

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1973-1974

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Wilkie, Hallows, Heffernan, Beilfuss	2	<i>Kovach v. Schubert; In re Grams</i>
Beilfuss, C. Hansen, Hanley, R. Hansen	1	<i>Cresci v. Schmidt</i>
Wilkie, Hallows, Heffernan, Hanley	1	<i>Madison Metropolitan Sewerage District</i>

4-3 Membership in the Majority

Justice	Votes
Wilkie	3
Hallows	3
Heffernan	3
Beilfuss	3
C. Hansen	1
Hanley	2
R. Hansen	1

4-3 Majority Opinions Authored

	Opinions
Wilkie	2
Hallows	0
Heffernan	1
Beilfuss	0
C. Hansen	1
Hanley	0
R. Hansen	0
<b>Total</b>	<b>4</b>

Decisions by Vote Split<sup>1</sup>

7-0 (or 6-0)	6-1 (or 5-1)	5-2	4-3
296/316 (94%)	7/316 (2%)	9/316 (3%)	4/316 (1%)
<i>Mercury Record Prods. v. Econ. Consultants, Inc.</i>	<i>In re Adoption of Tachick</i>	<i>Sch. Dist. v. Dep't of Indus.</i>	<i>State ex rel. Kovach v. Schubert</i>
<i>Commercial Discount Corp. v. Milwaukee Western Bank</i>	<i>Conrad v. State</i>	<i>Slawek v. Stroh</i>	<i>State ex rel. Cresci v. Schmidt</i>
<i>State v. Taylor</i>	<i>Ross v. State</i>	<i>Skaar v. Wisconsin Dep't of Revenue</i>	<i>Madison Metropolitan Sewerage Dist. v. Department of Natural Resources</i>
<i>Schuh v. Fox River Tractor Co.</i>	<i>Gross v. Denow</i>	<i>Kemp v. State</i>	<i>In re Grams</i>
<i>State v. Ewald</i>	<i>Hall v. State</i>	<i>State ex rel. Terry v. Traeger</i>	
<i>Watson v. State</i>	<i>Osco Drug, Inc. v. Wisconsin Pharmacy Examining Board</i>	<i>County of Walworth v. Hartwell</i>	
<i>Lorenz v. Dreske</i>	<i>Herro, McAndrews &amp; Porter, S. C. v. Gerhardt (5-1)</i>	<i>Naker v. Trenton</i>	
<i>Allstate Ins. Co. v. Truck Ins. Exchange</i>		<i>Seidler v. State</i>	
<i>State v. Mabra</i>		<i>Tombal v. Farmers Ins. Exchange</i>	
<i>Powers v. Hunt--Wesson Foods, Inc.</i>			
<i>Pure Milk Products Cooperative v. National Farmers Organization</i>			
<i>State v. Stanislawski</i>			
<i>State v. Cydzik</i>			
<i>Rieck v. Medical Protective Co.</i>			
<i>Jagmin v. Simonds Abrasive Co.</i>			
<i>State v. Michels Pipeline Constr., Inc.</i>			
<i>A. E. Inv. Corp. v. Link Builders, Inc.</i>			
<i>Chicago, M., S. P. &amp; P. R.R. Co. v. State, Dep't of Industry, Labor &amp; Human Relations</i>			
<i>Goodson v. Racine</i>			
<i>Howard v. Mt. Sinai Hosp., Inc.</i>			
<i>Kruse v. Schieve</i>			
<i>Samson v. Riesing</i>			
<i>Silberman v. Roethe</i>			
<i>Stevens Constr. Corp. v. Carolina Corp.</i>			
<i>Wirsing v. Krzeminski</i>			
<i>Dumer v. State</i>			

(continued on following page)

