

Wisconsin Supreme Court and Court of Appeals Case Access

Winnebago County v. C.S.

Appeal Number 2016AP001982

CONFIDENTIAL
Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	05-18-2020		Remittitur
OCCD	SC	04-10-2020		Cites
		391 Wis. 2d 35		
OCCD	SC	04-10-2020		Cites
		940 N.W.2d 875		
OCCD	SC	04-10-2020		Opinion/Decision
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Kelly, Dallet, Hagedorn		
		Opinion: Opinion		
		Decision: Reversed and remanded Pages: 35		
		Written by: Ziegler, Annette K.		
		Bradley, Rebecca Grassl Wrote Dissenting Opinion 18 pages.		
		Hagedorn, Brian K. Wrote Dissenting Opinion 21 pages.		
		Roggensack, Patience Drake Joined Dissenting Opinion		
		Order Text: The decision of the court of appeals is reversed, and the cause is remanded to the circuit court for further proceedings consistent with this opinion.		
OCCD	SC	04-09-2020		Public Domain Citation
		Comment: PDC No: 2020 WI 33		
OCCD	SC	01-15-2020		Oral Argument
		Comment: 1st case, 9:45 a.m. Attorney Kaitlin A. Lamb for RES-APP-PET, Attorney Mary A. Mueller for PET-RES.		
OCCD	SC	01-08-2020		Briefs Received At State Law Library
OCCD	SC	12-30-2019		Rejected Electronic Document
		Comment: Non-Party Brief - Disability Rights Wisconsin; Duplicate, no action.		
OCCD	SC	12-27-2019		Brief of Amicus Curiae

Filed By: Todd S
Comment: Disability Rights Wisconsin

OCCD SC 12-20-2019 Notice of Appearance
Comment: Attorney Machalow and Attorney Smith for Disability Rights Wisconsin

OCCD SC 12-17-2019 Motion to Extend Time
Filed By: Todd S
Submit Date: 12-17-2019
Decision: (G) Grant
Decision Date: 12-18-2019
ORD that the motion is granted in part. Disability Rights Wisconsin's non-party brief shall be served on or before December 27, 2019.
See BAM event due on 12-27-2019

OCCD SC 12-16-2019 Certificate of Filing by Mail
Comment: Re: Reply Brief (SC); Rcvd 22 copies mailed, 12-13-2019. (COS)

OCCD SC 12-16-2019 Reply Brief-Supreme Court
Filed By: Kaitlin Lamb

OCCD SC 12-10-2019 Motion to Extend Time
Filed By: Kaitlin Lamb
Submit Date: 12-10-2019
Decision: (G) Grant
Decision Date: 12-11-2019
ORD that Disability Rights Wisconsin's motions are granted in part. Twenty-two copies of DRW's non-party brief shall be filed on or before December 20, 2019. All briefing shall be complete no later than December 30, 2020. The court will not alter the scheduled January 15, 2020 oral argument.
ORD that the motion for respondent-appellant-petitioner, C.S., is granted.
Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 13, 2019.
See BR3 event due on 12-13-2019

OCCD SC 12-09-2019 Motion to File Amicus/Non-Party Brief
Filed By: Todd S
Submit Date: 12-9-2019
Decision: (G) Grant
Decision Date: 12-11-2019
ORD that Disability Rights Wisconsin's motions are granted in part. Twenty-two copies of DRW's non-party brief shall be filed on or before December 20, 2019. All briefing shall be complete no later than December 30, 2020. The court will not alter the scheduled January 15, 2020 oral argument.
ORD that the motion for respondent-appellant-petitioner, C.S., is granted.
Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 13, 2019.
Comment: Disability Rights Wisconsin; and MXT to file motion

OCCD SC 12-06-2019 Briefs Received At State Law Library
Comment: Amicus Curiae - AG

OCCD SC 12-02-2019 Rejected Electronic Document

Comment: Non-Party Brief of the Attorney General; This efile is rejected because the caption on the cover page needs to be corrected (Winnebago County should have the following party designation: Petitioner-Respondent). Please efile a corrected brief. The paper copies have been corrected by Clerk's Office staff.

