

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1995-1996

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Abrahamson, Wilcox, Steinmetz, Geske	1	<i>Armstrong</i>
Bradley, Wilcox, Steinmetz, Day	1	<i>Cummings</i>

4-3 Membership in the Majority

Justice	Votes
Abrahamson	1
Bradley	1
Wilcox	2
Bablitch	0
Steinmetz	2
Geske	1
Day	1

4-3 Majority Opinions Authored

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

Decisions by Vote Split

7-0 (or 5-0 or 6-0)	6-1	5-2	4-3
65/75 (87%)	4/75 (5%)	4/75 (5%)	2/75 (3%)
<i>Hughes v. Chrysler Motors Corp.</i>	<i>State v. Morgan</i>	<i>State v. Glenn</i>	<i>Armstrong v. Milwaukee Mut. Ins. Co.</i>
<i>State v. Richards</i>	<i>Luciani v. Montemurro-Luciani</i>	<i>State v. McCall</i>	<i>State v. Cummings</i>
<i>State v. Speese</i>	<i>State v. Carpenter</i>	<i>State v. Hicks</i>	
<i>State v. Harris</i>	<i>State v. Post</i>	<i>Woznicki v. Erickson</i>	
<i>Harnischfeger Corp. v. Labor & Indus. Review Comm'n</i>			
<i>Hacker v. State Dep't of Health & Social Servs.</i>			
<i>Rockweit by Donohue v. Senecal</i>			
<i>Nowatske v. Osterloh</i>			
<i>Kellner v. Christian</i>			
<i>Mary L.O. v. Tommy R.B. (In re Tukker M.O.)</i>			
<i>State v. Petty</i>			
<i>DeChant v. Monarch Life Ins. Co.</i>			
<i>State v. Williams</i>			
<i>Nichols v. Bennett</i>			
<i>Firststar Trust Co. v. First Nat'l Bank (In re Cooney)</i>			
<i>State v. Williams</i>			
<i>State v. Lee</i>			
<i>Zealy v. City of Waukesha</i>			
<i>Brandmiller v. Arreola</i>			
<i>Stoppeworth v. Refuse Hideaway</i>			
<i>Whirlpool Corp. v. Ziebert</i>			
<i>Olski v. Olski</i>			
<i>Weiss v. United Fire & Casualty Co.</i>			
<i>Colby v. Columbia County</i>			
<i>State v. Sartin</i>			
<i>Gould v. American Family Mut. Ins. Co.</i>			
<i>State v. Miller</i>			
<i>State v. Sanchez</i>			
<i>DeRosso Landfill Co. v. City of Oak Creek</i>			
<i>State v. Sostre</i>			
<i>Vogel v. Grant-Lafayette Elec. Coop.</i>			
<i>Burch v. American Family Mut. Ins. Co.</i>			
<i>Lake Bluff Hous. Partners v. City of S. Milwaukee</i>			
<i>State v. Ogden</i>			
<i>Jungbluth v. Hometown, Inc.</i>			

(continued on following page)

<i>State v. Harrell</i>			
<i>State v. Kywanda F. (In re Kywanda F.)</i>			
<i>Stockbridge Sch. Dist. v. Dep't of Pub. Instruction Sch. Dist. Boundary Appeal Bd.</i>			
<i>State v. Akins</i>			
<i>State v. Andrews</i>			
<i>General Accident Ins. Co. of Am. v. Schoendorf & Sorgi</i>			
<i>State ex rel. James L.J. v. Circuit Court</i>			
<i>Gaddis v. La Crosse Prods.</i>			
<i>Verdoljak v. Mosinee Paper Corp.</i>			
<i>State v. Ferguson</i>			
<i>State v. Coerper</i>			
<i>UFE Inc. v. Labor & Indus. Review Comm'n</i>			
<i>State ex rel. Auchinleck v. Town of LaGrange</i>			
<i>State v. Smith</i>			
<i>State v. Bentley</i>			
<i>State v. Achterberg</i>			
<i>Fire Ins. Exch. v. Basten</i>			
<i>River Bank v. Fisher</i>			
<i>Wisconsin Newspress v. School Dist.</i>			
<i>Kleinke v. Farmers Coop. Supply & Shipping</i>			
<i>State ex rel. Schmelzer v. Murphy</i>			
<i>Thompson v. Craney</i>			
<i>Joni B. v. State</i>			
<i>Johnson by Adler v. Kokemoor (6-0)</i>			
<i>Association of State Prosecutors ex rel. Feiss v. Milwaukee County (6-0)</i>			
<i>State v. Gilmore (6-0)</i>			
<i>Towne Realty v. Zurich Ins. Co. (6-0)</i>			
<i>Wisconsin Patients Compensation Fund v. Wisconsin Health Care Liab. Ins. Plan (6-0)</i>			
<i>Libertarian Party v. State (6-0 per curiam)</i>			
<i>Kimps v. Hill (5-0)</i>			

