

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1975-1976

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Wilkie, Day, Heffernan, Beilfuss	5	<i>Hadley; State ex rel. Harris; Mitchell; Gilbertson; State ex rel. Sell</i>
Beilfuss, C. Hansen, Hanley, R. Hansen	2	<i>Gums; Appleton</i>
Wilkie, Day, Heffernan, C. Hansen	2	<i>Kruzel; Estate of Hamm</i>
Wilkie, Heffernan, C. Hansen, R. Hansen	1	<i>Adoption of Randolph</i>
Wilkie, Day, Heffernan, Hanley	1	<i>Madison Joint School District</i>

4-3 Membership in the Majority

Justice	Votes
Wilkie	9
Day	8
Heffernan	9
Beilfuss	7
C. Hansen	5
Hanley	3
R. Hansen	3

4-3 Majority Opinions Authored

	Opinions
Wilkie	2
Day	4
Heffernan	2
Beilfuss	0
C. Hansen	2
Hanley	0
R. Hansen	1
Total	11

Decisions by Vote Split¹

7-0 (or 6-0, 5-0)	6-1	5-2	4-3
276/304 (91%)	8/304 (3%)	9/304 (3%)	11/304 (4%)
<i>Madison v. Nickel</i>	<i>Yanta v. Montgomery Ward & Co.</i>	<i>Vincer v. Esther Williams All-Aluminum Swimming Pool Co.</i>	<i>Hadley v. State</i>
<i>Calero v. Del Chemical Corp.</i>	<i>In re Guardianship of Pescinski</i>	<i>Hortonville Education Ass'n v. Hortonville Joint School Dist.</i>	<i>Kruzel v. Podell</i>
<i>Theriault v. State</i>	<i>Byrd v. State</i>	<i>Scaria v. St. Paul Fire & Marine Ins. Co.</i>	<i>State ex rel. Harris v. Schmidt</i>
<i>Kallas Millwork Corp. v. Square D Co.</i>	<i>State v. McDougal</i>	<i>State v. Calhoun</i>	<i>Madison Joint School Dist. v. Wisconsin Employment Relations Com.</i>
<i>State ex rel. Newspapers, Inc. v. Circuit Court for Milwaukee County</i>	<i>Theune v. Sheboygan</i>	<i>Moherrek v. Tucker</i>	<i>State v. Gums</i>
<i>Shockley v. Prier</i>	<i>State v. Goulette</i>	<i>In re Estate of Connolly</i>	<i>Appleton v. State, Dep't of Industry, Labor & Human Relations</i>
<i>Schwanz v. Teper</i>	<i>Gonzales v. Wilkinson</i>	<i>Werner v. State</i>	<i>In re Estate of Hamm</i>
<i>Connar v. West Shore Equipment, Inc.</i>	<i>Bituminous Casualty Corp. v. United Military Supply, Inc.</i>	<i>Bellinder v. State</i>	<i>In re Adoption of Randolph</i>
<i>State v. Automatic Merchandisers of America, Inc.</i>		<i>Jones v. State</i>	<i>Mitchell v. State</i>
<i>Wisconsin's Environmental Decade, Inc. v. Public Service Com.</i>			<i>Gilbertson v. State</i>
<i>Garriguenc v. Love</i>			<i>State ex rel. Sell v. Milwaukee County</i>
<i>State v. Amundson</i>			
<i>State v. Deetz</i>			
<i>State ex rel. Warrender v. Kenosha County Court, Branch 3</i>			
<i>State v. Shears</i>			
<i>Barth Bros. v. Billings</i>			
<i>Clark Oil & Refining Corp. v. Leistikow</i>			
<i>Board of Education v. Sinclair</i>			
<i>Howell Plaza, Inc. v. State Highway Com.</i>			
<i>State v. Sidney</i>			
<i>Racine v. J--T Enterprises of America, Inc.</i>			

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¹ As the result of rounding, the percentages do not add up to one hundred. In few instances, a justice authored a separate opinion that concurred in part and dissented in part. For this and other tables, 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.

