

# Wisconsin Supreme Court and Court of Appeals Case Access

## Waupaca County v. K.E.K.

### Appeal Number 2018AP001887

**CONFIDENTIAL**  
Supreme Court

#### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	12-13-2021		Letter/Correspondence Comment: From the U.S. Supreme Court: petition for writ of certiorari denied 12-6-21.
OCCD	SC	10-07-2021		Notice of Appearance Comment: Notice of Appearance of Diane Meulemans for Waupaca Co.
OCCD	SC	07-12-2021		Letter/Correspondence Comment: From the U.S. Supreme Court: petition for writ of certiorari viled 7/2/21 and docketed 7/7/21 as case no. 21-5034.
OCCD	SC	03-16-2021		Remittitur
OCCD	SC	02-09-2021		Published Opinion Citation 395 Wis. 2d 460
OCCD	SC	02-09-2021		Published Opinion Citation 954 N.W.2d 366
OCCD	SC	02-09-2021		<a href="#">Opinion/Decision</a> Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Opinion Decision: Affirmed Pages: 26 Written by: Ziegler, Annette K. Dallet, Rebecca F. Wrote Dissenting Opinion 13 pages. Karofsky, Jill Joined Dissenting Opinion Order Text: The decision of the court of appeals is affirmed. Comment: Opinion/Decision
OCCD	SC	02-05-2021		Public Domain Citation Comment: PDC No: 2021 WI 9

OCCD SC	11-17-2020	Oral Argument
Comment: 2nd case at 9:45 a.m. (TO BE CONDUCTED VIA VIDEO/AUDIO CONFERENCING) Oral Argument Colleen Ball for Respondent-Apellant-Petitioner David G. Been for Petitioner-Respondent		
OCCD SC	11-11-2020	Briefs Received At State Law Library
OCCD SC	11-04-2020	Certificate of Filing by Mail
Comment: Non-party brief from Disability Rights Wisconsin and National Disability Rights Network 22 copies mailed 11-03-2020 (IB)		
OCCD SC	11-04-2020	Brief of Amicus Curiae/Non-Party
Filed By: Kendall H Comment: Disability Rights Wisconsin and National Disability Rights Network Cover letter and Ack. of Brief of Amicus Curiae		
OCCD SC	11-03-2020	Brief of Amicus Curiae/Non-Party
Filed By: Andrew P Comment: WI Counties Association, WI Association of County Corporation Counsels and WI Hospital Association Acknowledgement of Brief of Amicus Curiae - WI Counties		
OCCD SC	11-03-2020	Brief of Amicus Curiae/Non-Party
Filed By: Maura W Comment: Attorney General Ack. of Filing, CL, and COM of Brief of Amicus Curiae		
OCCD SC	11-02-2020	Certificate of Filing by Mail
Comment: Reply brief 22 copies mailed 10-30-2020 Certificate of Filing by Mail of BRY		
OCCD SC	11-02-2020	Reply Brief-Supreme Court
Filed By: Colleen Ball Comment: Ack. of Filing & CL of Reply Brief-Supreme Court		
OCCD SC	10-30-2020	Motion to File Amicus/Non-Party Brief
Filed By: Kendall H Submit Date: 10-30-2020 Decision: (G) Grant Decision Date: 11-2-2020 IT IS ORDERED that the motion is granted. In light of the fact that the oral argument is scheduled on November 17, 2020, and other non-party amici have been required to submit their briefs two weeks prior to the date of the oral argument, twenty-two copies of the brief shall be filed on or before November 3, 2020. Comment: Order on Motion to File Amicus/Non-Party Brief (Disability Rights Wisconsin)		
OCCD SC	10-28-2020	Motion to File Amicus/Non-Party Brief
Filed By: Andrew P Submit Date: 10-29-2020 Decision: (G) Grant Decision Date: 10-29-2020 IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before		

November 3, 2020.  
Comment: 10/29/20 CTO (MAM)

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OCCD SC 10-26-2020 Motion to File Amicus/Non-Party Brief  
Filed By: Maura W  
Submit Date: 10-26-2020  
Decision: (G) Grant  
Decision Date: 10-27-2020  
IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before November 3, 2020.  
Comment: Motion to File Amicus/Non-Party Brief Order on Motion to File Amicus/Non-Party Brief

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OCCD SC 10-16-2020 Certificate of Filing by Mail  
Comment: Second Supreme Court Brief; Mailed via USPS 10/15/20, COS Certificate of Filing by Mail

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OCCD SC 10-16-2020 Response Brief-Supreme Court  
Comment: Please note that the Trial Court Judge and County appealed from have been added to the cover of all briefs. Please include this information on all future briefs pursuant to Rule 809.19(9). Note that the caption has been corrected on this brief. Please use the above caption on all future briefs.