<sup>1</sup> 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>State ex rel. Chobot v. Circuit Court for Milwaukee County</i>			
<i>In re Interest of W.</i>			
<i>In re Estate of Sharp</i>			
<i>State ex rel. Haskins v. County Court of Dodge County</i>			
<i>Allison v. State</i>			
<i>Day v. State</i>			
<i>Scales v. State</i>			
<i>National Liberty Life Ins. Co. v. State</i>			
<i>State v. Christel</i>			
<i>Cords v. State</i>			
<i>Holmes v. State</i>			
<i>State ex rel. Warren v. Nusbaum</i>			
<i>Heezen v. Hartland Cicero Mut. Ins. Co.</i>			
<i>Lanser v. Koconis</i>			
<i>Levesque v. State</i>			
<i>Lincoln Crest Realty, Inc. v. Standard Apartment Development</i>			
<i>Omernik v. State</i>			
<i>Phifer v. State</i>			
<i>Prue v. State</i>			
<i>State ex rel. Plotkin v. Department of Health &amp; Social Services</i>			
<i>Walton v. State</i>			
<i>Beckstrom v. Kornsi</i>			
<i>State v. Jakubowski</i>			
<i>Afram v. Balfour, Maclaine, Inc.</i>			
<i>Bradley v. Knutson</i>			
<i>Britton v. Hoyt</i>			
<i>Brown v. Equitable Life Ins. Co.</i>			
<i>Hendrickson v. State</i>			
<i>In re Estate of Trecker</i>			
<i>Kniec v. Spider Lake</i>			
<i>Kress Packing Co. v. Kottwitz</i>			
<i>Love v. State</i>			
<i>Marshall &amp; Ilsley Bank v. Milwaukee Gear Co.</i>			
<i>Martinson v. American Family Mut. Ins. Co.</i>			
<i>Mazurek v. Skaar</i>			
<i>Muench v. State</i>			
<i>Nelson v. Employers Mut. Casualty Co.</i>			
<i>Rosenthal v. Kurtz</i>			
<i>Safransky v. State Personnel Bd.</i>			
<i>Salerno v. Racine</i>			
<i>Schmidt v. Luchterhand</i>			
<i>State Bank of Viroqua v. Capitol Indem. Corp.</i>			
<i>State v. Estrada</i>			
<i>State v. McFarren</i>			
<i>State v. Trailer Service, Inc.</i>			

(continued on following page)

<i>State v. Weso</i>			
<i>W. G. Slugg Seed &amp; Fertilizer, Inc. v. Paulsen Lumber, Inc.</i>			
<i>In re Recall of Certain Officials</i>			
<i>Richards v. Gruen</i>			
<i>State ex rel. Building Owners &amp; Managers Ass'n v. Adamany</i>			
<i>State v. John</i>			
<i>State v. Ryback</i>			
<i>Central Mut. Ins. Co. v. H. O., Inc.</i>			
<i>Gleason v. Wisconsin Dep't of Transp.</i>			
<i>Tesch v. Tesch</i>			
<i>Upchurch v. State</i>			
<i>Bohlman v. American Family Mut. Ins. Co.</i>			
<i>Jones v. State</i>			
<i>Scheid v. State</i>			
<i>Gaddis v. State</i>			
<i>Heifetz v. Johnson</i>			
<i>Ramrod, Inc. v. Wisconsin Dep't of Revenue</i>			
<i>State ex rel. Momon v. Milwaukee County Civil Service Com.</i>			
<i>State v. Duda</i>			
<i>State v. Gedko</i>			
<i>Warshafsky v. Journal Co.</i>			
<i>Weiland v. State Dep't of Transp. (Div. of Highways)</i>			
<i>Worthington v. Farmers Ins. Exchange</i>			
<i>Aspenleiter v. William Beaudoin &amp; Sons, Inc.</i>			
<i>Baldwin v. State</i>			
<i>Beavers v. State</i>			
<i>Coleman v. State</i>			
<i>Garrella v. State</i>			
<i>In re Pewaukee</i>			
<i>Seybold v. State</i>			
<i>State ex rel. Hawkins v. Gagnon</i>			
<i>State ex rel. R. v. Schmidt</i>			
<i>State v. Hernandez</i>			
<i>State v. Werstein</i>			
<i>Theuerkauf v. Schnellbaecher</i>			
<i>Akin v. Kewaskum Community Schools Joint School Dist.</i>			
<i>American Motors Corp. v. Wisconsin Dep't of Revenue</i>			
<i>Cords v. Ehly</i>			
<i>Green v. Rosenow</i>			
<i>Hunter v. Department of Industry, Labor &amp; Human Relations</i>			
<i>Irby v. State</i>			

