

# Annual Statistical Report

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2023 – 2024 TERM

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Wisconsin Supreme Court  
Office of the Clerk



# Wisconsin Supreme Court

## 2023 – 2024 Term, Annual Statistical Report

This annual report provides detailed information about the Wisconsin Supreme Court's work in its judicial and rulemaking functions from September 1, 2023, through August 31, 2024. It includes in-depth statistics on the number and types of cases filed, opinions delivered, and dispositions made by the Court, allowing readers to gain insight into the Court's workload and priorities.

Moreover, the report provides valuable information about new or updated rules governing pleadings, practice, and procedure in judicial proceedings in all Wisconsin courts. This information is particularly useful for legal professionals and individuals who are interested in understanding the legal landscape in Wisconsin and staying up-to-date with any changes that may affect them.

Overall, this report is an essential resource for anyone seeking an understanding of the Wisconsin Supreme Court's activities during the reporting period.

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

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

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# Opinions Issued by the Court

A Supreme Court opinion is a document that explains the decision made by the court in a particular case. Different opinions are used based on how the justices agree or disagree. These include majority opinions, plurality opinions, concurring opinions, per curiam opinions, and dissenting opinions.

For instance, a plurality opinion is issued when most justices voting with the majority agree, but there is no consensus among them. If a justice disagrees with part of the majority's reasoning but agrees with the rest of it, they may write a concurring opinion. In a dissenting opinion, a justice who voted against the outcome explains why they believe the majority is incorrect.

In a majority opinion, the justice who writes it explains the decision and reasoning behind it. A per curiam opinion is issued when the court rules in favor of a particular outcome but no justice writes an opinion. In this instance, the court will issue a per curiam opinion, which sets out the court's decision and reasoning. For purposes of this report, per curiam opinions are included as orders of the court, listed in the Disposed by Order section below.

The Supreme Court issued 30 opinions resolving 30 cases<sup>1</sup> during the 2023-2024 term.

	`21-`22	`22-`23	`23-`24
<b>Total number of cases resolved by opinion</b>	78	64	30
- Attorney discipline cases	13	15	13
- Judicial discipline cases	0	0	0
- Bar admission cases	0	0	0
- Civil cases	45	29	13
- Criminal cases	20	20	4

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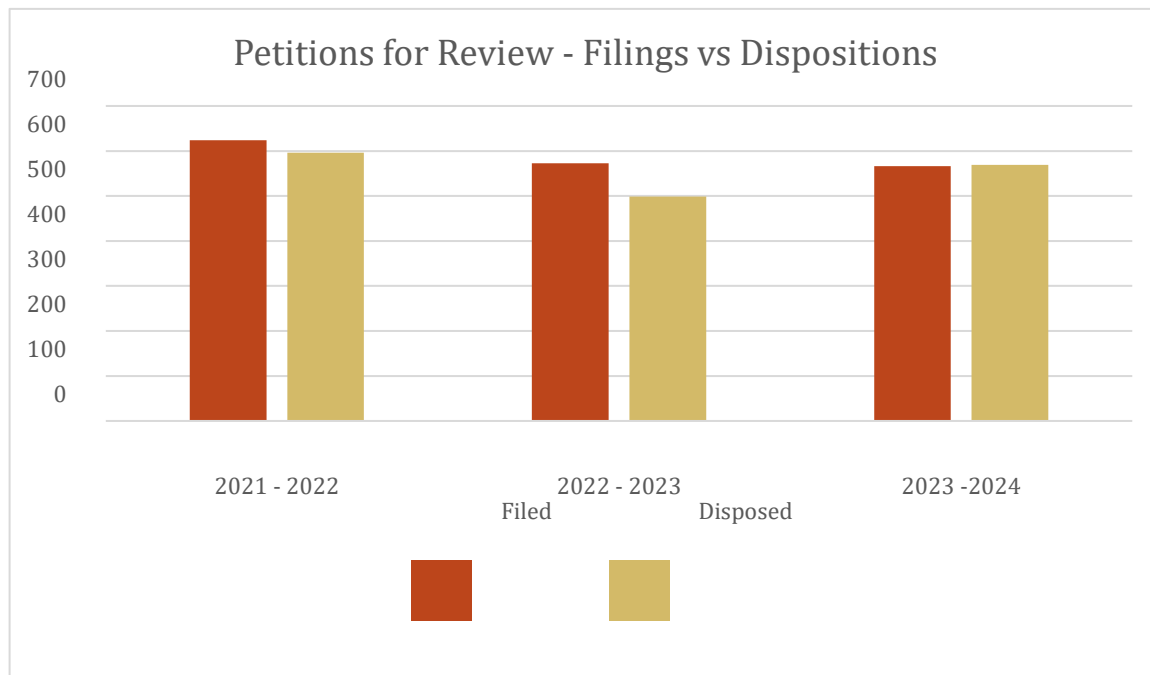
<sup>1</sup> The number of authored opinions for the term may differ from the number of cases resolved by opinion for the term; multiple cases resolve by one opinion (consolidated cases) and *per curiam* opinions (by the court as a whole) account for this difference.