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OCCD SC 10-02-2020 Motion to Extend Time  
Filed By: David Been  
Submit Date: 10-2-2020  
Decision: (G) Grant  
Decision Date: 10-5-2020  
IT IS ORDERED that the motion for extension is granted. Petitioner-respondent's response brief shall be served and filed on or before October 16, 2020.  
See BR2 event due on 10-16-2020  
Comment: Motion to Extend Time (BR2) Order on Motion to Extend Time (BR2)

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OCCD SC 09-17-2020 Certificate of Filing by Mail  
Comment: Appellant's brief, mailed 09-11-20, 22 copies

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OCCD SC 09-17-2020 First Brief-Supreme Court  
Filed By: Colleen Ball  
Comment: Notice of Filing of First Brief Appendix to First Brief-SC

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OCCD SC 09-09-2020 Assigned for Oral Argument

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OCCD SC 08-25-2020 Interim Motion for Reconsideration  
Filed By: Colleen Ball  
Submit Date: 8-25-2020  
Decision: (G) Grant  
Decision Date: 8-28-2020  
IT IS ORDERED that the motion for reconsideration is granted. Respondent-appellant-petitioner's initial brief shall be served and filed on or before September 11, 2020.  
Comment: Interim Motion for Reconsideration

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OCCD SC 08-20-2020 Motion to Extend Time  
Filed By: Colleen Ball  
Submit Date: 8-21-2020  
Decision: (G) Grant  
Decision Date: 8-21-2020  
IT IS ORDERED that the motion is granted in part. Respondent-appellant-petitioner's initial brief shall be served and filed on or before August 31, 2020.  
See BR1 event due on 8-31-2020  
Comment: Motion to Extend Time (BR1); 8/21/20 CTO (MXT);

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OCCD SC 07-24-2020 Caption Amended  
Comment: Caption Amended

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OCCD SC 07-24-2020 Court Changed to Supreme Court

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OCCD SC 05-19-2020 Order  
IT IS ORDERED that petitioner-respondent, Waupaca County, shall file a response to the motion for leave to amend the petition on or before June 2, 2020.  
IT IS FURTHER ORDERED that the petition for review is held in abeyance pending consideration of this motion.

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OCCD SC 05-18-2020 Response  
Comment: Respondent's letter/brief discussing the impact of the C.S. case, if any, on the issues raised in the petition for review, per 4/24/20 CTO

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OCCD SC 04-27-2020 Response  
Comment: Appellant's letter/brief discussing the impact of the C.S. case, if any, on the issues raised in the petition for review, per 4/24/20 CTO

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OCCD SC 04-24-2020 Motion for Miscellaneous Relief  
Filed By: Colleen Ball  
Submit Date: 5-15-2020  
Decision: (G) Grant  
Decision Date: 7-24-2020  
ORD that respondent-appellant-petitioner's motion to amend the petition for review to permit briefing to include arguments pertaining to the privileges or immunities clause is granted;  
FRO that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the respondent-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and  
FRO that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the respondent-appellant-petitioner must file a brief in this court; that within 20 days of filing the petitioner-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the petitioner-respondent, within 10 days of filing the respondent-appellant-petitioner 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 or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and  
FRO that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and  
FRO that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in

the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of

Comment: Motion to Amend Petition for Review

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OCCD SC	04-24-2020	Order
IT IS ORDERED that the parties file simultaneous letters/briefs by May 15, 2020 discussing the impact of the C.S. case, if any, on the issues raised in the petition for review.		

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OCCD SC	04-10-2020	Hold Status
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OCCD SC	12-12-2019	Order
ORD that the petition for review is held in abeyance pending this court's decision in Winnebago v. C.S., case no. 2016AP1982 (oral argument scheduled for January 15, 2020).		

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OCCD CA	10-30-2019	Published Opinion Citation
936 N.W.2d 405		

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OCCD CA	10-30-2019	Published Opinion Citation
389 Wis. 2d 104		

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OCCD CA	10-30-2019	Opinion Ordered Unpublished
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OCCD SC	10-17-2019	Fee Waived
Comment: Fee waived in COA		

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OCCD SC	10-16-2019	Petition for Review
Filed By: Colleen Ball Submit Date: 10-30-2019 Decision: (G) Grant Decision Date: 7-24-2020 ORD that respondent-appellant-petitioner's motion to amend the petition for review to permit briefing to include arguments pertaining to the privileges or immunities clause is granted; FRO that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the respondent-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and FRO that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the respondent-appellant-petitioner must file a brief in this court; that within 20 days of filing the petitioner-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the petitioner-respondent, within 10 days of filing the respondent-appellant-petitioner 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 or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and FRO that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and FRO that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in		

the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of

Comment: Order granting Petition for Review;

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OCCD CA	09-26-2019	<a href="#">Opinion/Decision</a>
Judge Panel: Graham, Blanchard, Fitzpatrick		
Opinion: Opinion		
Decision: Affirmed Pages: 25		
Written by: Blanchard, Brian		
Order Text: Order affirmed.		