<i>Laska v. Steinpreis</i>			
<i>Wyandotte Chemicals Corp. v. Royal Electric Mfg. Co.</i>			
<i>State ex rel. Wisconsin Dep't of Public Instruction v. Wisconsin Dep't of Industry, Labor & Human Relations (Equal Rights Div.)</i>			
<i>Wisconsin Builders, Inc. v. General Ins. Co.</i>			
<i>State ex rel. Lewis v. Lutheran Social Services</i>			
<i>International Ass'n of Machinists & Aerospace Workers v. Wisconsin Employment Relations Com.</i>			
<i>Sampson v. Laskin</i>			
<i>White v. Lunder</i>			
<i>State v. Interstate Blood Bank, Inc.</i>			
<i>State v. Wuensch</i>			
<i>Bergman v. Hupy</i>			
<i>Williams v. Hofmann</i>			
<i>Sanders v. State</i>			
<i>Schwabe v. Chantilly, Inc.</i>			
<i>State v. Lambert</i>			
<i>Goerke v. Vojvodich</i>			
<i>Fletcher v. State</i>			
<i>Sambs v. Brookfield</i>			
<i>State ex rel. Holt v. Thompson</i>			
<i>State v. Hughes</i>			
<i>Wisconsin Tel. Co. v. Department of Industry, Labor & Human Relations</i>			
<i>Jones v. State</i>			
<i>State v. Jackson</i>			
<i>Wisconsin Employment Relations Com. v. Evansville</i>			
<i>Mutual Federal S & L Ass'n v. American Medical Services, Inc.</i>			
<i>Recreatives, Inc. v. Myers</i>			
<i>State ex rel. Schilling v. Baird</i>			
<i>Sheehan v. State</i>			
<i>State v. Wills</i>			
<i>Northern State Bank v. Toal</i>			
<i>Hyslop v. Maxwell</i>			
<i>Edmonds v. Board of Fire & Police Comm'rs</i>			

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<i>Feest v. Allis-Chalmers Corp.</i>			
<i>State ex rel. Fitas v. Milwaukee County</i>			
<i>Elementary School Dist. v. State Appeal Board</i>			
<i>Soo L. R. Co. v. Neenah</i>			
<i>State v. Dean</i>			
<i>State v. Van Duyse</i>			
<i>State v. Davis</i>			
<i>State v. Detco, Inc.</i>			
<i>Markham v. Markham</i>			
<i>Smith v. Burns</i>			
<i>State v. Mordeszewski</i>			
<i>State v. Reichert</i>			
<i>State v. White</i>			
<i>Continental Ins. Co. v. Daily Express, Inc.</i>			
<i>Schmidt v. State</i>			
<i>State v. Bunders</i>			
<i>Theodore Fleisner, Inc. v. Department of Industry, Labor & Human Relations</i>			
<i>Kutchera v. State</i>			
<i>Pinkowski v. Pinkowski</i>			
<i>State v. Advance Marketing Consultants, Inc.</i>			
<i>Birts v. State</i>			
<i>Metropolitan Sewerage Dist. v. Chicago, M., S. P. & P. R.R. Co.</i>			
<i>Scolman v. Scolman</i>			
<i>Kochel v. Hartford Acci. & Indem. Co.</i>			
<i>Broadie v. State</i>			
<i>Boehm v. Wheeler</i>			
<i>Erdmann v. Erdmann</i>			
<i>Brozovich v. State</i>			
<i>Herro v. Department of Natural Resources</i>			
<i>D. R. W. Corp. v. Cordes</i>			
<i>Farley v. Salow</i>			
<i>Hughes v. State</i>			
<i>In re Estate of Steffke</i>			
<i>Caccitolo v. State</i>			
<i>Platta v. Flatley</i>			
<i>Martineau v. State Conservation Com.</i>			

