opinions for the term may differ from the number of cases resolved by opinion for the term; multiple cases resolve by one opinion (consolidated cases) and *per curiam* opinions (by the court as a whole) account for this difference.

# Petitions for Review

A petition for review asks the Supreme Court to review the decisions of the Court of Appeals. The Supreme Court’s jurisdiction is discretionary, meaning that review is granted in selected cases only.

A total of 573 petitions for review were filed during the term. During the 2022-2023 term, the Supreme Court disposed of 499 petitions for review, of which 19 petitions were granted. At the end of the term, the Court had 204 petitions for review pending.

|  | '20-'21  | '21-'22  | '22-23   |
|--|----------|----------|----------|
| <b>Total Petitions for Review filed</b>        | 658      | 624      | 573      |
| - Civil cases                                  | 244      | 263      | 230      |
| - Criminal cases                               | 407      | 361      | 343      |
| <b>Total Petitions for Review dispositions</b> | 596      | 596      | 499      |
| - Civil cases (Petitions granted)              | 225 (28) | 225 (29) | 221 (12) |
| - Criminal cases (Petitions granted)           | 371 (24) | 371 (20) | 278 (7)  |

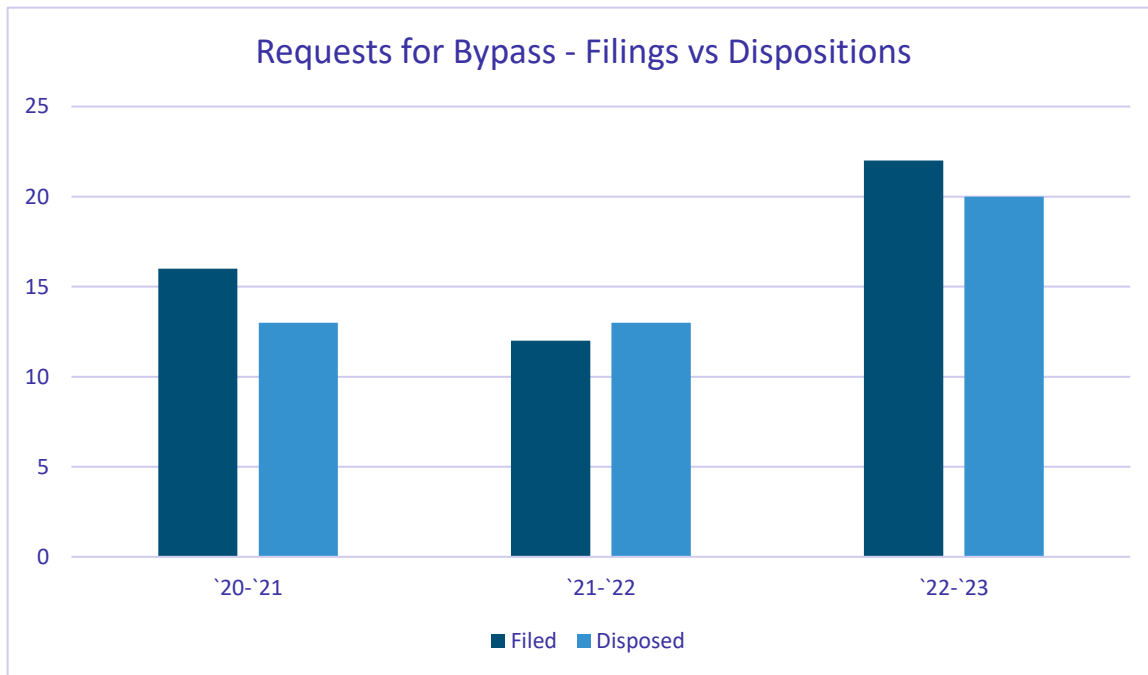


# Requests for Bypass

In a petition for bypass, a party requests that the Supreme Court take jurisdiction of an appeal or other proceedings 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.

