

# Wisconsin Supreme Court and Court of Appeals Case Access

**Karen Schill v. Wisconsin Rapids School District**

**Appeal Number 2008AP000967 - AC**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
PEND	CA		06-11-2008	-----Accelerated Case-----
OCCD	SC	08-18-2010		Remittitur
OCCD	SC	07-16-2010		Cites
		327 Wis. 2d 572		
OCCD	SC	07-16-2010		Cites
		786 N.W.2d 177		
OCCD	SC	07-16-2010		<a href="#">Opinion/Decision</a> Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman Opinion: Opinion Decision: Reversed and remanded Pages: 61 Written by: Abrahamson, Shirley S. Ziegler, Annette K. Joined Dissenting Opinion Bradley, Ann Walsh Wrote Concurring Opinion 9 pages. Gableman, Michael J. Wrote Concurring Opinion 11 pages. Roggensack, Patience Drake Wrote Dissenting Opinion 23 pages. Order Text: The order of the circuit court is reversed and the cause remanded.
OCCD	SC	07-15-2010		Public Domain Citation Comment: PDC No: 2010 WI 86
OCCD	SC	02-05-2010		Additional Authorities
OCCD	SC	01-08-2010		Attorney Change
OCCD	SC	11-17-2009		Additional Authorities
OCCD	SC	11-10-2009		Oral Argument

OCCD SC	11-03-2009	Briefs Received At State Law Library
OCCD SC	11-02-2009	Letter/Correspondence
OCCD SC	10-26-2009 Filed By: Robert Burns	Other Brief-Supreme Court
OCCD SC	10-25-2009	Briefs Received At State Law Library
OCCD SC	10-22-2009 Filed By: Jina Jonen	Other Brief-Supreme Court
OCCD SC	10-07-2009	Briefs Received At State Law Library
OCCD SC	10-05-2009 Filed By: Jennifer Lattis	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - Wisconsin Dept. of Justice</a>
OCCD SC	10-05-2009 Filed By: Robert Dreps	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - Wisconsin Freedom of Information Council et al.</a>
OCCD SC	09-15-2009	Attorney Change
OCCD SC	09-01-2009	Briefs Received At State Law Library
OCCD SC	08-24-2009 Filed By: Jina Jonen Submit Date: 8-24-2009 Decision: (O) Other Decision Date: 9-21-2009 ORD that the motion filed by the Wisconsin Freedom of Information Council, the Wisconsin Broadcasters Association, the Wisconsin Newspaper Association, the Milwaukee Journal Sentinel, Journal Broadcast Group, Inc., and the Associated Press is granted. Twenty-two copies of the brief shall be filed on or before October 5, 2009. FRO that the motion filed by the Wisconsin Department of Justice is granted. Twenty-two copies of the brief shall be filed on or before October 5, 2009. FRO that the parties to this review (not amici curiae) shall file supplemental briefs in response to the non-party briefs authorized above on or before October 23, 2009. The supplemental briefs shall address, inter alia, (1) whether the plaintiffs-appellants have standing to pursue the claims they raised in the circuit court, (2) whether the circuit court had subject matter jurisdiction over the plaintiffs-appellants' claims and was competent to proceed with those claims, and (3) whether this court has subject matter jurisdiction over the plaintiffs-appellants' claims and is competent to proceed with a review of those claims. Motion Response Filed By: Jennifer Lattis Submit Date: 8-28-2009	Motion for Miscellaneous Relief

Motion Response  
Filed By: Robert Dreps  
Submit Date: 9-2-2009  
Motion Response  
Filed By: Wayne Pankratz  
Submit Date: 9-15-2009

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OCCD SC 08-24-2009 Brief of Amicus Curiae  
[Brief of Amicus Curiae - AFSCME District Council 40](#)  
[Brief of Amicus Curiae - Madison Teachers, Inc.](#)  
Filed By: Tamara Packard

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OCCD SC 08-24-2009 Brief of Amicus Curiae  
Filed By: Bruce Ehlke

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OCCD SC 08-21-2009 Briefs Received At State Law Library

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OCCD SC 08-19-2009 Motion to File Amicus/Non-Party Brief  
Filed By: Jennifer Lattis  
Submit Date: 8-19-2009  
Decision: (G) Grant  
Decision Date: 9-21-2009  
ORD that the motion filed by the Wisconsin Freedom of Information Council, the Wisconsin Broadcasters Association, the Wisconsin Newspaper Association, the Milwaukee Journal Sentinel, Journal Broadcast Group, Inc., and the Associated Press is granted. Twenty-two copies of the brief shall be filed on or before October 5, 2009.  
FRO that the motion filed by the Wisconsin Department of Justice is granted. Twenty-two copies of the brief shall be filed on or before October 5, 2009.  
FRO that the parties to this review (not amici curiae) shall file supplemental briefs in response to the non-party briefs authorized above on or before October 23, 2009. The supplemental briefs shall address, inter alia, (1) whether the plaintiffs-appellants have standing to pursue the claims they raised in the circuit court, (2) whether the circuit court had subject matter jurisdiction over the plaintiffs-appellants' claims and was competent to proceed with those claims, and (3) whether this court has subject matter jurisdiction over the plaintiffs-appellants' claims and is competent to proceed with a review of those claims.

