

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1996-1997

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Abrahamson, Bradley, Bablitch, Geske	4	<i>Carter; Hall; Angela M. W.; Risser</i>
Crooks, Wilcox, Steinmetz, Geske	2	<i>Setagord; Nelson</i>
Bradley, Crooks, Wilcox, Steinmetz	1	<i>Lohmeier</i>

4-3 Membership in the Majority

Justice	Votes
Abrahamson	4
Bradley	5
Crooks	3
Wilcox	3
Bablitch	4
Steinmetz	3
Geske	6

4-3 Majority Opinions Authored

Justice	Opinions
Abrahamson	2
Bradley	1
Crooks	2
Wilcox	0
Bablitch	1
Steinmetz	0
Geske	1
Total	7

Decisions by Vote Split

7-0 (or 6-0)	6-1	5-2 (or 4-2)	4-3
67/83 (81%)	2/83 (2%)	7/83 (8%)	7/83 (8%)¹
<i>Hagen v. Labor & Indus. Review Comm'n</i>	<i>State v. Solberg</i>	<i>State v. Caban</i>	<i>State v. Carter</i>
<i>Wisconsin Retired Teachers Assn. v. Wisconsin Educ. Assn. Council</i>	<i>Donaldson v. Urban Land Interests</i>	<i>Claypool v. Levin</i>	<i>State v. Lohmeier</i>
<i>Kara B. by Albert v. Dane County</i>		<i>State v. Ramos</i>	<i>State v. Setagord</i>
<i>State v. Santiago</i>		<i>State v. Sweat</i>	<i>Senator Fred Risser v. James R. Klauser</i>
<i>Miller Brewing Co. v. Department of Indus., Labor & Human Rels., Equal Rights Div.</i>		<i>L.L.N. v. Clauder</i>	<i>State v. Hall</i>
<i>State v. Garfoot</i>		<i>LaCrosse Queen, Inc. v. Wisconsin Dep't of Revenue</i>	<i>State ex rel. Angela M.W. v. Kruzicki</i>
<i>Burnett v. Hill</i>		<i>Estate of Makos by Makos v. Wisconsin Masons Health Care Fund (4-2)</i>	<i>Nelson v. McLaughlin</i>
<i>Anderson v. City of Milwaukee</i>			
<i>Weber v. Town of Saukville</i>			
<i>State v. Hicks</i>			
<i>Yauger v. Skiing Enters.</i>			
<i>State v. Pultz</i>			
<i>Chevron Chem. Co. v. Deloitte & Touche LLP</i>			
<i>State ex rel. Jacobus v. State</i>			
<i>Lake City Corp. v. City of Mequon</i>			
<i>State v. Smith</i>			
<i>State v. Johnson</i>			
<i>Milwaukee County v. Louise M. (In re Louise M.)</i>			
<i>Cameron v. Cameron</i>			
<i>State v. Dowe</i>			
<i>State v. Richardson</i>			
<i>Kempfer v. Automated Finishing</i>			
<i>State v. Howard</i>			
<i>State v. Wideman</i>			
<i>State ex rel. Vanderbeke v. Endicott</i>			
<i>MCI Telecomms. Corp. v. State</i>			
<i>State v. Coleman</i>			
<i>Faber v. Musser</i>			
<i>Magyar v. Wisconsin Health Care Liab. Ins. Plan</i>			
<i>Jacque v. Steenberg Homes</i>			
<i>State v. McMaster</i>			
<i>State v. Waldner</i>			
<i>(continued on following page)</i>			

¹ Because of rounding, the percentages do not add up to 100.

<i>Aiello v. Pleasant Prairie</i>			
<i>State v. Koopmans</i>			
<i>State v. McCallum</i>			
<i>State v. Harris</i>			
<i>State v. Wulff</i>			
<i>State v. Rosenberg</i>			
<i>Miller v. Thomack</i>			
<i>State v. Spaeth</i>			
<i>Torgerson v. Journal/Sentinel Inc.</i>			
<i>State v. Klessig</i>			
<i>Jadair Inc. v. United States Fire Ins. Co.</i>			
<i>Cook v. Cook</i>			
<i>Hoepker v. City of Madison Plan Comm'n</i>			
<i>Bergmann v. McCaughtry</i>			
<i>Des Jarlais v. Wisconsin Retirement Board</i>			
<i>Wisconsin Pub. Serv. Corp. v. Heritage Mut. Ins. Co.</i>			
<i>State v. Kluck</i>			
<i>General Cas. Co. v. Hills</i>			
<i>Grube v. John L. Daun</i>			
<i>Byers v. Labor & Indus. Review Comm'n</i>			
<i>Brakebush Bros. v. Labor & Indus. Review Comm'n</i>			
<i>Spahn v. Eisenberg (In re Edna M.F.)</i>			
<i>State v. Angelia D.B. (In the Interest of Angelia D.B.)</i>			
<i>Tannler v. Wisconsin Dep't of Health & Social Servs.</i>			
<i>Penterman v. Wisconsin Elec. Power Co.</i>			
<i>Norquist v. Zeuske</i>			
<i>Edland v. Wisconsin Physicians Serv. Ins. Corp.</i>			
<i>Wisconsin Dep't of Corrections v. Kliesmet</i>			
<i>City of West Allis v. Sheedy</i>			
<i>Management Computer Servs. v. Hawkins, Ash, Baptie & Co. (6-0)</i>			
<i>Weiss v. City of Milwaukee (6-0)</i>			
<i>Doe v. Archdiocese of Milwaukee (6-0)</i>			
<i>N.E.M. by Kryshak v. Strigel (6-0)</i>			
<i>Arneson v. Jezwinski (6-0)</i>			
<i>Ives v. Coopertools (6-0 per curiam)</i>			

Frequency in the Majority

These charts display how frequently each justice voted in the majority in decisions filed during the period September 1, 1996, to August 31, 1997. The first chart includes all cases in which a justice voted (out of the total of 83 cases, specified above), while the second chart includes only cases decided by split votes.