This term, the Supreme Court received 22 petitions for bypass and disposed of 20 petitions, of which 2 were granted. At the end of the term, the Court has 4 petitions pending.

|  | '20-'21 | '21-'22 | '22-'23 |
|--|---------|---------|---------|
| <b>Total Petitions for Bypass filed</b>        | 16      | 12      | 22      |
| - Civil cases                                  | 8       | 11      | 18      |
| - Criminal cases                               | 8       | 1       | 4       |
| <b>Total Petitions for Bypass dispositions</b> | 13      | 13      | 20      |
| - Civil cases (Petitions granted)              | 5 (2)   | 12 (5)  | 16 (2)  |
| - Criminal cases (Petitions granted)           | 8 (2)   | 1 (0)   | 4 (0)   |

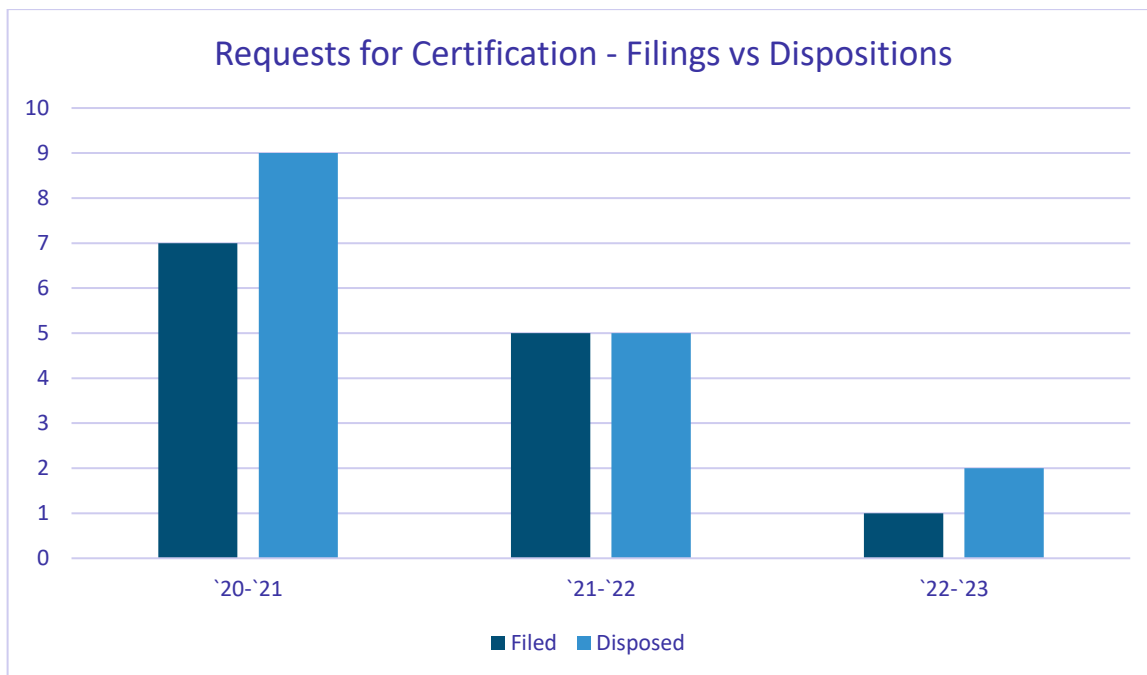


# Requests for Certification

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 using the same criteria as a petition to bypass.

During the 2022-2023 term, the Supreme Court received 1 request for certification and disposed of 2 requests, of which 2 were granted. At the end of the term, no requests were pending.

|   | '20-'21 | '21-'22 | '22-23 |
|---|---------|---------|--------|
| <b>Total Petitions for Certification filed</b>        | 7       | 5       | 1      |
| - Civil cases   | 3       | 2       | 0      |
| - Criminal cases                                      | 4       | 3       | 1      |
| <b>Total Petitions for Certification dispositions</b> | 9       | 5       | 2      |
| - Civil cases (Petitions granted)                     | 4 (3)   | 3 (2)   | 0 (0)  |
| - Criminal cases (Petitions granted)                  | 5 (3)   | 2 (2)   | 2 (2)  |



# Regulatory Matters, Supervisory Writs, and Original Actions

During the 2022-2023 term, a total of 20 matters within the regulatory jurisdiction of the Court (bar admissions, lawyer discipline, and judicial discipline) were filed. The Supreme Court also received 49 petitions for supervisory writ, which ask the Court to order the Court of Appeals or a circuit court to take a certain action on a case. At the end of the term, the Court has 47 regulatory matters and 11 petitions for supervisory writ pending.