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OCCD SC 08-19-2009 Reply Brief-Supreme Court  
[Reply Brief-Supreme Court](#)  
Filed By: Jina Jonen

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OCCD SC 08-18-2009 Motion to File Amicus/Non-Party Brief  
Filed By: Robert Dreps  
Submit Date: 8-19-2009  
Decision: (G) Grant  
Decision Date: 9-21-2009  
ORD that the motion filed by the Wisconsin Freedom of Information Council, the Wisconsin Broadcasters Association, the Wisconsin Newspaper Association, the Milwaukee Journal Sentinel, Journal Broadcast Group, Inc., and the Associated Press is granted. Twenty-two copies of the brief shall be filed on or before October 5, 2009.  
FRO that the motion filed by the Wisconsin Department of Justice is granted. Twenty-two copies of the brief shall be filed on or before October 5, 2009.

FRO that the parties to this review (not amici curiae) shall file supplemental briefs in response to the non-party briefs authorized above on or before October 23, 2009. The supplemental briefs shall address, interalia, (1) whether the plaintiffs-appellants have standing to pursue the claims they raised in the circuit court, (2) whether the circuit court had subject matter jurisdiction over the plaintiffs-appellants' claims and was competent to proceed with those claims, and (3) whether this court has subject matter jurisdiction over the plaintiffs-appellants' claims and is competent to proceed with a review of those claims.

OCCD	SC	08-18-2009	Assigned-Oral Argument
OCCD	SC	08-12-2009	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - Wisconsin Counties Association</a>  Filed By: Andrew Phillips
OCCD	SC	08-07-2009	Response
OCCD	SC	08-05-2009	Certificate of Service
OCCD	SC	08-05-2009	Response Brief-Supreme Court <a href="#">Response Brief-Supreme Court</a>  Filed By: Geoffrey Lacy
OCCD	SC	08-03-2009	Motion to File Amicus/Non-Party Brief  Filed By: Lester Pines Submit Date: 8-4-2009 Decision: (G) Grant Decision Date: 8-10-2009 ORD that the motion filed by Madison Teachers, Inc. is granted. Twenty-two copies of the brief shall be filed on or before August 24, 2009; FRO that the motion filed by the Wisconsin Council of County and Municipal employees, District Council 40, AFSCME, AFL-CIO, is granted. Twenty-two copies of the brief shall be filed on or before August 24, 2009.
OCCD	SC	08-03-2009	Motion to File Amicus/Non-Party Brief  Filed By: Wayne Pankratz Submit Date: 8-3-2009 Decision: (D) Deny Decision Date: 8-18-2009 ORD that the motion is denied. Roggensack, J., dissents. Motion Response Filed By: Jina Jonen Submit Date: 8-3-2009
OCCD	SC	07-31-2009	Motion to File Amicus/Non-Party Brief  Filed By: Bruce Ehlke Submit Date: 8-3-2009 Decision: (G) Grant Decision Date: 8-10-2009 ORD that the motion filed by Madison Teachers, Inc. is granted. Twenty-two copies of the brief shall be

filed on or before August 24, 2009;  
FRO that the motion filed by the Wisconsin Council of County and Municipal employees, District Council 40, AFSCME, AFL-CIO, is granted. Twenty-two copies of the brief shall be filed on or before August 24, 2009.

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OCCD	SC	07-27-2009	Motion to File Amicus/Non-Party Brief
Filed By: Andrew Phillips Submit Date: 7-28-2009 Decision: (G) Grant Decision Date: 7-29-2009 ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before August 12, 2009.			

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OCCD	SC	07-27-2009	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - Office of the Milw. City Attorney and Office of Madison City Atty.</a>
Filed By: Grant Langley			

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OCCD	SC	07-24-2009	Attorney Change
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OCCD	SC	07-16-2009	First Brief-Supreme Court <a href="#">First Brief-Supreme Court</a>
Filed By: Jina Jonen			

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OCCD	SC	07-10-2009	Motion to File Amicus/Non-Party Brief
Filed By: Melanie Swank Submit Date: 7-13-2009 Decision: (G) Grant Decision Date: 7-13-2009 ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before July 27, 2009.			

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OCCD	SC	06-16-2009	Court Changed to Supreme Court
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OCCD	CA	06-16-2009	Hold Status
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OCCD	SC	04-30-2009	Certification Filed
Filed By: Unassigned District 4 Submit Date: 4-30-2009 Decision: (G) Grant Decision Date: 6-16-2009 ORD the certification is granted and the appeal is accepted for consideration of all issues raised before the court of appeals. When this court grants direct review upon certification, it acquires jurisdiction of the case, that is, the entire appeal, which includes all issues, not merely the issues certified or the issue for which the court accepts the certification... Further, the court has jurisdiction over issues not certified because the court may review an issue directly on its own motion. FRO that within 30 days after the date of this order the appellant must file either a brief in this court or a statement that no brief will be filed; that within 20 days of filing, the respondent must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the respondent, within 10 days of filing, the appellant must file either a reply brief or a statement that no reply brief will be filed; and FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their			

court of appeals' brief; instead, any material upon which there is reliance should be restated in the brief filed in this court; and

FRO that in the event any part elects not to file a brief in this court, the briefs previously submitted by that party to the court of appeals shall stand as that party's brief in the Supreme Court; and

FRO that within the time period established for the filing of briefs, each party must provide the clerk of this court with copies of the briefs previously filed on behalf of that party in the court of appeals. If a party elects to file a new brief(s), 10 copies of their court of appeals brief(s) must be provided. If a party elects to stand on their court of appeals brief(s), 17 copies of each of their court of appeals brief(s) must be provided.