# 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 only in selected cases. The Supreme Court grants review of fewer than ten percent of the petitions of review that are filed.

A total of 566 petitions for review were filed during the term. During the 2023-2024 term, the Supreme Court disposed of 569 petitions for review, of which 11 petitions were granted. At the end of the term, the Court had 208 petitions for review pending.

	`21-`22	`22-23	`23-24
<b>Total Petitions for Review filed</b>	624	573	566
- Civil cases	263	230	291
- Criminal cases	361	343	275
<b>Total Petitions for Review dispositions</b>	596	499	569
- Civil cases (Petitions granted)	255 (29)	221 (12)	256 (7)
- Criminal cases (Petitions granted)	371 (20)	278 (7)	313 (4)

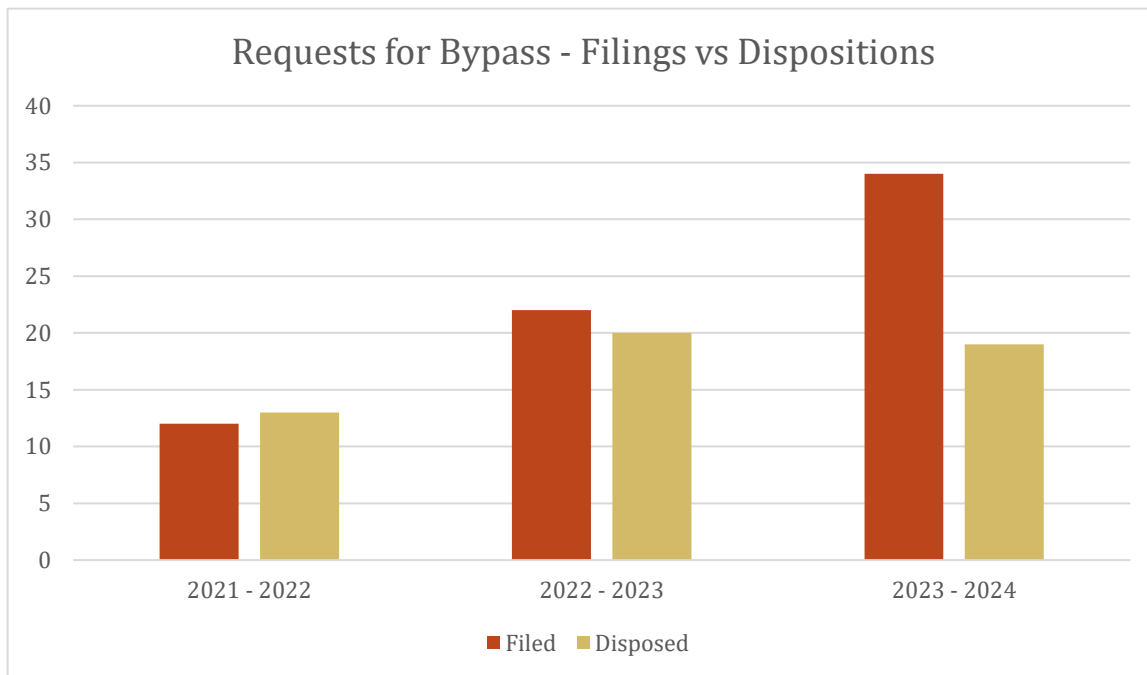


# Requests for Bypass

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 meets one or more criteria for review by the Supreme Court, and 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 expedite the ultimate appellate decision.

