

Supreme Court: Seating still available for Oct. 15 oral argument in Port Washington

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Madison, Wis. (Sept. 28, 2021) – Some seating is still available for the public to observe oral argument before the Wisconsin Supreme Court at the historic Ozaukee County courthouse in Port Washington on Friday, Oct. 15.

The Court is holding argument in two cases as part of the Court's outreach and public education program, *Justice on Wheels*. Ozaukee will be the 31st county outside Dane where the Court has held oral argument since *Justice on Wheels* began in 1993.

During oral argument, lawyers present their strongest legal reasons why the Court should decide a case in their client's favor. Justices have an opportunity to respond or ask questions directly of the lawyers during arguments that last about an hour each.

As part of the program, an attorney member of the Ozaukee County Bar Association will briefly introduce each case and discuss some of the issues involved beginning at 9:30 a.m. and 10:45 a.m., respectively.

Seating to observe an argument is free and open to the public. However, space is limited. Registration is highly recommended and may be made by e-mail or phone with Stephanie Blumenthal, stephanie.blumenthal@wicourts.gov, (608) 266-1298, by Oct. 5.

Cases will be heard in the county board room at the Ozaukee County Administration Center (old courthouse), 121 West Main St., Port Washington.

Individuals who are experiencing symptoms consistent with COVID-19 (including fever or chills, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, newly presenting loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea), or individuals who have been exposed within 10 days to someone who has COVID-19, are asked to not attend. Health safety precautions may also be in place at the facility.

Also as part of *Justice on Wheels*, the Court sponsors a civics education contest designed to help local fifth graders learn about the Wisconsin and U.S. constitutions. For rules and information on how to submit projects in the form of an essay, video, artwork or music, contact Susan K. Gray, Judicial Assistant to Chief Justice Annette Kingsland Ziegler at: susan.gray@wicourts.gov

Oral arguments scheduled to be heard Oct. 15 in the county board room at the Ozaukee County Administration Center (old courthouse), 121 West Main St., Port Washington:

9:45 a.m.

2020AP1058-CR

[State v. Clark](#)

Supreme Court case type: Bypass

Court of Appeals: District III

Circuit Court: Ashland County, Judge John P. Anderson

Long caption: State of Wisconsin, Plaintiff-Appellant-Petitioner, v. Teresa L. Clark, Defendant-Respondent

Issues presented:

1. Does the burden shift to the State when a defendant collaterally attacking a prior conviction does not point to evidence that *shows* that the circuit court

failed to inform her of the right to counsel but merely *alleges* that the court failed to do so?

2. Did Clark prove that her right to counsel was violated in her prior cases?

11 a.m.

2019AP1671

[Cree Inc. v. LIRC](#)

Supreme Court case type: Petition for Review

Court of Appeals: District II

Circuit Court: Racine County, Judge Michael J. Piontek, reversed

Long caption: Cree, Inc., Petitioner-Respondent-Petitioner, v. Labor and Industry Review Commission, Respondent-Co-Appellant, Derrick Palmer, Respondent-Appellant

Issues presented:

1. Whether the Labor and Industry Review Commission (“LIRC”) and the Court of Appeals erred in their interpretation and application of the Wisconsin Fair Employment Act’s (“WFEA”) substantial relationship test when they found that there was not a substantial relationship between Derrick Palmer’s (“Palmer”) multiple convictions for assaulting and battering women and the employment he sought at Cree, through which he would have regular, unsupervised interaction with women.
2. Whether LIRC and the Court of Appeals erred in disregarding the uncontested testimony of Cree’s fact and expert witnesses concerning the nature of the position to which Palmer applied and the substantial relationship between his numerous domestic violence convictions and the potential for violence against those with whom he would interact if employed at Cree.