

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 2014-2015

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Abrahamson, Bradley, Crooks, Gableman	1	<i>State v. Dillard</i>

4-3 Membership in the Majority

Justice	Votes
Abrahamson	1
Bradley	1
Crooks	1
Prosser	0
Roggensack	0
Ziegler	0
Gableman	1

4-3 Majority Opinions Authored

Justice	Opinions
Abrahamson	1
Bradley	0
Crooks	0
Prosser	0
Roggensack	0
Ziegler	0
Gableman	0
Total	1

Decisions by Vote Split¹

7-0 (or 6-0)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
29/53 (55%)	6/53 (11%)	17/53 (32%)	1/53 (2%)
<i>State v. Gonzalez</i>	<i>Augsburger v. Homestead Mut. Ins. Co.</i>	<i>Stoker v. Milwaukee County</i>	<i>State v. Dillard</i>
<i>118th St. Kenosha, LLC v. Wis. DOT</i>	<i>Preisler v. General Cas. Ins. Co.</i>	<i>State v. Foster</i>	
<i>State v. Hemp</i>	<i>State v. Anthony</i>	<i>State v. Alger (In re Alger)</i>	
<i>Outagamie County v. Michael H. (In re Michael H.)</i>	<i>Milwaukee City Hous. Auth. v. Cobb</i>	<i>Schwegel v. Milwaukee County</i>	
<i>State v. Kennedy</i>	<i>Oneida Seven Generations Corp. v. City of Green Bay</i>	<i>State v. Hurley</i>	
<i>State v. Tullberg</i>	<i>Wilson Mut. Ins. Co. v. Falk (5-1)</i>	<i>State v. Wilson</i>	
<i>State v. Harrison</i>		<i>State v. Moore</i>	
<i>State v. Alexander</i>		<i>State v. Delebreau</i>	
<i>Bank of N.Y. Mellon v. Carson</i>		<i>Christ v. Exxon Mobil Corp.</i>	
<i>Anderson v. Aul</i>		<i>Wis. Realtors Ass'n v. PSC of Wis.</i>	
<i>State v. Scull</i>		<i>State v. Kucharski</i>	
<i>Acuity, A Mut. Ins. Co. v. Chartis Specialty Ins. Co.</i>		<i>State v. Shata</i>	
<i>State v. Kempainen</i>		<i>State v. Guarnero</i>	
<i>First Weber Grp., Inc. v. Synergy Real Estate Grp., LLC</i>		<i>State v. Ortiz-Mondragon</i>	
<i>Aguilar v. Husco Int'l, Inc.</i>		<i>State v. Hogan</i>	
<i>State v. Luedtke</i>		<i>State v. Houghton</i>	
<i>Runzheimer Int'l, Ltd. v. Friedlen</i>		<i>State ex rel. Two Unnamed Petitioners v. Peterson (4-2)</i>	
<i>State v. Blatterman</i>			
<i>MS Real Estate Holdings, LLC v. Donald P. Fox Family Trust</i>			
<i>State v. Chamblis</i>			
<i>State v. Obriecht</i>			
<i>Dakter v. Cavallino</i>			
<i>Mayhugh v. State</i>			
<i>State v. Williams</i>			
<i>State v. Herrmann</i>			
<i>State v. Griep (6-0)</i>			
<i>State v. Daniel (6-0)</i>			
<i>Journal Times v. City of Racine Bd. of Police & Fire Comm'rs (6-0)</i>			
<i>Ash Park, LLC v. Alexander & Bishop, Ltd. (6-0)</i>			

¹ In *State ex rel. Two Unnamed Petitioners v. Peterson*, Justices Abrahamson and Crooks concurred in part and dissented in part. For this table, and those prepared for other years, each such vote has been categorized as either a dissent or a concurrence according to the following guidelines. If a justice's opinion dissented from the result on one or more issues, it was classified as a dissent. If the opinion concurred with the result on all issues but disputed the majority's reasoning on one or more issues, it was classified as a concurrence. Accordingly, the votes of Justices Abrahamson and Crooks in *Peterson* have been classified as dissents.