FRO that the parties shall be notified of the date and time for oral argument in this appeal in due course. See DEC event filed on 4-30-2009

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OCCD CA	04-30-2009	<a href="#">Opinion/Decision</a> Judge Panel: Bridge, Vergeront, Lundsten Opinion: Certification Decision: Certification Filed Pages: 6 Order Text: We certify the appeal to permit the supreme court to determine if the employees' personal emails are public records and, if they are, whether public policy reasons outweigh the public's interest in disclosure.
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OCCD CA	11-12-2008	Submitted on Briefs
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OCCD CA	10-10-2008	Record and Briefs Sent to District 4
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OCCD CA	10-08-2008	Certificate of Filing by Mail
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OCCD CA	10-06-2008	Certificate of Service
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OCCD CA	10-06-2008	<a href="#">Brief of Amicus Curiae</a> <a href="#">Brief of Amicus Curiae</a> Filed By: Melanie Swank
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OCCD CA	10-03-2008	Briefs Received At State Law Library
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OCCD CA	09-25-2008	Motion to Strike Filed By: Jina Jonen Submit Date: 9-30-2008 Decision: (G) Grant Decision Date: 10-3-2008 ORD that the motion to strike is granted. By October 13, 2008, the nonparty shall submit amended versions of the nonparty brief that delete the struck portion. Motion Response Filed By: Melanie Swank Submit Date: 9-30-2008
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OCCD CA	09-25-2008	<a href="#">Brief of Amicus Curiae</a> Filed By: Melanie Swank
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OCCD CA	09-05-2008	Certificate of Service
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OCCD CA	09-05-2008	Reply Brief <a href="#">Reply Brief</a>
Filed By: Jina Jonen		
OCCD CA	09-03-2008	Motion to File Amicus/Non-Party Brief
Filed By: Melanie Swank Submit Date: 9-3-2008 Decision: (G) Grant Decision Date: 9-8-2008 ORD that the City of Milwaukee may file a non-party brief by September 29, 2008.		
OCCD CA	08-26-2008	Certificate of Filing by Mail
OCCD CA	08-25-2008	Brief of Respondent(s) <a href="#">Brief of Respondent(s)- Don Bubolz</a>
Filed By: Don Bubolz		
OCCD CA	08-21-2008	Attorney Change
OCCD CA	08-21-2008	Supplement to Record
OCCD CA	08-21-2008	Brief of Respondent(s) <a href="#">Brief of Respondent(s)-WI Rapids School &amp; Robert Crist</a>
Filed By: Robert Burns		
OCCD CA	08-14-2008	Letter/Correspondence
OCCD CA	07-31-2008	Motion to Correct/Supplement Record
Filed By: Don Bubolz Submit Date: 8-12-2008 Decision: (G) Grant Decision Date: 8-14-2008 ORD that the clerk of the circuit court shall file a supplemental return to include the letter Don Bubolz sent to the Wood County Clerk of Court and Judge Gregory Potter dated October 1, 2007, with attached exhibits A and B. The supplemental return shall be filed no later than five days from the date of this order. FRO that the deadline for filing the respondent's brief is extended until ten days from the date of this order.		
OCCD CA	07-10-2008	Certificate of Service
OCCD CA	07-10-2008	Brief & Appx of Appellant(s) <a href="#">Brief of Appellant(s)</a>
Filed By: Jina Jonen		
OCCD CA	06-11-2008	Court Order

# WSCCA Case History

ORD that this appeal will be submitted for decision immediately upon completion of the briefing.  
FRO that the "AC" [accelerated] suffix is attached to the appeal number.

OCCD	CA	06-04-2008	Record
OCCD	CA	05-13-2008	Transcript filed in Circuit Court
OCCD	CA	05-13-2008	Court Reporter's Statement-Trans. Court Reporter Name: (Peterson, Michelle)
OCCD	CA	04-23-2008	Statement on Transcript Filed By: Jina Jonen Status: Ordered
OCCD	CA	04-18-2008	RAP and Guide Sent
OCCD	CA	04-18-2008	Notif. Sent-Filing of NAP & Ct. Record
OCCD	CA	04-18-2008	Fee Paid
OCCD	CA	04-18-2008	Notice of Appeal & Circuit Court Docket Entries
OCCD	CA	04-16-2008	Notice of Appeal filed in Cir. Ct.
OCCD	CA	04-15-2008	Docketing Statement from Appellant
OCCD	CA	04-11-2008	Order of Circuit Court