(continued on following page)

<i>Kansas City Star Co., Flambeau Paper Co. Div. v. Department of Industry, Labor &amp; Human Relations</i>			
<i>Langston v. State</i>			
<i>Madison v. State</i> (64 Wis. 2d 564)			
<i>Morones v. State</i>			
<i>Mortgage Associates, Inc. v. Siverhus</i>			
<i>Nolan v. Venus Motors, Inc.</i>			
<i>Pate v. State</i>			
<i>Pautz v. State</i>			
<i>Pfeifer v. Pfeifer</i>			
<i>Recht--Goldin--Siegal Constr., Inc. v. Wisconsin Dep't of Revenue</i>			
<i>Smith v. State</i> (60 Wis. 2d 373)			
<i>Sprang v. State</i>			
<i>State ex rel. Hanson v. Department of Health &amp; Social Services</i>			
<i>State v. Bagnall</i>			
<i>State v. Bell</i>			
<i>State v. Johnson</i>			
<i>State v. Mertes</i>			
<i>State v. Russell</i>			
<i>Steele v. Gray</i>			
<i>Stern v. Wisconsin Dep't of Revenue</i>			
<i>Wilson v. Craite</i>			
<i>Yurk v. Prudential Ins. Co.</i>			
<i>American Bank &amp; Trust Co. v. Wisconsin Dep't of Revenue</i>			
<i>Anchor S &amp; L Ass'n v. Week</i>			
<i>Automatic Merchandising Corp. v. Nusbaum</i>			
<i>Bailey v. Hovde</i>			
<i>Beloit Corp. v. Department of Industry, Labor &amp; Human Relations</i>			
<i>Berg v. State</i>			
<i>Berkan v. State Board of Personnel</i>			
<i>Brown v. State</i>			
<i>Clark v. State</i>			
<i>Coraci v. Noack</i>			
<i>Cousins v. State</i>			
<i>Davis v. State</i>			
<i>Dickens v. Kensmoe</i>			
<i>Diedrick v. Gehring</i>			
<i>Durand West, Inc. v. Milwaukee Western Bank</i>			
<i>Edelman v. State</i>			
<i>Edlebeck v. Barnes</i>			
<i>E. D. Wesley Co. v. New Berlin</i>			

(continued on following page)

