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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JUNE 2019

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 22 cases in June. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>June 2019</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	13	81
Attorney disciplinary cases	0	22
Judicial disciplinary cases	0	1
Bar Admissions	0	0
Civil cases	8	52
Criminal cases	5	21

Petitions for Review

A total of 42 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 June, the Supreme Court disposed of 51 petitions for review, of which 5 petitions were granted. The Supreme Court currently has 167 petitions for review pending.

	<u>June 2019</u>	<u>Term to Date</u>
Petitions for Review filed	42	529
Civil cases	15	153
Criminal cases	27	376

Petition for Review dispositions	51	612
Civil cases (petitions granted).....	16 (3)	177 (22)
Criminal cases (petitions granted)	35 (2)	435 (24)

Petitions for Bypass

In June, the Supreme Court received one petition for bypass and disposed of one petition 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>June 2019</u>	<u>Term to Date</u>
Petitions for Bypass filed	1	11
Civil cases	1	7
Criminal cases	0	4
 Petition for Bypass dispositions.....	 1	 13
Civil cases (petitions granted).....	0 (0)	7 (4)
Criminal cases (petitions granted)	1 (1)	6 (2)

Requests for Certification

During June 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>June 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 8 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 4 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 100 regulatory matters and 14 petitions for supervisory writ pending.

	<u>June 2019</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	8	40
Judicial discipline.....	0	3
Bar admission.....	0	1
Petitions for Supervisory Writ	4	42
Other (including Original Actions).....	2	5
 <u>Dispositions by Order</u>		
Attorney discipline.....	2	24
Judicial discipline.....	0	1
Bar admission.....	0	1
Petitions for Supervisory Writ	2	35
Other (including Original Actions).....	5	19

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

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2017AP1269	John Teske, Julie Teske, Katherine Teske and Elle Teske, United HealthCare Insurance Company v. Wilson Mutual Insurance Company The Decision of the Court of Appeals is Affirmed in Part and Reversed in Part <u>Majority Opinion:</u> Bradley, A.W., J. Abrahamson, J., withdrew from participation	06/04/2019
#2016AP2058-CR	State of Wisconsin v. Peter J. Hanson The Decision of the Court of Appeals is Affirmed. <u>Majority Opinion:</u> Dallet, J. Abrahamson, J. did not participate.	06/05/2019
#2018AP1346-CQ	United States of America v. Dennis Franklin and Shane Sahn – Certified Question Answered and Cause Remanded. <u>Majority Opinion:</u> Dallet, J. <u>Concurs:</u> Abrahamson, J., opin. filed	06/06/2019

#2017AP739

Paul W. Paynter and Kathryn M. Paynter v. ProAssurance Wisconsin Insurance Company, James A. Hamp and American Physicians Assurance Corporation, Continental Casualty Company, Wisconsin Injured Patients and Families Compensation Fund, Keith A. Henry and Blue Cross Blue Shield of Michigan - The Decision of the Court of Appeals is Affirmed in Part, Reversed in Part and the Cause is Remanded to the Court of Appeals for Further Proceedings Consistent with this Opinion.
Majority Opinion: Abrahamson, J.
Concur and Dissent: Bradley, A.W., J., Opin. Filed
Concur and Dissent: Bradley, R. G., J. and Kelly, J. – Opin. filed.

06/07/2019

#2017AP1468

In the Matter of the Mental Commitment of S.L.L.: Waukesha County v. S.L.L. Affirmed.
Majority Opinion: Kelly, J.
Dissent: Bradley, A. W., J., Abrahamson, J. and Dallet, J., - Opin. Filed.

06/12/2019

#2018AP1296-CR
& 2018AP1214-W

State of Wisconsin v. Raytrell K. Fitzgerald/State of Wisconsin, ex rel. Raytrell K. Fitzgerald v. Circuit Court for Milwaukee County and the Honorable Dennis R. Cimpl
The Order of the Circuit Court is vacated:
The Decision of the Court of Appeals is Affirmed by an Equally Divided Court.
Majority Opinion: Bradley, R. G., J.
Concur: Roggensack, C. J., and Ziegler, J., – opin. filed.
Abrahamson, J. did not participate.

06/13/2019

#2016AP1837	<p>Rural Mutual Insurance Company v. Lester Buildings, LLC and The Phoenix Insurance Company, West Bend Mutual Insurance Company, Jim Herman, Inc. v. Van Wyks Inc.</p> <p>The Decision of the Court of Appeals is Affirmed.</p> <p><u>Majority Opinion:</u> Dallet, J.</p> <p><u>Dissent:</u> Kelly, J. and Bradley, A.W., J. – opin. filed.</p> <p>Abrahamson, J. and Ziegler, J., did not participate.</p>	06/18/2019
2016AP375-CR	<p>State of Wisconsin v. Tyrus Lee Cooper</p> <p>The Decision of the Court of Appeals is Affirmed.</p> <p><u>Majority Opinion:</u> Kelly, J.</p> <p><u>Dissent:</u> Dallet, J. and Bradley, A. W., J. – opin. filed.</p> <p>Abrahamson, J. did not participate.</p>	06/20/2019
#2017AP1593	<p>Alan W. Pinter v. Village of Stetsonville –</p> <p>The Decision of the Court of Appeals is Affirmed.</p> <p><u>Majority Opinion:</u> Bradley, A.W., J.</p> <p><u>Dissent:</u> Dallet, J., Bradley, R. G., J. and Kelly, J. – Opin. Filed</p>	06/20/2019
#2019AP559	<p>League of Women Voters of Wisconsin, Disability Rights Wisconsin, Inc., Black Leaders Organizing for Communities, Guillermo Aceves, Michael J. Cain, John S. Greene and Michael Doyle, in his official capacity as Clerk of Green County v. Tony Evers, in his official capacity as Governor of the State of Wisconsin, Wisconsin Legislature.</p> <p>Order of the Circuit Court is Vacated and the Cause is Remanded for Dismissal.</p> <p><u>Majority Opinion:</u> Bradley, R. G., J.</p> <p><u>Dissent:</u> Dallet, J., Abrahamson, J., and Bradley, A. W., J. – Opin. Filed.</p>	06/21/2019

#2017AP2278-OA	<p>Kristi Koschkee v. Carolyn Stanford Taylor Declaration of Rights: Relief Granted <u>Majority Opinion:</u> Roggensack, C. J. <u>Concur:</u> Bradley, R. G., J. & Kelly, J., opin. filed. <u>Dissent:</u> Bradley, A. W., J. & Dallet, J. – opin. filed. Abrahamson, J. withdrew from participation</p>	06/25/2019
#2016AP2503 & 2017AP13	<p>Enbridge Energy Company, Inc. v. Dane County The Decision of the Court of Appeals is Reversed. <u>Majority Opinion:</u> Bradley, R. G., J. <u>Dissent:</u> Bradley, A. W., J., opin. filed. Abrahamson, J., & Dallet, J. did not participate.</p>	06/27/2019
#2018AP656	<p>L.G. v. Aurora Residential Alternatives, Inc. The Decision of the Court of Appeals is Reversed. <u>Majority Opinion:</u> Kelly, J. Abrahamson, J., and Bradley, A.W., J. did not participate.</p>	06/28/2019