This term, the Supreme Court received 34 petitions for bypass and disposed of 19 petitions, of which three were granted. At the end of the term, the Court has 19 petitions pending.

	`21-22	`22-23	`23-24
<b>Total Petitions for Bypass filed</b>	12	22	34
- Civil cases	11	18	32
- Criminal cases	1	4	2
<b>Total Petitions for Bypass dispositions</b>	13	20	19
- Civil cases (Petitions granted)	12 (5)	16 (2)	17 (3)
- Criminal cases (Petitions granted)	1 (0)	4 (0)	2 (0)

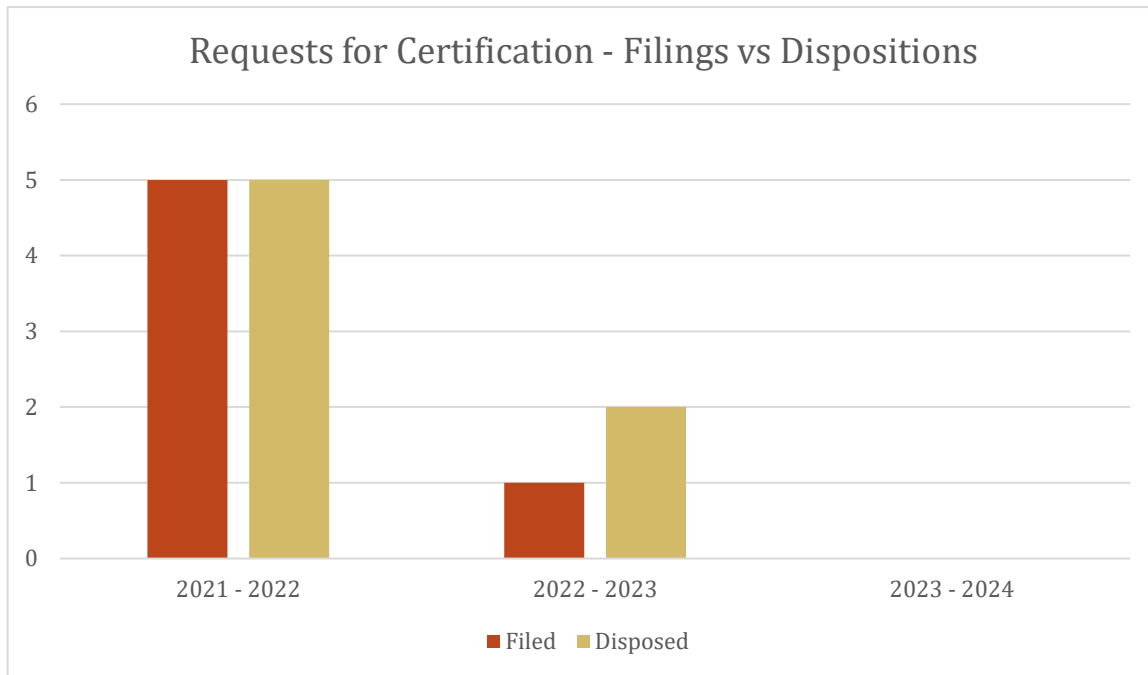


# Requests for Certification

In a request for certification, the Court of Appeals asks the Supreme Court to take a case before the Court of Appeals itself has a chance to review it. It is important to note that the criteria used to decide whether or grant a request for certification is the same as that for a petition to bypass.