OCCD SC 11-25-2019 Motion to Extend Time
Filed By: Kaitlin Lamb
Submit Date: 11-25-2019
Decision: (G) Grant
Decision Date: 11-29-2019
IT IS ORDERED that the State's motion is granted. The State of Wisconsin's 4,356-word non-party brief is accepted as filed.
IT IS FURTHER ORDERED that the motion of respondent-appellant-petitioner, C.S., is granted. Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 10, 2019. See BR3 event due on 12-10-2019

OCCD SC 11-22-2019 Motion to Waive Filing Requirements
Filed By: Maura W
Submit Date: 11-22-2019
Decision: (G) Grant
Decision Date: 11-29-2019
IT IS ORDERED that the State's motion is granted. The State of Wisconsin's 4,356-word non-party brief is accepted as filed.
IT IS FURTHER ORDERED that the motion of respondent-appellant-petitioner, C.S., is granted. Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 10, 2019. Comment: Request to file oversized brief

OCCD SC 11-22-2019 Brief of Amicus Curiae
Filed By: Maura W
Comment: Brief of Attorney General. Please note the party designation on the caption was corrected on the covers of all briefs. Please use the above caption on all future briefs.

OCCD SC 11-18-2019 Briefs Received At State Law Library

OCCD SC 11-14-2019 Assigned-Oral Argument

OCCD SC 11-12-2019 E-Filing Certification
Comment: Appendix - Response Brief - Supreme Court

OCCD SC 11-11-2019 Rejected Electronic Document
Comment: Appendix - Response Brief - Supreme Court; This efile is rejected because it does not contain the efilings certification pursuant to Rule 809.19(13)(f). Efilings the appendix is not required. If you choose not to re-efiling the appendix, no further action is necessary. If you wish to re-efiling the appendix, you must fax the efilings certification to the Clerk's Office at 608-267-0640 before it can be accepted.

OCCD SC 11-11-2019 Certificate of Filing by Mail
Comment: RE: Response Brief - Supreme Court, (IB), Shipped 11-8-19

OCCD SC 11-11-2019 Response Brief-Supreme Court

Filed By: Mary Mueller

Comment: Please be advised briefs and appendices must comply with Wis. Stat. Rule 809.19(1)(g) regarding the rules on confidentiality.

OCCD SC 11-07-2019

Rejected Electronic Document

Comment: Appendix - Response Brief - Supreme Court; This appendix is rejected for possible breaches of confidentiality.

OCCD SC 11-07-2019

Rejected Electronic Document

Comment: Response Brief - Supreme Court; This brief is rejected for possible breaches of confidentiality.

OCCD SC 11-06-2019

Motion to File Amicus/Non-Party Brief

Filed By: Maura W

Submit Date: 11-6-2019

Decision: (G) Grant

Decision Date: 11-8-2019

ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before November 22, 2019.

Comment: State of Wisconsin/Attorney General

OCCD SC 11-01-2019

Motion to Extend Time

Filed By: Mary Mueller

Submit Date: 11-1-2019

Decision: (G) Grant

Decision Date: 11-5-2019

ORD that the motion is granted. Petitioner-respondent's response brief shall be served and filed on or before November 18, 2019.

See BR2 event due on 11-18-2019

OCCD SC 10-15-2019

Rejected Electronic Document

Comment: Brief of Respondent-Appellant-Petitioner; This brief is rejected because the wrong brief/document type was selected. Please efile the brief under the correct document type.

OCCD SC 10-15-2019

Certificate of Filing by Mail

Comment: Re: First Brief Supreme Court, mailed, 10/11/2019. COS.

OCCD SC 10-15-2019

First Brief-Supreme Court

Filed By: Kaitlin Lamb

Comment: Appx to First Brief-Supreme Court

OCCD SC 10-08-2019

Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 10-8-2019

Decision: (G) Grant

Decision Date: 10-10-2019

ORD that the motion is granted. Respondent-appellant-petitioner's first brief shall be served and filed on or before October 11, 2019.

See BR1 event due on 10-11-2019

OCCD SC 09-30-2019 Attorney Change
Comment: Attorney Mueller for respondent per notice of substitution of counsel.

OCCD SC 09-16-2019 Motion to Extend Time
Filed By: Kaitlin Lamb
Submit Date: 9-16-2019
Decision: (G) Grant
Decision Date: 9-18-2019
ORD that the motion is granted. Respondent-appellant-petitioner's first brief shall be served and filed on or before October 8, 2019.
See BR1 event due on 10-8-2019

OCCD SC 08-15-2019 Caption Amended

OCCD SC 08-15-2019 Court Changed to Supreme Court

OCCD SC 08-09-2019 Letter/Correspondence
Comment: From Justice Hagedorn to parties; advising he has decided a separate appeal arising from earlier extension orders involving the same parties and does not feel it would be a conflict to participate in this case.

