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		Cites
	395 Wis. 2d 460			
OCCD	SC	02-09-2021		Cites
	954 N.W.2d 366			
OCCD	SC	02-09-2021		Opinion/Decision
	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

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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

Filed By: Kendall H
Comment: Disability Rights Wisconsin and National Disabilty Rights Network Cover letter and Ack. of Brief of Amicus Curiae

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OCCD SC 11-03-2020 Brief of Amicus Curiae

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

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OCCD SC 11-03-2020 Brief of Amicus Curiae

Filed By: Maura W
Comment: Attorney General Ack. of Filing, CL, and COM of Brief of Amicus Curiae

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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)

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.

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)

OCCD SC 09-17-2020 Certificate of Filing by Mail

Comment: Appellant's brief, mailed 09-11-20, 22 copies

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

OCCD SC 09-09-2020 Assigned-Oral Argument

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

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);

OCCD SC 07-24-2020 Caption Amended

Comment: Caption Amended

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

OCCD SC 05-19-2020 Court 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.

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

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

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

OCCD SC 04-24-2020 Court 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.

OCCD SC 04-10-2020 Hold Status

OCCD SC 12-12-2019 Court 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).

OCCD CA 10-30-2019 Cites

936 N.W.2d 405

OCCD CA 10-30-2019 Cites

389 Wis. 2d 104

OCCD CA 10-30-2019 Opinion Ordered Unpublished

OCCD SC 10-17-2019 Fee Waived

Comment: Fee waived in COA

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;

OCCD CA 09-26-2019 Opinion/Decision

Judge Panel: Graham, Blanchard, Fitzpatrick
Opinion: Opinion
Decision: Affirmed Pages: 25
Written by: Blanchard, Brian
Order Text: Order affirmed.

OCCD CA 07-29-2019 Court Order for 3-Judge Panel

OCCD CA 05-28-2019 Rsp. to Add'l/Supplemental Authorities

Comment: filed by SPD Colleen Ball

OCCD CA 05-16-2019 Additional Authorities

Comment: from AAG Whelan; Opinion of 18AP987

OCCD CA 04-03-2019 Briefs Received At State Law Library

OCCD CA 03-13-2019 Briefs Sent to District

OCCD CA 03-12-2019 Certificate of Filing by Mail

Comment: RE: Supplemental Reply Brief, Shipped 3-11-19, COS

OCCD CA 03-12-2019 Reply Brief

Filed By: Colleen Ball

Comment: to Non-Party Brief of Attorney General

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

OCCD CA 02-27-2019 Submitted on Briefs

OCCD CA 02-27-2019 Record and Briefs Sent to District 4

OCCD CA 02-25-2019 Brief of Amicus Curiae

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.

OCCD CA 01-31-2019 Certificate of Filing by Mail

Comment: RE: Reply Brief, Shipped 1-29-19, COS

OCCD CA 01-31-2019 Reply Brief

Filed By: Colleen Ball

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

OCCD CA 01-15-2019 Certificate of Filing by Mail

Comment: RE: Respondent's Brief, Mailed 1-11-19, COS

OCCD CA 01-15-2019 Brief of Respondent(s)

Filed By: David Been

Comment: Appx to Brief of Respondent(s)

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

OCCD CA 12-05-2018 Certificate of Filing by Mail

Comment: RE: Appellant's Brief, Shipped 11-29-18, COS

OCCD CA 12-05-2018 Brief & Appx of Appellant(s)

Filed By: Colleen Ball

Comment: Appx to Brief of Appellant(s)

OCCD CA 11-26-2018 Motion to Extend Time

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

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

OCCD CA 10-04-2018 Case to proceed under RAP

OCCD CA 10-02-2018 Docketing Statement Submitted

OCCD CA 10-02-2018 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 10-02-2018 Fee Waived
Comment: SPD

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

OCCD CA 09-10-2018 Docketing Statement from Appellant

OCCD CA 09-05-2018 Notice of Appeal filed in Cir. Ct.

OCCD CA 06-06-2018 Order of Circuit Court