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<i>Nimmer v. Purtell</i>			
<i>State v. Nowakowski</i>			
<i>Hartford Fire Ins. Co. v. Osborn Plumbing & Heating, Inc.</i>			
<i>LaChapell v. Mawhinney</i>			
<i>Mariuzza v. Kenower</i>			
<i>Ortman v. Jensen & Johnson, Inc.</i>			
<i>Piorkowski v. Liberty Mut. Ins. Co.</i>			
<i>Scherrer Constr. Co. v. Burlington Memorial Hospital</i>			
<i>Smith v. Osborn</i>			
<i>Vogt v. Nelson</i>			
<i>Vonasek v. Hirsch & Stevens, Inc.</i>			
<i>Blaszke v. State</i>			
<i>Mahnke v. Wisconsin Employment Relations Com.</i>			
<i>Peterson v. Truck Ins. Exchange</i>			
<i>Dupler v. Seubert</i>			
<i>Rohl v. State</i>			
<i>Chapman v. State</i>			
<i>Fish v. White Equipment Sales & Service, Inc.</i>			
<i>Fitzgerald v. Badger State Mut. Casualty Co.</i>			
<i>Garchek v. Norton Co.</i>			
<i>Kellogg v. Viola</i>			
<i>Fells v. State</i>			
<i>State ex rel. Holmes v. Spice</i>			
<i>Thompson v. Kenosha County</i>			
<i>Zuehl v. State</i>			
<i>Flores v. State</i>			
<i>Sorce v. Rinehart</i>			
<i>St. Francis S & L Ass'n v. Hearthside Homes, Inc.</i>			
<i>Kraemer v. Kraemer</i>			
<i>Kujus v. Schmidman</i>			
<i>McAdoo v. State</i>			
<i>Nordahl v. Peterson</i>			
<i>Ryan v. Wisconsin Dep't of Revenue</i>			
<i>Whitehall Packing Co. v. Safeway Truck Lines, Inc.</i>			
<i>Clark Oil & Refining Co. v. Liddicoat</i>			
<i>Schweiger v. Loewi & Co.</i>			

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<i>Collicott v. Economy Fire & Casualty Co.</i>			
<i>Klonowski v. State</i>			
<i>State ex rel. Clayton v. Wolke</i>			
<i>State v. Elam</i>			
<i>Francois v. Mokrohisky</i>			
<i>McIntyre v. Cox</i>			
<i>Christnacht v. Department of Industry, Labor & Human Relations</i>			
<i>Van Camp v. Menominee Enterprises, Inc.</i>			
<i>Franklin Mut. Ins. Co. v. Meeme Town Mut. Fire Ins. Co.</i>			
<i>Manitowoc v. Iowa Nat'l Mut. Ins. Co.</i>			
<i>State v. McKnight</i>			
<i>Cukrowski v. Mt. Sinai Hospital, Inc.</i>			
<i>In Interest of K.</i>			
<i>Sheridan v. Sheridan</i>			
<i>Cudahy v. Wisconsin Dep't of Revenue</i>			
<i>Petition of Downer Home</i>			
<i>Ruff v. State</i>			
<i>Vaccaro v. Vaccaro</i>			
<i>West Allis v. State</i>			
<i>Bailey v. State</i>			
<i>Barneveld State Bank v. Petersen</i>			
<i>Blakely v. Waukesha Foundry Co.</i>			
<i>Bode v. Buchman</i>			
<i>Browne v. Milwaukee Board of School Directors</i>			
<i>In re Estate of Schreiber</i>			
<i>Molbreak v. Shorewood Hills</i>			
<i>Organ v. State</i>			
<i>Rudolph v. Indian Hills Estates, Inc.</i>			
<i>Shaughnessy v. Ohio Casualty Ins. Co.</i>			
<i>Teledyne Industries, Inc. v. Milwaukee</i>			
<i>Triplett v. State</i>			
<i>Tyacke v. State</i>			
<i>Belling v. Harn</i>			
<i>Chicago & N. W. R. Co. v. Afram Bros. Co.</i>			
<i>Drinkwater v. State</i>			

