



# Supreme Court of Wisconsin

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## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### JULY 2019

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

#### Opinions Issued by the Court

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

	<u>July 2019</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>4</u>	<u>147</u>
Attorney disciplinary cases .....	2	24
Judicial disciplinary cases.....	1	2
Bar Admissions .....	0	0
Civil cases .....	0	52
Criminal cases .....	1	22

#### 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 July, the Supreme Court disposed of 53 petitions for review, of which 3 petitions were granted. The Supreme Court currently has 154 petitions for review pending.

	<u>July 2019</u>	<u>Term to Date</u>
Petitions for Review filed .....	40	569
Civil cases .....	12	165
Criminal cases .....	28	404

Petition for Review dispositions .....	53	665
Civil cases (petitions granted).....	16 (1)	193 (23)
Criminal cases (petitions granted) .....	37 (2)	472 (26)

Petitions for Bypass

In July, the Supreme Court received no 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 1 petition for bypass pending.

	<u>July 2019</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	0	11
Civil cases .....	0	7
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 (2)

Requests for Certification

During July 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>July 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 9 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. 2 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 101 regulatory matters and 17 petitions for supervisory writ pending.

	<u>July 2019</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	3	43
Judicial discipline.....	0	3
Bar admission.....	0	1
Petitions for Supervisory Writ .....	9	51
Other (including Original Actions).....	2	7
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	24
Judicial discipline.....	0	1
Bar admission.....	0	1
Petitions for Supervisory Writ .....	5	40
Other (including Original Actions).....	0	19

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

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
#2017AP1518-CR	<p>State of Wisconsin v. Jessica M. Randall The Decision of the Court of Appeals is Reversed and the Cause is Remanded to the Circuit Court for further proceedings consistent with this Opinion. <u>Majority Opinion:</u> Kelly, J. <u>Concur:</u> Roggensack, C.J., Ziegler, J. and Dallet, J. – opin. filed <u>Dissent:</u> Bradley, A. W., J. – opin. filed Abrahamson, J., withdrew from participation prior to oral argument.</p>	07/02/2019
#2014AP2528-D	<p>In the Matter of the Disciplinary Proceedings Against Kathleen Anna Wagner, Attorney at Law: Office of Lawyer Regulation v. Kathleen Anna Wagner It is Ordered that Count 1 of the OLR’s complaint is hereby dismissed. It is Further Ordered that we find Kathleen Anna Wagner violated SCR 20:1.5 (b)(3); however we impose no discipline. It is Further Ordered that within 60 days of the date of this order, Kathleen Anna Wagner shall pay to the Office of Lawyer Regulation costs in the amount of \$4,500. Published Per Curiam Abrahamson, J. withdrew from participation prior to oral argument.</p>	07/03/2019

#2018AP628-J

In the Matter of the Disciplinary Proceedings  
Against the Honorable Leonard D.  
Kachinsky, Wisconsin Judicial Commission  
v. the Honorable Leonard D. Kachinsky.  
It is Ordered that Leonard D. Kachinsky is  
suspended from eligibility for appointment as  
a reserve municipal court judge for a period  
of three years, commencing July 3, 2018. It is  
Further Ordered that before Leonard D.  
Kachinsky may request appointment as a  
reserve municipal court judge by the chief  
judge of the applicable judicial administrative  
district under Wis. Stat. § 800.065, he must  
first file a petition with this court and  
demonstrate through appropriate evidence his  
fitness to serve as a reserve municipal court  
judge.

07/09/2019

#2016AP2514-D

In the Matter of Disciplinary Proceedings  
Against Robert Zapf, Attorney at Law:  
Office of Lawyer Regulation v. Robert Zapf  
It is Ordered that the disciplinary complaint  
against Robert Zapf is dismissed. It is further  
Ordered that no costs will be imposed.  
Per Curiam

07/10/2019