During the 2023-2024 term, the Supreme Court received no requests for certification and disposed of no requests. At the end of the term, no requests were pending.

	`21-`22	`22-23	`23-24
<b>Total Petitions for Certification filed</b>	5	1	0
- Civil cases	2	0	0
- Criminal cases	3	1	0
<b>Total Petitions for Certification dispositions</b>	5	2	0
- Civil cases (Petitions granted)	3 (2)	0 (0)	0 (0)
- Criminal cases (Petitions granted)	2 (2)	2 (2)	0 (0)



# Regulatory Matters, Supervisory Writs, and Original Actions

During the 2023-2024 term, a total of 27 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.

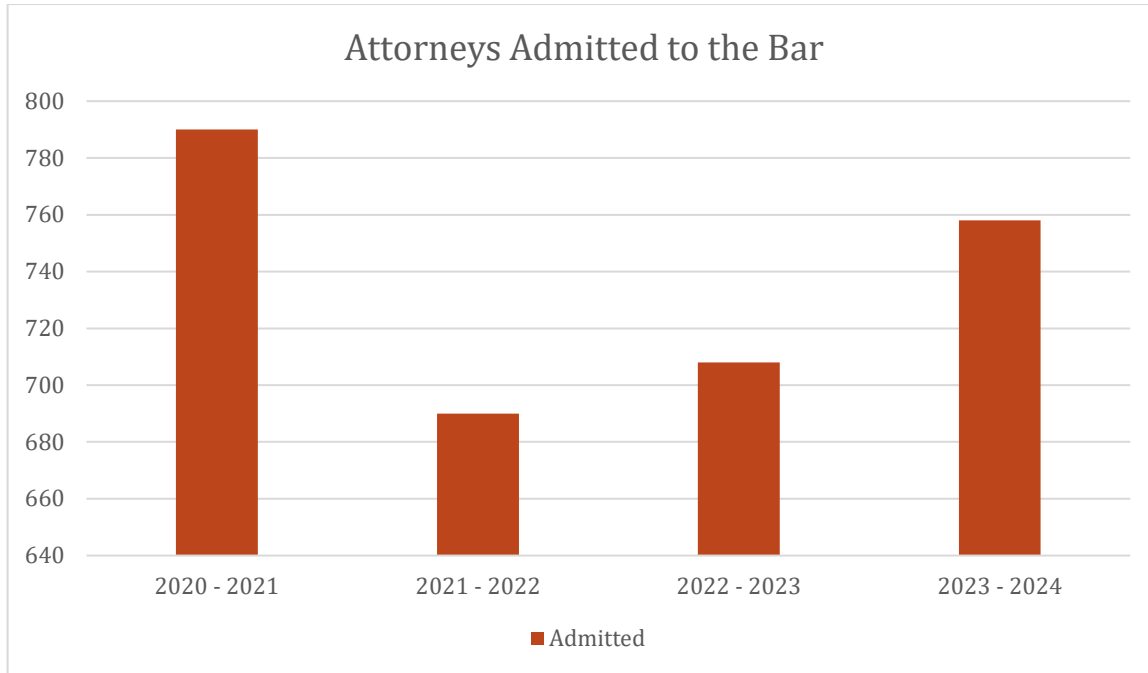
An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. A certified question is a formal request by one court to another court, usually, but not always in another jurisdiction, for an opinion on a question of law. During this term, one original action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

	`21-`22	`22-23	`23-24
<b>Filings</b>	77	70	91
- Attorney discipline	22	19	27
- Judicial discipline	0	0	0
- Bar admission	0	1	0
- Petitions for Supervisory Writ	51	49	53
- Other (including Original Actions)	4	1	11
<b>Dispositions by Order<sup>2</sup></b>	51	68	54
- Attorney discipline	0	4	2
- Judicial discipline	0	0	0
- Bar admission	0	0	0
- Petitions for Supervisory Writ	50	58	43
- Other (including Original Actions)	1	6	9

The Supreme Court holds regulatory authority over the admission of attorneys to the bar. Under SCR 40, the Clerk's Office is tasked with maintaining detailed records on the admission status of each attorney, including the method of admission (such as, by diploma privilege for graduates of a

<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.