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<i>Estate of Ensz v. Brown Ins. Agency, Inc.</i>			
<i>Hargrove v. Peterson</i>			
<i>In re Adoption of Shawn</i>			
<i>In re Estate of Komarr</i>			
<i>In re Wisconsin Public Service Corp.</i>			
<i>Krauth v. Quinn</i>			
<i>Lee v. State</i>			
<i>Lyons v. Menominee Enterprises, Inc.</i>			
<i>McDonald v. McDonald</i>			
<i>Meyer v. Ewald</i>			
<i>Meyer v. Ludwig</i>			
<i>Niefeldt v. American Mut. Liability Ins. Co.</i>			
<i>Olson v. State</i>			
<i>U.I.P. Corp. v. Lawyers Title Ins. Corp.</i>			
<i>Wagner v. American Family Mut. Ins. Co.</i>			
<i>Ziegler v. State</i>			
<i>Anderson v. State</i>			
<i>Barthel v. Wisconsin Electric Power Co.</i>			
<i>Bedford v. State</i>			
<i>Clear View Estates, Inc. v. Veitch</i>			
<i>In re Estate of Philbrick</i>			
<i>In re Estate of White</i>			
<i>In re Territory within Sanitary Dist. No. 1</i>			
<i>Knecht v. State</i>			
<i>Liberty Loan Corp. & Affiliates v. Eis</i>			
<i>Lipeles v. Flood</i>			
<i>Maichle v. Jonovic</i>			
<i>McGraw-Edison Co. v. Department of Indus., Labor & Human Rels.</i>			
<i>Mollet v. State Dep't of Transp., Div. of Motor Vehicles</i>			
<i>Nelson v. L. & J. Press Corp.</i>			
<i>Revival Center Tabernacle v. Milwaukee</i>			
<i>Smith v. Flash City Transit Co., Div. of Racine Flash Cab Co.</i>			
<i>State v. Cook</i>			
<i>State v. Groh</i>			
<i>State v. Neutz</i>			

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<i>State v. Powers</i>			
<i>Upton v. Tatro</i>			
<i>Wildman v. State</i>			
<i>Becker v. Becker</i>			
<i>Bizzle v. State</i>			
<i>De Bauche v. Knott</i>			
<i>Frantl Industries, Inc. v. Maier Constr., Inc.</i>			
<i>Graves v. Travelers Ins. Co.</i>			
<i>Hall v. State</i>			
<i>In re Estate of Luedtke</i>			
<i>In re Estate of Peterson</i>			
<i>In re Estate of Rehfuess</i>			
<i>Kaiser v. Cook</i>			
<i>Kempen v. Green Bay & Mississippi Canal Co.</i>			
<i>Larkin v. Johnson</i>			
<i>Long v. Milwaukee & Suburban Transport Corp.</i>			
<i>Loop v. State</i>			
<i>Martinson v. North Cent. Life Ins. Co.</i>			
<i>Pleasant Prairie v. Kenosha</i>			
<i>Roeske v. Diefenbach</i>			
<i>Smith v. State</i>			
<i>Sporleder v. Gonis</i>			
<i>State ex rel. General Electric Co., Medical Systems Div. v. Department of Industry, Labor & Human Relations, Equal Rights Div.</i>			
<i>Steiger v. Nowakowski</i>			
<i>Sykes v. State</i>			
<i>Atkins v. Glendale</i>			
<i>Craker v. State</i>			
<i>First Nat'l Bank v. Clark & Lund Boat Co.</i>			
<i>Flood v. Board of Educ.</i>			
<i>Fond du Lac Skyport, Inc. v. Moraine Airways, Inc.</i>			
<i>Galarza v. State</i>			
<i>Guyton v. State</i>			
<i>Harris v. State</i>			
<i>Joseph Schlitz Brewing Co. v. Department of Industry, Labor & Human Relations</i>			