An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. A certified question is a formal request by one court to another court, usually, but not always in another jurisdiction, for an opinion on a question of law. During this term, 1 original action was filed and no certified questions.

|  | '20-'21 | '21-'22 | '22-23 |
|--|---------|---------|--------|
| <b>Filings</b>                           |         |         |        |
| - Attorney discipline                    | 25      | 22      | 19     |
| - Judicial discipline                    | 0       | 0       | 0      |
| - Bar admission                          | 2       | 0       | 1      |
| - Petitions for Supervisory Writ         | 41      | 51      | 49     |
| - Other (including Original Actions)     | 19      | 4       | 1      |
| <b>Dispositions by Order<sup>2</sup></b> |         |         |        |
| - Attorney discipline                    | 6       | 0       | 4      |
| - Judicial discipline                    | 0       | 0       | 0      |
| - Bar admission                          | 0       | 0       | 0      |
| - Petitions for Supervisory Writ         | 29      | 50      | 58     |
| - Other (including Original Actions)     | 20      | 1       | 6      |

<sup>2</sup>Cases disposed by Opinion in these categories are included in the “Opinions Issued by the Court” section; statistics on dispositional orders are listed here.

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# Rules Petitions

Each term, the Supreme Court provides notice and holds public hearings on petitions for the creation or amendment of rules governing pleadings, practice, and procedure in judicial proceedings in all Wisconsin courts, provided that the Court deems the petition to have arguable merit. In this term, the Court held 2 rules hearings and convened 4 administrative conferences at which 9 petitions were discussed. During the term, the Court issued 11 orders related to amendments or new rules governing practice and procedure in Wisconsin.

The Court entered the following orders during the term:

Petition 19-02C and 20-07C In re Interim Court Rule Governing Electronic Filing in the Supreme Court. Issued February 21, 2023, this expanded the eFiling pilot project for the Wisconsin Supreme Court and set forth a timeline for a phased transition to voluntary and then mandatory eFiling for most cases and proceedings in the supreme court. Mandatory eFiling for all attorneys in Supreme Court proceedings began July 1, 2023.

Petition 19-05A In re Petition of the OLR Process Review Committee for an order repealing and recreating SCR 22.12 and SCR 22.17, amending SCR 21.09(1), SCR 21.16(2)(c), SCR 22.21(4), SCR 22.22(2)(b), (3)(intro) and (b), and (6), SCR 22.24(1), (1m)(intro), (2), and (3), creating SCR 21.08(1)(b), 21.09(1m), 22.16(6)(b) and (7)(b), 22.22(2m) and (4m), and 22.23(1m), renumbering and amending SCR 21.08(1), and 22.16(6) and (7) (Referee Authority). Denied on November 9, 2022.

Petition 20-09A In re Amendment of Wis. Stats. 885.50, 885.52, 885.54, 885.56, 885.58, 885.60, Relating to the Use of Videoconferencing Technology. Denied February 21, 2023.

Petition 21-06 In re Amendment of SCR Chapter 68 relating to Court Security, Facilities, and Staffing. Issued December 7, 2022, the court amended SCR 68 to reflect updated standards for courthouse construction, renovation, technology, and to better define county-level and facility committee’s responsibilities. Granted effective December 7, 2022.

Petition 22-01 In the Matter of Diversity, Equity, Inclusion, and Access Training for Continuing Legal Education. The petition asked the court to amend Supreme Court Rule 31.02(5) & (6) to create a new specialty continuing legal education (CLE) credit that would be called the “Diversity, Equity, Inclusion, and Access” (DEIA) credit. Denied July 13, 2023.

Petition 22-02 In the matter of the Amendment of Supreme Court Rule SCR 20:8.4. The petition asked the court to amend Supreme Court Rule 20:8.4(i) and replace the existing language with American Bar Association Model Rule 8.4(g). Denied July 11, 2023.



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Petition 22-05 and 22-05A In the matter of amendment of Supreme Court Rules 20:1.15 and 20:1.0, Relating to Electronic Banking. Issued March 14, 2023, this amendment permits electronic transactions and establishes procedural safeguards to protect the public. Granted effective March 14, 2023. This order was amended effective March 30, 2023.

Petition 23-02 In the matter of the amendment of SCR 22.19 re: appointment of referees in consensual license revocation cases. Issued February 22, 2023, this technical amended was intended to clarify that a referee need not be appointed in consensual license revocation matters filed after a disciplinary proceedings is commenced, if a referee was not previously appointed, before the court may consider the petition. Granted effective February 22, 2023.

Petition 23-03 In RE: Interim Rule Governing Filing in the Wisconsin Supreme Court for Judicial/Attorney Proceedings. The Interim Rules Governing Filing in the Wisconsin Supreme Court for Judicial/Attorney proceedings shall remain in effect until such time as the WSCCCA system has been updated to allow eFiling in such cases and until further order of the court. Granted effective June 12, 2023.