OCCD CA 05-08-2019 Final Publication

OCCD SC 04-26-2019 Fee Waived
Comment: SPD

OCCD SC 04-26-2019 Petition for Review
Filed By: Kaitlin Lamb
Submit Date: 5-14-2019
Decision: (G) Grant
Decision Date: 8-15-2019
ORD the petition for review is granted. Briefs/statements 30/20/10.
Motion Response
Filed By: James Kearney
Submit Date: 5-14-2019

OCCD CA 04-24-2019 Cites
927 N.W.2d 576

OCCD CA 04-24-2019 Cites
386 Wis. 2d 612

OCCD CA 04-24-2019 Opinion Ordered Published

OCCD CA	04-24-2019	Public Domain Citation
	Comment: PDC No: 2019 WI App 16	
OCCD CA	03-27-2019	Opinion/Decision
	Judge Panel: Gundrum, Neubauer, Reilly Opinion: Opinion Decision: Affirmed Pages: 12 Written by: Reilly, Paul F. Order Text: Orders affirmed	
OCCD CA	01-10-2019	Submitted on Briefs
OCCD CA	12-21-2018	Briefs Received At State Law Library
OCCD CA	12-06-2018	Briefs Sent to District
OCCD CA	12-06-2018	Briefs Sent to District
OCCD CA	12-06-2018	Certificate of Filing by Mail
	Comment: Re: Reply Brief; rcvd 10 copies of briefs; mailed, 12-05-2018	
OCCD CA	12-06-2018	Reply Brief
	Comment: Please note that the title of this brief has been added.	
OCCD CA	11-20-2018	Motion to Extend Time
	Filed By: Kaitlin Lamb Submit Date: 11-20-2018 Decision: (G) Grant Decision Date: 11-23-2018 ORD that the time for the appellant to file a brief in reply to the attorney general's brief is extended to December 5, 2018. See BRY event due on 12-5-2018	
OCCD CA	11-07-2018	Attorney Change
	Comment: AAG Whelan withdrawn as representing Winnebago Cty. per letter filed 11/6/18.	
OCCD CA	11-06-2018	Letter/Correspondence
	Comment: Filed by AAG Whelan advising she does not represent Winnebago County and should be removed as counsel for Winnebago County.	
OCCD CA	11-05-2018	Brief of Amicus Curiae
	Comment: Brief of Attorney General	
OCCD CA	10-19-2018	Motion to Extend Time

Filed By: Maura Whelan

Submit Date: 10-22-2018

Decision: (G) Grant

Decision Date: 10-23-2018

ORD that the time for the Attorney General's Office to file its brief is extended to November 5, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 11-5-2018

OCCD CA	09-26-2018	Attorney Change
Comment: AAG Whelan added as co-counsel for Winnebago County.		

OCCD CA	09-25-2018	Briefs Received At State Law Library
---------	------------	--------------------------------------

OCCD CA	09-12-2018	Court Order for 3-Judge Panel
---------	------------	-------------------------------

OCCD CA	09-12-2018	Court Order
ORD that this case shall be decided by a three-judge panel.		
FRO that within forty days, the attorney general shall file a respondents brief in compliance with the form and length requirements in WIS. STAT. RULE 809.19(3).		
FRO that the appellant may file a reply to the attorney generals brief within fifteen days of its filing. The appellants reply shall comply with the WIS. STAT. RULE 809.19(4) requirements for a reply brief.		
FRO that this case is withdrawn from submission and held in abeyance pending further briefing.		

OCCD CA	09-07-2018	Submitted on Briefs
---------	------------	---------------------

OCCD CA	09-06-2018	Record and Briefs Sent to District 2
---------	------------	--------------------------------------

OCCD CA	09-04-2018	Hold Status
---------	------------	-------------

OCCD SC	07-11-2018	Court Order
ORD that the parties file simultaneous letters by July 25, 2018, discussing the impact of the Scott case, if any, on the issues raised in the petition for bypass.		
See BYP event filed on 5-17-2018		

OCCD SC	05-31-2018	Letter/Correspondence
Comment: From James A. Kearney advising that the Respondent will not be filing a response and take no position on the petition to bypass.		