<i>Employers Mut. Liab. Ins. Co. v. Department of Indus., Labor &amp; Human Rels.</i>			
<i>Erickson v. Mid--Century Ins. Co.</i>			
<i>Feinberg v. Hasler</i>			
<i>Fox v. State</i>			
<i>Frohna v. Continental Ins. Cos.</i>			
<i>Gedicks v. State</i>			
<i>Green v. Granville Lumber &amp; Fuel Co.</i>			
<i>Gregory v. State</i>			
<i>Grover v. State</i>			
<i>Hafenbraedl v. Le Tendre for Congress Committee</i>			
<i>Hancock v. Regents of University of Wis.</i>			
<i>Hansen v. State</i>			
<i>Hardison v. State</i>			
<i>Harris v. Kelly</i>			
<i>Hayzes v. State</i>			
<i>Hebel v. State</i>			
<i>Heiting v. Heiting</i>			
<i>Hemauer v. State</i>			
<i>Horneck v. State</i>			
<i>Howard v. Soo Line R.R. Co.</i>			
<i>Hussong v. State</i>			
<i>In re Estate of Lease</i>			
<i>In re Estate of Mihelcic</i>			
<i>In re Estate of Nale</i>			
<i>In re Estate of Scherffius</i>			
<i>In re Oshkosh Foundation</i>			
<i>Jacobs v. Stack</i>			
<i>Jankowski v. A. O. Smith Corp.</i>			
<i>Jantz v. State, Dep't of Transp., Div. of Highways</i>			
<i>Johnson v. Heintz</i>			
<i>Joncas v. Krueger</i>			
<i>Just v. Misericordia Hospital</i>			
<i>Kasietta v. State</i>			
<i>Kletsch v. Waukesha County</i>			
<i>Klug v. Flambeau Plastics Corp.</i>			
<i>Knox v. American Standard Ins. Co.</i>			
<i>Korpela v. State</i>			
<i>Kowalczyk v. Rotter</i>			
<i>Krebs v. State</i>			
<i>Kurz v. Kurz</i>			
<i>Lacey v. Lacey</i>			
<i>Lang v. Hewitt</i>			
<i>Laster v. State</i>			
<i>Lemberger v. Koehring Co.</i>			
<i>Lipinski v. Pakulski</i>			
<i>Marks v. State</i>			
<i>Master Disposal, Inc. v. Menomonee Falls</i>			

(continued on following page)

<i>Mohrhusen v. McCann</i>			
<i>Morrisette v. De Zonia</i>			
<i>Mossey v. Mueller</i>			
<i>Murphy v. Department of Industry, Labor, &amp; Human Relations</i>			
<i>Naden v. Johnson</i>			
<i>Nelson v. Fisher Well Drilling Co.</i>			
<i>Northland Ins. Co. v. Avis Rent--A--Car</i>			
<i>Perkins v. State</i>			
<i>Posnanski v. West Allis</i>			
<i>Precision Service Co. v. Schill</i>			
<i>Price v. Ross</i>			
<i>Racine v. Mt. Pleasant</i>			
<i>Ramsden v. Hawkinson Gas Serv. Co.</i>			
<i>Redepenning v. State</i>			
<i>Reshan v. Harvey</i>			
<i>Rinehart v. State</i>			
<i>Rohl v. State</i>			
<i>Rosenheimer v. Rosenheimer</i>			
<i>Sass v. State</i>			
<i>Schlytter v. Lesperance</i>			
<i>Scott v. State</i>			
<i>Sedlet Plumbing &amp; Heating, Inc. v. Village Court, Ltd.</i>			
<i>Sheldon v. Singer</i>			
<i>Simonton v. Department of Industry, Labor &amp; Human Relations</i>			
<i>Simpson v. State</i>			
<i>Smith v. State (63 Wis. 2d 496)</i>			
<i>State ex rel. Harris v. Larson</i>			
<i>State ex rel. Nordell v. Kinney</i>			
<i>State ex rel. Park Plaza Shopping Center, Inc. v. Board of Review</i>			
<i>State v. Alioto</i>			
<i>State v. Boutch (60 Wis. 2d 397)</i>			
<i>State v. Boutch (60 Wis. 2d 443)</i>			
<i>State v. Davis</i>			
<i>State v. Frizzell</i>			
<i>State v. H. Samuels Co.</i>			
<i>State v. Kuecey</i>			
<i>State v. Loeffler</i>			
<i>State v. Meier</i>			
<i>State v. Monona</i>			
<i>State v. Nemoir</i>			
<i>State v. Sharlow</i>			
<i>State v. Studler</i>			
<i>State v. Trimbell</i>			
<i>State v. Van Ark</i>			
<i>State v. Withers</i>			
<i>St. Paul Fire &amp; Marine Ins. Co. v. La Crosse Trust Co.</i>			

(continued on following page)