Frequency in the Majority

These charts display how frequently each justice voted in the majority in decisions filed during the 2014-15 term. The first chart includes all cases in which a justice voted (out of the total of 53 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	34	53	64%
Bradley	38	52	73%
Crooks	52	53	98%
Prosser	46	48	96%
Roggensack	49	53	92%
Ziegler	50	53	94%
Gableman	53	53	100%

Non-Unanimous Decisions³

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	5	24	21%
Bradley	9	23	39%
Crooks	23	24	96%
Prosser	21	23	91%
Roggensack	20	24	83%
Ziegler	21	24	88%
Gableman	24	24	100%

² **Justice Bradley** did not vote in *State ex rel. Two Unnamed Petitioners v. Peterson*. **Justice Prosser** did not vote in *Ash Park, LLC v. Alexander & Bishop, Ltd.*; *State v. Daniel*; *Wilson Mut. Ins. Co. v. Falk*; *State v. Griep*; and *Journal Times v. City of Racine Bd. of Police & Fire Comm'rs*.

³ Among the decisions listed in the previous footnote, *State ex rel. Two Unnamed Petitioners v. Peterson* and *Wilson Mut. Ins. Co. v. Falk* were non-unanimous decisions.

Opinions Authored

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

Opinion Author	7-0 (or 6-0)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
Abrahamson	5	0	1	1
Bradley	5	2	0	0
Crooks	4	1	2	0
Prosser	2	0	6	0
Roggensack	4	1	2	0
Ziegler	4	1	4	0
Gableman	5	1	2	0

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

Opinion Author	Concurring Opinions	Dissenting Opinions
Abrahamson	10	13
Bradley	4	6
Crooks	0	1
Prosser	5	1
Roggensack	4	4
Ziegler	10	0
Gableman	2	0

Agreement Among Pairs of Justices

The following tables show the percentage of cases in which every possible pair of justices found themselves on the same side in a decision—either both in the majority or both dissenting. The first table covers all 53 cases; the second table narrows its focus to cases in which decisions were not unanimous. When reading the first table, for instance, one finds that Justices Prosser and Gableman voted together in 96% of the cases, while the figure for Justices Abrahamson and Ziegler was 58%.

Agreement Among Pairs of Justices—All Cases

	Bradley	Crooks	Prosser	Roggensack	Ziegler	Gableman
Abrahamson	48/52= 92%	35/53= 66%	28/48= 58%	30/53= 57%	31/53= 58%	34/53= 64%
	Bradley	38/52= 73%	31/47= 66%	34/52= 65%	35/52= 67%	38/52= 73%
		Crooks	45/48= 94%	48/53= 91%	49/53= 92%	52/53= 98%
			Prosser	44/48= 92%	45/48= 94%	46/48= 96%
				Roggensack	52/53= 98%	49/53= 92%
					Ziegler	50/53= 94%
						Gableman

Agreement Among Pairs of Justices—Non-Unanimous Cases

	Bradley	Crooks	Prosser	Roggensack	Ziegler	Gableman
Abrahamson	19/23= 83%	6/24= 25%	3/23= 13%	1/24= 4%	2/24= 8%	5/24= 21%
	Bradley	9/23= 39%	6/22= 27%	5/23= 22%	6/23= 26%	9/23= 39%
		Crooks	20/23= 87%	19/24= 79%	20/24= 83%	23/24= 96%
			Prosser	19/23= 83%	20/23= 87%	21/23= 91%
				Roggensack	23/24= 96%	20/24= 83%
					Ziegler	21/24= 88%
						Gableman

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.⁴

	Number of Majority Opinions Authored	Ave. No. of Days From Oral Argument to Opinion Filing
Abrahamson	7	97
Bradley	7	136
Crooks	7	89
Prosser	8	173
Roggensack	7	122
Ziegler	9	85
Gableman	7	85

⁴ *State ex rel. Two Unnamed Petitioners v. Peterson* is not included in this table, because no oral argument took place.

Number of Oral Arguments Presented

The following table displays firms and agencies that participated in at least two oral arguments during the 2014-15 term.⁵

Firms and Agencies	Number of Oral Arguments
Godfrey & Kahn, S.C.	4
Hawks Quindel, S.C.	2
Herrling Clark Law Firm Ltd.	2
Hurley, Burish & Stanton, S.C.	2
Legal Action of Wisconsin, Inc.	2
Lindner & Marsack, S.C.	2
Michael Best & Friedrich LLP	3
Nash, Spindler, Grimstad & McCracken LLP	2
Quarles & Brady LLP	3
von Briesen & Roper, S.C.	2
State Attorney General's Office	33
State Public Defender's Office	13

⁵ *State ex rel. Two Unnamed Petitioners v. Peterson* is not included in this table, because there was no oral argument. However, *Sohn Mfg., Inc. v. Labor & Indus. Review Comm'n* (a 3-3 *per curiam* decision) is included.