All Cases²

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	73	82	89%
Bradley	74	82	90%
Crooks	77	82	94%
Wilcox	78	82	95%
Bablitch	79	83	95%
Steinmetz	78	83	94%
Geske	79	81	98%

Non-Unanimous Decisions³

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	7	16	44%
Bradley	8	16	50%
Crooks	11	16	69%
Wilcox	12	16	75%
Bablitch	12	16	75%
Steinmetz	11	16	69%
Geske	13	15	87%

² **Justice Abrahamson** did not vote in *Arneson v. Jezwinski*. **Justice Bradley** did not vote in *N.E.M. by Kryshak v. Strigel*. **Justice Crooks** did not vote in *Doe v. Archdiocese of Milwaukee*. **Justice Wilcox** did not vote in *Management Computer Servs. v. Hawkins, Ash, Baptie & Co.* **Justice Geske** did not vote in *Weiss v. City of Milwaukee* and *Estate of Makos by Makos v. Wisconsin Masons Health Care Fund*.

³ Among the decisions listed in the previous footnote, *Estate of Makos by Makos v. Wisconsin Masons Health Care Fund* was the only non-unanimous decision.

Opinions Authored

This chart indicates how many majority opinions a justice authored in cases decided by each of the four possible majority vote totals.⁴

Opinion Author	7-0 (or 6-0)	6-1	5-2 (or 4-2)	4-3
Abrahamson	10	0	0	2
Bradley	10	1	0	1
Crooks	10	0	1	2
Wilcox	8	1	1	0
Bablitch	10	0	1	1
Steinmetz	8	0	4	0
Geske	10	0	0	1

The chart below shows how many concurring and dissenting opinions each justice authored.⁵

Opinion Author	Concurring Opinions	Dissenting Opinions
Abrahamson	12	4
Bradley	2	3
Crooks	1	3
Wilcox	0	1
Bablitch	4	2
Steinmetz	2	2
Geske	3	1

⁴ This chart does not include *Ives v. Coopertools*, a 6-0 *per curiam* decision, as no author of the decision is identified.

⁵ This chart does include *Ives v. Coopertools*, because Justices Steinmetz and Geske authored concurring opinions.

Days Between Oral Argument and Opinion Filing

This table shows the average number of days between oral argument and the filing of majority opinions authored by each of the justices. Given that a variety of factors could influence the length of time between oral argument and the filing of an opinion in a particular case—including the time taken by other justices to write concurring or dissenting opinions—averages for individual justices should be compared over an extended period.

	Number of Majority Opinions Authored ⁶	Ave. No. of Days From Oral Argument to Opinion Filing
Abrahamson	10	76
Bradley	8	110
Crooks	11	60
Wilcox	10	128
Bablitch	12	89
Steinmetz	11	68
Geske	10	105

⁶ Nine cases (*Faber v. Musser*; *State v. Hicks*; *Burnett v. Hill*; *Chevron Chem. Co. v. Deloitte & Touche LLP*; *Aiello v. Pleasant Prairie*; *State v. Spaeth*; *Edland v. Wisconsin Physicians Serv. Ins. Corp.*; *State ex rel. Jacobus v. State*; and *Wisconsin Pub. Serv. Corp. v. Heritage Mut. Ins. Co.*) did not include oral argument and thus do not figure in this table. The table also omits *Ives v. Coopertools*, a 6-0 *per curiam* decision, and *Donaldson v. Urban Land Interests*, whose record lacks a date for oral argument.

Number of Oral Arguments Presented

The following table displays firms and agencies that participated in at least two oral arguments during the twelve months under consideration.⁷

Firms and Agencies	Number of Oral Arguments
Cannon & Dunphy, S.C.	2
DeWitt Ross & Stevens, S.C.	2
Doar, Drill & Skow, S.C.	2
Eduardo M. Borda	2
Foley & Lardner LLP	2
Hinshaw & Culbertson	2
Howard B. Eisenberg	2
LaFollette & Sinykin	2
Michael, Best & Friedrich	2
Milwaukee City Attorney's Office	2
Peterson, Johnson & Murray, S.C.	4
Quarles & Brady	3
Ruder, Ware & Michler, S.C.	2
Schmidt, Grace & Duncan	2
Shneidman, Myers, Dowling, Blumenfield, Ehlke, Hawks & Domer	2
Stafford, Rosenbaum, Rieser & Hansen	2
State Attorney General's Office	42
State Public Defender's Office	6
University of Wisconsin Law School	3
Weiss, Berzowski, Brady & Donahue	2
Whyte Hirschboeck Dudek, S.C.	2

⁷ The table includes two deadlocked (3-3) *per curiam* decisions (*DeRuyter v. Wisconsin Electric Power Co.* and *State v. Wisconsin Central Transportation Corporation*).