OCCD CA	05-21-2018	Certificate of Filing by Mail
Comment: BRY (Shipped May 18, 2018)		

OCCD CA	05-21-2018	Reply Brief
Filed By: Kaitlin Lamb		
Comment: Appx to Reply Brief		

OCCD SC	05-17-2018	Fee Waived
---------	------------	------------

Comment: SPD

OCCD SC 05-17-2018 Petition to Bypass

Filed By: Kaitlin Lamb

Submit Date: 5-31-2018

Decision: (D) Deny

Decision Date: 9-4-2018

ORD the petition to bypass is denied, without costs.

Motion Response

Filed By: Kaitlin Lamb

Submit Date: 7-31-2018

Motion Response

Filed By: James Kearney

Submit Date: 7-26-2018

This motion contains court order(s).

Comment: Parties to file simultaneous letters by 7/25/18 regarding Scott case per 7/11/18 CTO; Appellant's letter filed 7/25/18; Respondent's letter filed 7/26/18

OCCD CA 05-09-2018 Rejected Electronic Document

Comment: Brief of Respondent; This efile is rejected because the pages of the efiled brief start and end at different spots than the pages of the paper brief. Please efile an exact version of the paper copy.

OCCD CA 05-04-2018 Rejected Electronic Document

Comment: Brief of Respondent; This efile is rejected because the cover page needs to be corrected. Both Honorable Barbara Key and Karen L. Seifert should be on the cover page. Please efile a corrected brief in its entirety.

OCCD CA 05-04-2018 Certificate of Service

Comment: re: respondent's brief

OCCD CA 05-04-2018 Brief of Respondent(s)

Filed By: James Kearney

Comment: Please note that the appellate case number has been corrected and the name of the Honorable Karen L. Seifert has been added to the covers of all brief copies. Please include this information on all future briefs.

OCCD CA 04-06-2018 Certificate of Filing by Mail

Comment: BAP 4/3/18

OCCD CA 04-06-2018 Brief & Appx of Appellant(s)

Filed By: Kaitlin Lamb

Comment: Appx to Brief of Appellant(s)

OCCD CA 03-27-2018 Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 3-28-2018

Decision: (G) Grant

Decision Date: 3-29-2018

ORD that the time for the appellant to file an appellant's brief is extended to April 3, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 4-3-2018

OCCD CA 03-19-2018

Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 3-19-2018

Decision: (G) Grant

Decision Date: 3-22-2018

ORD that the time for the appellant to file an appellant's brief is extended to March 27, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 3-27-2018

OCCD CA 02-15-2018

Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 2-15-2018

Decision: (G) Grant

Decision Date: 2-19-2018

ORD that the time for the appellant to file an appellant's brief is extended to March 19, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 3-19-2018

OCCD CA 01-11-2018

Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 1-11-2018

Decision: (G) Grant

Decision Date: 1-16-2018

ORD that the time for the appellant to file an appellant's brief is extended to February 15, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 2-15-2018

OCCD CA 12-12-2017

Letter/Correspondence

Comment: To parties; advising of update on the hold status. cg

OCCD CA 12-12-2017

Hold Status

OCCD CA 09-15-2017

Motion for Stay

Filed By: Kaitlin Lamb

Submit Date: 10-2-2017

Decision: (G) Grant

Decision Date: 10-4-2017

ORD that the briefing schedule in the above case is stayed pending the Wisconsin Supreme Court's resolution of Winnebago County v. C.S., 2016AP1955.

FRO that the appellant's brief shall be due thirty days after the Wisconsin Supreme Court's resolution of Winnebago County v. C.S., 2016AP1955.

Comment: Briefing

OCCD CA 08-16-2017

Letter/Correspondence

Comment: To parties; advising of update on the hold status. cg

OCCD CA	08-16-2017	Hold Status
---------	------------	-------------

OCCD CA	03-09-2017	Motion for Stay
Filed By: Kaitlin Lamb		
Submit Date: 3-28-2017		
Decision: (G) Grant		
Decision Date: 3-30-2017		
ORD that briefing in this appeal is stayed pending a decision in Winnebago County v. C.S., No. 2016AP1955.		
FRO that the appellant's brief shall be filed within 30 days of the date of this court releases a decision in Winnebago v. C.S., No. 2016AP1955.		
Comment: pending decision in 16AP1955		

