



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

NOVEMBER 2020

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of November 2020 and to date for the term that began on September 1, 2020.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 5 cases in November. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>November 2020</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>5</u>	<u>14</u>
Attorney disciplinary cases	4	13
Judicial disciplinary cases.....	0	0
Bar Admissions	0	0
Civil cases	0	0
Criminal cases	1	1

Petitions for Review

A total of 50 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 November, the Supreme Court disposed of 41 petitions for review, of which 4 petitions were granted. The Supreme Court currently has 170 petitions for review pending.

	<u>November 2020</u>	<u>Term to Date</u>
Petitions for Review filed	50	174
Civil cases	21	54
Criminal cases	29	93

Petition for Review dispositions	41	143
Civil cases (petitions granted).....	15 (2)	62 (7)
Criminal cases (petitions granted)	26 (2)	81 (7)

Petitions for Bypass

In November, the Supreme Court received no petitions for bypass and disposed of 4 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 November also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has one petition for bypass pending.

	<u>November 2020</u>	<u>Term to Date</u>
Petitions for Bypass filed	0	5
Civil cases	0	1
Criminal cases	0	4
Petition for Bypass dispositions.....	4	5
Civil cases (petitions granted).....	2 (0)	2 (0)
Criminal cases (petitions granted)	2 (0)	3 (0)

Requests for Certification

During November 2020, the Supreme Court received no request for certification and disposed of 3 request 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.

	<u>November 2020</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>2</u>
Civil cases	0	0
Criminal cases	0	2
Request for Certification dispositions.....	<u>3</u>	<u>5</u>
Civil cases (requests granted)	1 (0)	2 (1)
Criminal cases (requests granted)	2 (2)	3 (3)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 2 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such case was 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. There were 5 original actions 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 11 petitions for supervisory writs pending.

November 2020 Term to Date

Filings

Attorney discipline (including reopened cases).....	1	6
Judicial discipline.....	0	0
Bar admission.....	1	2
Petitions for Supervisory Writ	5	11
Other (including Original Actions).....	5	11

Dispositions by Order

Attorney discipline.....	0	0
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	4	13
Other (including Original Actions).....	1	7

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING NOVEMBER 2020**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2017AP2530-D	<p>Office of Lawyer Regulation v. Carl Robert Scholz PER CURIAM. IT IS ORDERED that the license of Carl Robert Scholz to practice law in Wisconsin is suspended for a period of two years, effective December 22, 2020. IT IS FURTHER ORDERED that Carl Robert Scholz shall comply with the requirements of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been suspended. IT IS FURTHER ORDERED that within 60 days of the date of this order Carl Robert Scholz shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$16,804.30 as of March 17, 2020. IT IS FURTHER ORDERED that the court reserves the question of restitution pending consideration of court ordered briefing as set forth in this court's order dated November 10, 2020. IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement. See SCR 22.29(4)(c). Hagedorn, J. did not participate.</p>	11/10/2020
#2018AP731-CR	<p>State v. Kevin L. Nash THE DECISION OF THE COURT OF APPEALS IS AFFIRMED Ziegler, J., delivered the opinion for a unanimous Court. Rebecca Grassl Bradley, J., filed a concurring opinion, in which Ann Walsh Bradley and Dallet, JJ., joined.</p>	11/19/2020

#2016AP1259-D

Office of Lawyer Regulation v. Michael R. Bauer

11/24/2020

PER CURIAM

IT IS ORDERED that the license of Michael R. Bauer to practice law in Wisconsin is reinstated, effective the date of this order. **IT IS FURTHER ORDERED** that, as a condition of the reinstatement of his license to practice law in Wisconsin, Michael R. Bauer is required to provide quarterly trust account and business accounting records to the Office of Lawyer Regulation for a period of two years after the date of this reinstatement. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Michael R. Bauer shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$4,093.40 as of December 23, 2019, or enter into a payment agreement plan with the Office of Lawyer Regulation for the full payment of costs over a period of time. **IT IS FURTHER ORDERED** that compliance with all of the terms of this order remains a condition of Michael R. Bauer's license to practice law in Wisconsin.

Karofsky, J. did not participate.

#2020AP131-D

Office of Lawyer Regulation v. Ann T. Bowe

11/24/2020

PER CURIAM.

IT IS ORDERED that Ann T. Bowe is publicly reprimanded for her professional misconduct. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Ann T. Bowe shall pay to the Office of Lawyer Regulation the costs of this proceeding, which total \$6,482.86 as of September 1, 2020.

Office of Lawyer Regulation v. Cole J. White

PER CURIAM.

IT IS ORDERED that that the license of Cole J. White to practice law in Wisconsin is suspended for a period of four years, effective the date of this order. **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 are \$2,514.74 as of January 7, 2020. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Cole J. White shall make restitution as follows:

- In the J.B. matter, to J.B. and S.T., in the amount of \$3,750, less any amounts Attorney White can prove he earned.
- In the J.D. matter, to J.B. in the amount of \$2,400;
- In the K.G. matter, to the Fund in the amount of \$3,000, as reimbursement the Fund paid to K.G.;
- In the C.C. matter, to the Fund in the amount of the \$3,000, as reimbursement the Fund paid to C.C.;
- In the W.M. matter, to W.M. in the amount of \$750;
- In the R.S. matter, to R.S. in the amount of \$5,000;
- In the D.N. matter, to the Fund in the amount of the \$10,840, as reimbursement the Fund paid to D.N.;
- In the C.T. matter, to the Fund in the amount of the \$1,500, as reimbursement the Fund paid to C.T.

IT IS FURTHER ORDERED that the restitution specified above is to be completed prior to paying costs to the Office of Lawyer Regulation. **IT IS FURTHER ORDERED** that, to the extent he has not already done so, Cole J. White shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin

has been suspended. IT IS FURTHER ORDERED that the administrative suspension of Cole J. White's license to practice law in Wisconsin, due to his failure to pay mandatory bar dues and for failure to file Office of Lawyer Regulation trust account certification, will remain in effect until each reason for the administrative suspension has been rectified pursuant to SCR 22.28(1). IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement. See SCR 22.28(3).