Wisconsin law school, by passing the Wisconsin bar examination, or by providing proof of practice elsewhere). Notably, this year, the Supreme Court admitted 758 attorneys to the bar.



## 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 three rules hearings and convened four open administrative conferences at which four petitions were discussed. During the term, the Court issued six orders related to amendments or new rules governing practice and procedure in Wisconsin.

The Court entered the following orders during the term:

Petition 16-05E: The creation of a Pilot Project for Dedicated Trial Court Judicial Dockets for Large Claim Business and Commercial Cases. The pilot project was temporarily extended while the court considered this Rule Petition, and the existing interim rules remained in effect until the court issues further orders. The order to hold a public hearing was issued on August 16, 2024. The order issued August 16, 2024 can be found [here](#).

Petition 22-03: In the Matter of the amendment of SCR 72.01(8), 72.01(9), and 72.01(10), is related to the retention of records in eviction cases. An open administrative conference was held on October 9, 2023, during which the court partially granted the petition and decided to revise the rules. The revised rules include a two-year retention period for eviction cases where no money judgment is entered. The effective date was delayed to allow for necessary programming and implementation of the



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revised rules. At the second open administrative conference on April 16, 2024, the court voted to adopt additional modifications to the rule changes approved on October 9, 2023. This was done to eliminate conflict with Wis. Stat. § 758.20(2)(a) and to adopt a new delayed effective date. The rule was issued on June 18, 2024, and will be effective from July 1, 2025. The order issued June 18, 2024 can be found [here](#). An amended order was issued on July 31, 2024. Ziegler, C.J., Rebecca Grassl Bradley and Hagedorn, J.J., dissenting. The amended order issued on July 31, 2024 can be found [here](#).

Petition 23-01: In the matter of Amending Wis. Stat. § 809.12, Relating to Appellate Review of Motion for Relief Pending Appeal. This petition was filed by Attorney Caleb R. Gerbitz and Attorney James M. Sosnoski asking the court to amend Wis. Stat. § 809.12 to clarify the standard of review for a decision on a motion for stay pending appeal. This petition was denied on July 5, 2024. The order issued July 5, 2024 can be found [here](#).

Petition 23-04: In the Matter of Modification of SCR Chap. 10, Regulation of the State Bar. This petition was filed by the State Bar of Wisconsin. Issued May 2, 2024, this added a voting representative to the State Bar's Board of Governors from its Section Leaders Council. This was effective July 1, 2024. Ziegler, C.J., and Rebecca Grassl Bradley, J., dissenting. The order issued May 2, 2024 can be found [here](#).

Petition 23-05: In the Matter of Proposed Rules Relating to Appellate Court Proceedings from Orders Entered Pursuant to Wis. Stat. § 971.14 Regarding Pretrial Competency Rulings in Criminal Cases. This petition was filed by the Wisconsin Judicial Council and its Appellate Procedure Committee. Issued May 2, 2024, this created Wis. Stat § (Rule) 809.109 and amended Wis. Stat. §§ (Rules) 809.10(1)(d) and 809.801(5)(c) to establish an expedited appeals procedure from orders entered pursuant to Wis. Stat. § 971.14, which governs competency proceedings in criminal cases. This was effective July 1, 2024. Ann Walsh Bradley, Dallet, Karofsky, and Protasiewicz, J.J., concurring. Ziegler, C.J., and Rebecca Grassl Bradley, J., dissenting. The order issued May 2, 2024 can be found [here](#).