

# Wisconsin Supreme Court: Accepts one new case

Posted on Thursday, Mar 9, 2023

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Madison, Wisconsin (March 9, 2023) – The Wisconsin Supreme Court recently voted to accept one new case, and the Court acted to deny review in a number of other cases. The case numbers, counties of origin and the issues presented in granted cases are listed below. More information about pending appellate cases can be found on the Wisconsin Supreme Court and Court of Appeals Access website. Published Court of Appeals opinions can be found here, and the status of pending Supreme Court cases can be found here.

2022AP1334 A.M.B. v. Circuit Court of Ashland County

Supreme Court case type: Bypass

Court of Appeals: District III

Circuit Court: Ashland County, Judge Kelly J. McKnight

Long caption: In the matter of the adoption of M.M.C.: A.M.B., Petitioner-Appellant, T.G., Appellant v. Circuit Court for Ashland County, the Honorable Kelly J. McKnight, presiding, Respondent

Issues presented:

1. Whether Wis. Stat. Ann. § 48.81 and 48.92(2) violate the equal protection rights of afforded to her under Wis. Const., art. I, § 1 and the Fourteenth Amendment of the U.S. Constitution, by requiring A.M.B. and T.G. to be married to enable T.G. to adopt her?
2. Whether Wis. Stat. Ann. § 48.81 and 48.92(2) violate the equal protection rights of T.G. afforded to him under Wis. Const., art. 1, § 1 and the Fourteenth

Amendment of the U.S. Constitution by requiring T.G. to be married to A.M.B. to adopt M.M.C.?

3. Do unstated legislative interests of “promoting marriage” and “preserving the traditional unitary family” trump the stated legislative interest of promoting the best interest of the child in Chapter 48?
4. Is it consistent with Wisconsin law to discriminate against individuals based on marital status for stepparent adoptions to “promot[e] marriage” and “protect the traditional unitary family” (See Respondent’s brief p. 5)?

Review denied: The Supreme Court denied review in the following cases. As the state’s law-developing court, the Supreme Court exercises its discretion to select for review only those cases that fit certain statutory criteria (see Wis. Stat. § 809.62). Except where indicated, these cases came to the Court via petition for review by the party who lost in the lower court:

#### Brown County

2021AP374-CR State v. Sanders

2021AP918 Van Handel v. Shepard

2021AP1912 F.A.W. v. M.B.

#### Dane County

2019AP2026-W Ramirez v. Hepp

2020AP1870 Dressler v. Kaul

2021AP1281-CR State v. Gratz (Justice Jill J. Karofsky did not participate)

2022AP72 Klinger v. Wisconsin Mutual Insurance Company

2022AP2211-W Schworck v. Circuit Court for Dane County (WSU)

#### Fond du Lac County

2022AP1170-CR State v. Allen Florence County

2021AP396 Eilau v. Roff Langlade County

2021AP988-CR State v. Pearson Manitowoc County

2019AP1651 Backus Electric, Inc. v. Hubbartt Electric, Inc. Marathon County

2021AP840 Ally Capital Corp. v. Rader

2021AP2115 Petitioner v. Milbeck Milwaukee County

2020AP1207 State v. Carpenter (Justice Rebecca Frank Dallet did not participate)

2021AP78 State v. Sellers

2021AP527-CR State v. Lassa

2021AP654 State v. Williams

2021AP688-W Tucker v. Benzel (Justice Patience Drake Roggensack did not participate)

2021AP707 State v. Gutierrez-Mendoza

2021AP804-CR

2021AP805-CR State v. Jackson

2021AP1424-CR State v. Wilson

2021AP1786-CR State v. Davis

2021AP1834-CR State v. Hughes

2022AP2-W Tran v. Hepp

2022AP713

2022AP714

2022AP715 L.E.H. v. R.E.M. (Justice Patience Drake Roggensack did not participate)

2022AP805-W Shaw v. Lucas

2022AP1397 State v. D.W., Jr.

2022AP1580

2022AP1581

2022AP1582

State v. C.L.

2022AP2109-W Grady v. Fuchs (WHC)

Portage County

2022AP1249

2022AP1250

2022AP1251

2022AP1252 Portage County DH&HS v. C.Z.

2022AP1352

2022AP1353

2022AP1354

2022AP1355 Portage County DH&HS v. S.Z.

Racine County

2020AP1052 Vanderverter v. Hyundai Motor America (Chief Justice Annette Kingsland Ziegler and Justice Rebecca Grassl Bradley dissent)

2021AP1002-CR State v. Canady St. Croix County

2021AP392 Rood v. Selective Insurance Co. (Justice Patience Drake Roggensack dissents)

Walworth County

2021AP1025-CR

2021AP1026-CR State v. Barrera

2023AP191-W Noback v. Court of Appeals, District II (WSU)

Washington County

2021AP1903-CR State v. Kieson (Chief Justice Annette Kingsland Ziegler did not participate)

Waukesha County

2021AP942-CR State v. Schiller

2022AP807 State v. K.J.P.

Waupaca County

2021AP1384-CR State v. Wittenberger Waushara County

2021AP867-CR State v. Lehouillier Winnebago County

2022AP817 Winnebago County v. A.P.D.