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OCCD CA	07-29-2019	Court Order for 3-Judge Panel
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OCCD CA	05-28-2019	Response to Additional/Supplemental Authorities
Comment: filed by SPD Colleen Ball		

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OCCD CA	05-16-2019	Additional Authorities
Comment: from AAG Whelan; Opinion of 18AP987		

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OCCD CA	04-03-2019	Briefs Received At State Law Library
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OCCD CA	03-13-2019	Briefs Sent to District
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OCCD CA	03-12-2019	Certificate of Filing by Mail
Comment: RE: Supplemental Reply Brief, Shipped 3-11-19, COS		

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OCCD CA	03-12-2019	Reply Brief
Filed By: Colleen Ball		
Comment: to Non-Party Brief of Attorney General		

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OCCD CA	03-06-2019	Motion for Miscellaneous Relief
Filed By: Colleen Ball		
Submit Date: 3-7-2019		
Decision: (G) Grant		
Decision Date: 3-12-2019		
ORD that the appellant may file a response to the non-party brief by 3/19/19, consisting of no more than 3,000 words.		
Comment: Motion for leave to file a response to the Attorney General's amicus brief		

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OCCD CA	03-01-2019	Briefs Received At State Law Library
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OCCD CA	02-27-2019	Submitted on Briefs
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OCCD CA	02-27-2019	Record and Briefs Sent to District 4
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OCCD CA 02-25-2019 Brief of Amicus Curiae/Non-Party  
Filed By: Maura W

Comment: Attorney General of the State of Wisconsin; Note that the caption has been corrected on this brief. Please use the above caption on all future briefs.

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OCCD CA 01-31-2019 Certificate of Filing by Mail  
Comment: RE: Reply Brief, Shipped 1-29-19, COS

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OCCD CA 01-31-2019 Reply Brief  
Filed By: Colleen Ball

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OCCD CA 01-24-2019 Motion to File Amicus/Non-Party Brief  
Filed By: Maura W  
Submit Date: 1-25-2019  
Decision: (G) Grant  
Decision Date: 1-29-2019  
ORD that the motion for leave to file a nonparty brief is granted.  
FRO that the nonparty brief shall be due 30 days from the date of this order.  
Comment: Attorney General of the State of Wisconsin

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OCCD CA 01-15-2019 Certificate of Filing by Mail  
Comment: RE: Respondent's Brief, Mailed 1-11-19, COS

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OCCD CA 01-15-2019 Brief of Respondent(s)  
Filed By: David Been  
Comment: Appx to Brief of Respondent(s)

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OCCD CA 12-21-2018 Motion to Extend Time  
Filed By: David Been  
Submit Date: 12-21-2018  
Decision: (G) Grant  
Decision Date: 12-27-2018  
ORD that the time to file the respondent's brief is extended to January 11, 2019.  
See BRS event due on 1-11-2019

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OCCD CA 12-05-2018 Certificate of Filing by Mail  
Comment: RE: Appellant's Brief, Shipped 11-29-18, COS

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OCCD CA 12-05-2018 Brief & Appendix of Appellant(s)  
Filed By: Colleen Ball  
Comment: Appx to Brief of Appellant(s)

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OCCD CA 11-26-2018 Motion to Extend Time

WSCCA Case History

Filed By: Colleen Ball

Submit Date: 11-27-2018

Decision: (G) Grant

Decision Date: 12-5-2018

ORD that the time appellant's brief shall be deemed timely filed as of the date of this order.

See BAP event due on 11-26-2018

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OCCD CA	10-16-2018	Record
	Comment: 1-2 to 81-101 ELECTRONICALLY FILED	

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OCCD CA	10-04-2018	Case to Proceed Under Regular Briefing Schedule
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OCCD CA	10-02-2018	Docketing Statement Submitted
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OCCD CA	10-02-2018	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	10-02-2018	Fee Waived
	Comment: SPD	

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OCCD CA	10-02-2018	Notice of Appeal & Circuit Court Docket Entries
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OCCD CA	09-10-2018	Statement on Transcript
	Filed By: Colleen Ball	
	Status: Prev. Filed	

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OCCD CA	09-10-2018	Docketing Statement from Appellant
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OCCD CA	09-05-2018	Notice of Appeal filed in Circuit Court
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OCCD CA	06-06-2018	Order of Circuit Court
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