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<i>Milwaukee Deputy Sheriffs' Ass'n v. Milwaukee County</i>			
<i>Mussallem v. Diners' Club, Inc.</i>			
<i>Nelson Mill & Agri-Center, Inc. v. Department of Industry, Labor & Human Relations</i>			
<i>Rainey v. State</i>			
<i>R. C. Mahon Co. v. Hedrich Constr. Co.</i>			
<i>State ex rel. Geipel v. Milwaukee</i>			
<i>State v. George</i>			
<i>State v. Kuta</i>			
<i>Troy Co. v. Perry</i>			
<i>Wagner v. Daye</i>			
<i>Wm. J. Kennedy & Son, Inc. v. Albany</i>			
<i>Balas v. St. Sebastians Congregation</i>			
<i>Behnke v. Radtke</i>			
<i>Biesiadny v. Henningfeld</i>			
<i>Bolton v. Chicago Title & Trust Co.</i>			
<i>Burmeister Woodwork Co. v. Friedel</i>			
<i>Falk v. Whitewater</i>			
<i>General Homes, Inc. v. Tower Ins. Co.</i>			
<i>Ingalls v. Walworth</i>			
<i>Milwaukee Forge v. Dep't of Industry, Labor & Human Relations</i>			
<i>Schmieder v. Standard Oil Co.</i>			
<i>Smith v. State</i>			
<i>Sweitzer v. Wisconsin Dep't of Revenue</i>			
<i>Wilkins v. State</i>			
<i>Konkel v. Common Council, Delafield</i>			
<i>National Foundation of Health, Welfare & Pension Plans, Inc. v. Brookfield</i>			
<i>Racine County v. Alby</i>			
<i>Schneider v. Warner</i>			
<i>Bollhoffer v. Wolke</i>			
<i>Galena Towing, Inc. v. North Milwaukee State Bank</i>			
<i>Raught v. Deutman</i>			
<i>Highland Memorial Park, Inc. v. New Berlin</i>			

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<i>State ex rel. Shelby Mut. Ins. Co. v. Circuit Court for Milwaukee County (per curiam, 7-0)</i>			
<i>State v. Seals (per curiam, 7-0)</i>			
<i>State ex rel. Mueller v. Powers (per curiam, 7-0)</i>			
<i>Arbet v. Gussarson (6-0)</i>			
<i>Schlosser v. Allis-Chalmers Corp. (6-0)</i>			
<i>Walford v. Bartsch (6-0)</i>			
<i>Wiener v. J. C. Penney Co. (6-0)</i>			
<i>Parsons v. Parsons (6-0)</i>			
<i>Knutson v. Mueller (6-0)</i>			
<i>Toulon v. Nagle (6-0)</i>			
<i>State v. Hall (6-0)</i>			
<i>State v. Wisconsin Empl. Rels. Commn. (6-0)</i>			
<i>In re Estate of Palmer (6-0)</i>			
<i>Sussex v. Department of Natural Resources (6-0)</i>			
<i>Miller v. Miller (5-0)</i>			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1974-75 term. The first table includes all cases in which a justice voted (out of the total of 304 cases specified above), while the second table includes only cases decided by split votes.

All Cases

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	295	303	97%
Day	286	292	98%
Heffernan	299	304	98%
Beilfuss	300	304	99%
C. Hansen	296	304	97%
Hanley	291	304	96%
R. Hansen	290	304	95%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	20	28	71%
Day	22	28	79%
Heffernan	23	28	82%
Beilfuss	24	28	86%
C. Hansen	20	28	71%
Hanley	15	28	54%
R. Hansen	13	28	46%

Opinions Authored

The first table indicates how many majority opinions a justice authored in cases decided by each of the four possible majority vote totals. The second table shows how many concurrences and dissents each justice wrote.²

Opinion Author	7-0 (or 6-0, 5-0)	6-1	5-2	4-3
Wilkie	45	3	1	2
Day	34	1	1	4
Heffernan	36	0	0	2
Beilfuss	37	3	4	0
C. Hansen	38	1	2	2
Hanley	42	0	0	0
R. Hansen	41	0	1	1

Opinion Author	Concurring Opinions	Dissenting Opinions
Wilkie	1	6
Day	0	2
Heffernan	1	3
Beilfuss	0	0
C. Hansen	0	1
Hanley	0	2
R. Hansen	3	14

² The three *per curiam* decisions are not included.