OCCD CA	03-02-2017	Motion to Extend Time
Filed By: Kaitlin Lamb		
Submit Date: 3-2-2017		
Decision: (G) Grant		
Decision Date: 3-3-2017		
ORD that the time for the appellant to file an appellant's brief is extended to 3-9-2017. See Wis. Stat. Rule 809.82(2)(a).		
See BAP event due on 3-9-2017		

OCCD CA	01-31-2017	Motion to Extend Time
Filed By: Kaitlin Lamb		
Submit Date: 1-31-2017		
Decision: (G) Grant		
Decision Date: 2-2-2017		
ORD that the time for the appellant to file his appellant's brief is extended to 3-2-2017. See Wis. Stat. Rule 809.82(2)(a).		
See BAP event due on 3-2-2017		

OCCD CA	12-27-2016	Motion to Extend Time
Filed By: Kaitlin Lamb		
Submit Date: 12-28-2016		
Decision: (G) Grant		
Decision Date: 12-29-2016		
ORD that the time for the appellant to file his appellant's brief is extended to 1/31/17. See Wis. Stat. Rule 809.82(2)(a).		
See BAP event due on 1-31-2017		

OCCD CA	11-14-2016	Record
Comment: ELECTRONICALLY FILED; 1-1 to 45-1		

OCCD CA	10-19-2016	Other Papers
Comment: CRS transcripts previously filed; CR Catherine Carver		

OCCD CA	10-17-2016	Statement on Transcript
---------	------------	-------------------------

OCCD CA	10-14-2016	Case to proceed under RAP
---------	------------	---------------------------

OCCD CA	10-14-2016	Notif. Sent-Filing of NAP & Ct. Record
---------	------------	--

OCCD CA	10-14-2016	Fee Waived
	Comment: SPD	

OCCD CA	10-14-2016	Docketing Statement Submitted
---------	------------	-------------------------------

OCCD CA	10-14-2016	Notice of Appeal & Court Record
---------	------------	---------------------------------

OCCD CA	10-14-2016	X Transfer
---------	------------	------------

OCCD CA	10-11-2016	Docketing Statement from Appellant
---------	------------	------------------------------------

OCCD CA	10-06-2016	Notice of Appeal filed in Cir. Ct.
---------	------------	------------------------------------

OCCD CA	09-15-2016	Order of Circuit Court
---------	------------	------------------------

OCCD CA	09-09-2016	MXT to decide Postdisposition Motion
	Filed By: Kaitlin Lamb	
	Submit Date: 9-12-2016	
	Decision: (G) Grant	
	Decision Date: 9-13-2016	
	ORD that the time for deciding the respondent's postcommitment motion is extended to 10/11/16. See Wis. Stat. Rule 809.82(2)(a).	

OCCD CA	06-24-2016	MXT to file NAP/Postdisposition motion
	Filed By: Kaitlin Lamb	
	Submit Date: 6-27-2016	
	Decision: (G) Grant	
	Decision Date: 6-28-2016	
	ORD that the time for filing a notice of appeal or postconviction motion is extended to 7/11/16. See Wis. Stat. Rule 809.82(2)(a) (2013-14).	

OCCD CA	04-25-2016	MXT to file NAP/Postdisposition motion
	Filed By: Kaitlin Lamb	
	Submit Date: 4-26-2016	
	Decision: (G) Grant	
	Decision Date: 4-27-2016	
	ORD that the time for filing a notice of appeal or postcommitment motion is extended to 6/24/16. See Wis. Stat. Rule 809.82(2)(a).	

OCCD CA	03-24-2016	MXT to file NAP/Postdisposition motion
---------	------------	--

WSCCA Case History

Filed By: Kaitlin Lamb
Submit Date: 3-24-2016
Decision: (G) Grant
Decision Date: 3-25-2016

ORD that the time for filing a notice of appeal or postcommitment motion is extended to 4-25-2016. See Wis. Stat. Rule 809.82(2)(a).

OCCD CA 10-02-2015

MXT to file Notice of Intent

Filed By: C. S
Submit Date: 10-6-2015
Decision: (G) Grant
Decision Date: 10-7-2015

ORD that the time for filing a notice of intent to pursue postdisposition relief under Wis. Stat. Rule 809.30920(b), is extended to October 2, 2015. Wis. Stat. Rule 809.82(2)(a).

OCCD CA 06-30-2015

Order of Circuit Court