Frequency in the Majority

These charts display how frequently each justice voted in the majority in decisions filed during the period September 1, 1995, to August 31, 1996. The first chart includes all cases in which a justice voted (out of the total of 75 cases, specified above), while the second chart includes only cases decided by split votes.

All Cases¹

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	65	72	90%
Bradley	72	74	97%
Wilcox	74	75	99%
Bablitch	70	74	95%
Steinmetz	73	74	99%
Geske	71	73	97%
Day	74	75	99%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	3	10	30%
Bradley	8	10	80%
Wilcox	9	10	90%
Bablitch	6	10	60%
Steinmetz	9	10	90%
Geske	8	10	80%
Day	9	10	90%

¹ **Justice Abrahamson** did not vote in *Kimps v. Hill*; *Libertarian Party v. State*; and *Towne Realty v. Zurich Ins. Co.* **Justice Bradley** did not vote in *Johnson by Adler v. Kokemoor*. **Justice Bablitch** did not vote in *Kimps v. Hill*. **Justice Steinmetz** did not vote in *Association of State Prosecutors ex rel. Feiss v. Milwaukee County*. **Justice Geske** did not vote in *State v. Gilmore* and *Wisconsin Patients Compensation Fund v. Wisconsin Health Care Liab. Ins. Plan*. All of these decisions were unanimous.

Opinions Authored

This chart indicates how many majority opinions a justice authored in cases decided by each of the four possible majority vote totals.²

Opinion Author	7-0 (or 5-0 or 6-0)	6-1	5-2	4-3
Abrahamson	11	0	0	0
Bradley	7	1	1	1
Wilcox	9	1	1	0
Bablitch	7	0	2	0
Steinmetz	10	0	0	1
Geske	10	1	0	1
Day	10	1	0	0

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

Opinion Author	Concurring Opinions	Dissenting Opinions
Abrahamson	9	7
Bradley	1	0
Wilcox	1	0
Bablitch	5	3
Steinmetz	1	1
Geske	1	2
Day	2	0

² These charts include *Estate of Cavanaugh by Cavanaugh v. Andrade* but not *Libertarian Party v. State* (a 6-0 *per curiam* decision in which no author is identified). *Cavanaugh*—which does not figure in the preceding tables for the reason provided in the introduction to this post—is classified here as a 4-3 decision, with Justice Bradley authoring the “majority” opinion.

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.³

	Number of Majority Opinions Authored	Ave. No. of Days From Oral Argument to Opinion Filing
Abrahamson	11	81
Bradley	10	103
Wilcox	10	98
Bablitch	8	96
Steinmetz	11	64
Geske	11	86
Day	11	80

³ This table includes *Estate of Cavanaugh by Cavanaugh v. Andrade*. However, it does not include the following cases, in which oral argument did not take place: *State v. Akins*; *State v. Williams*; and *DeChant v. Monarch Life Ins. Co.*

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.⁴

Firms and Agencies	Number of Oral Arguments
Axley Brynelson	2
Cook & Franke, S.C.	2
DeWitt Ross & Stevens, S.C.	3
Hinshaw & Culbertson	3
Johns & Flaherty, S.C.	2
Kasdorf, Lewis & Swietlik, S.C.	2
Kravit Gass & Weber, S.C.	2
LaFollette & Sinykin	3
Marcovich, Cochrane & Milliken	2
Peterson, Johnson & Murray, S.C.	2
Quarles & Brady	2
Shellow, Shellow & Glynn, S.C.	4
State Attorney General's Office	40
State Public Defender's Office	12
Tinglum & Sixel, S.C.	2
Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C.	2

⁴ The table includes three deadlocked (3-3) *per curiam* decisions (*Ware v. Schoone*; *Thompson v. Jackson*; and *State v. Elam*) as well as *Estate of Cavanaugh by Cavanaugh v. Andrade*.