Days Between Oral Argument and Opinion Filing

This table shows the average number of days between oral argument and the filing of majority (or lead) 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. (Of course, the table does not include *per curiam* decisions and the 117 cases that were submitted on briefs.)

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Wilkie	28	44
Day	24	74
Heffernan	24	71
Beilfuss	27	37
C. Hansen	29	36
Hanley	27	33
R. Hansen	26	30

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.³

Firms and Agencies	Number of Oral Arguments
Aberg, Bell, Blake & Metzner	2
Arnold, Murray & O'Neill	3
Borgelt, Powell, Peterson & Frauen	4
Campbell, Brennan, Steil & Ryan	2
Cook & Franke	2
Corrections Legal Services Program	2
Curtis M. Kirkhuff	2
DeWitt, McAndrews & Porter	2
Everson, Whitney, Everson, Brehm & Pfankuch	2
Foley & Lardner	6
Frisch, Dudek, Slattery & Denny	4
Geisler & Kay	2
Gibbs, Roper & Fifield	2
Gimbel, Gimbel & Reilly	2
Godfrey & Trump	2
Goldberg, Previant & Uelmen	3
Habush, Gillick, Habush, Davis & Murphy	5
Hale, Skemp, Hanson, Schnurrer & Skemp	3
Hayes & Hayes	3
Herbert L. Usow	3
Hersh & Stupar	2
Hippenmeyer, Reilly & Arenz	3
Honeck, Mantyh & Arndt	2
Johnson, Bieber & Kirkhuff	2
Jury, Nelson & Bayorgeon	2
Kasdorf, Henderson, Dall, Lewis & Swietlik	6
Kluwin, Dunphy, Hankin & McNulty	4
Lawton & Cates	3
Legal Aid Society of Milwaukee	10
Lowry, Hunter & Tikalsky	2
Madison City Attorney's Office	2

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³ One of Kasdorf, Henderson, Dall, Lewis & Swietlik's six arguments came as Kasdorf, Dall, Lewis & Swietlik. One of Samson, Friebert, Finerty & Burns's two arguments came as Samson, Friebert, Sutton, Finerty & Burns. One of Frisch, Dudek, Slattery & Denny's four arguments came as Frisch, Dudek & Slattery. One of Wheeler, Van Sickle & Anderson's two arguments came as Wheeler, Van Sickle, Day & Anderson. One of Schoone, McManus & Hanson's two arguments came as Schoone, McManus, Hanson & Grady.

McMahon & Moroney	2
Melli, Shiels, Walker & Pease	2
Michael, Best & Friedrich	2
Milwaukee City Attorney's Office	3
Milwaukee County Corporation Counsel's Office	6
Milwaukee County District Attorney's Office	2
Moen, Sheehan & Meyer	2
Molbreak Law Office	2
Noll, Donovan, Bolgrien & Ruth	2
Patrick R. Doyle	2
Prosser, Wiedabach, Lane & Quale	6
Quarles & Brady	3
Ray T. McCann	2
Samson, Friebert, Finerty & Burns	2
Schoone, McManus & Hanson	2
Shellow & Shellow	4
Simarski, Goodrich, Brennan & Stack	2
Stafford, Rosenbaum, Reiser & Hansen	2
State Attorney General's Office	81
State Public Defender's Office	27
Voss, Nesson & Koberstein	2
Walther & Halling	2
Warshafsky, Rotter & Tarnoff	3
Wheeler, Van Sickle & Anderson	2
Whyte, Hirschboeck, Minahan, Harding & Harland	3
Wickert & Fuhrman	2