<i>Syvoock v. State</i>			
<i>Tanck v. Clerk, Middleton Joint School Dist.</i>			
<i>Terpstra v. Soiltest, Inc.</i>			
<i>Thompson v. State</i>			
<i>Truesdale v. State</i>			
<i>Turner v. State</i>			
<i>United Fire &amp; Casualty Co. v. Palmer--Ritchie Post</i>			
<i>Vernon Cty. v. Department of Indus., Labor &amp; Human Rels.</i>			
<i>Vier v. Vier</i>			
<i>Vivian v. Examining Board of Architects, Professional Engineers, Designers &amp; Land Surveyors</i>			
<i>Voight v. Nanz</i>			
<i>Voigt v. State</i>			
<i>Wagner v. State</i>			
<i>Ward v. Ward</i>			
<i>Washington Heights Sanitary Dist. v. Eau Claire</i>			
<i>Winston v. Minkin</i>			
<i>Wm. Beaudoin &amp; Sons, Inc. v. County of Milwaukee</i>			
<i>Wood County v. State Board of Vocational, Technical &amp; Adult Education</i>			
<i>Younger v. Rosenow Paper &amp; Supply Co.</i>			
<i>Zastrow v. State</i>			
<i>State v. Mills (6-0)</i>			
<i>State v. Jackman (6-0)</i>			
<i>Master Lock Co. v. Wisconsin Dep't of Revenue (6-0)</i>			
<i>Madison v. State (6-0) (61 Wis. 2d 333)</i>			
<i>Court v. State (per curiam, 7-0)</i>			
<i>Benzschawel v. Stoll (per curiam, 7-0)</i>			
<i>Beckett v. State (per curiam, 7-0)</i>			
<i>Boyles v. State (per curiam, 7-0)</i>			
<i>Central Penn Nat'l Bank v. Otto (per curiam, 7-0)</i>			
<i>Eau Claire v. Department of Natural Resources (per curiam, 7-0)</i>			
<i>Grage v. Wisconsin Area Health &amp; Welfare Fund (per curiam, 7-0)</i>			
<i>Larson v. State (per curiam, 7-0)</i>			
<i>Miller v. Carriers Ins. Co. (per curiam, 7-0)</i>			
<i>Roux Laboratories, Inc. v. Beauty Franchises, Inc. (per curiam, 7-0)</i>			
<i>Schneider v. State (per curiam, 7-0)</i>			
<i>State v. Koller (per curiam, 7-0)</i>			

(continued on following page)



<i>State v. Shears</i> (per curiam, 7-0)			
<i>State v. Starr</i> (per curiam, 7-0)			
<i>Swikert v. State</i> (per curiam, 7-0)			
<i>Larkin v. Wagner</i> (per curiam, 7-0)			
<i>Bonnie v. State</i> (per curiam, 7-0)			
<i>Capps v. Capps</i> (per curiam, 7-0)			
<i>Hoffman v. State</i> (per curiam, 7-0)			
<i>Lantern, Inc. v. C. W. Transport, Inc.</i> (per curiam, 7-0)			
<i>Lee v. State</i> (per curiam, 7-0) (60 Wis. 2d 756)			
<i>Lee v. State</i> (per curiam, 7-0) (60 Wis. 2d 758)			
<i>Pigee v. State</i> (per curiam, 7-0)			
<i>Rodriguez v. State</i> (per curiam, 7-0)			
<i>Schramm v. State</i> (per curiam, 7-0)			
<i>State v. Consolidated Freightways Corp.</i> (per curiam, 7-0)			
<i>State v. H. M. Laboratories, Inc., Sta--Power Div.</i> (per curiam, 7-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1973-74 term. The first table includes all cases in which a justice voted (out of the total of 316 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	311	314	<b>99%</b>
Hallows	312	316	<b>99%</b>
Heffernan	314	316	<b>99%</b>
Beilfuss	311	314	<b>99%</b>
C. Hansen	312	316	<b>99%</b>
Hanley	309	316	<b>98%</b>
R. Hansen	301	315	<b>96%</b>

## Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	16	19	<b>84%</b>
Hallows	16	20	<b>80%</b>
Heffernan	18	20	<b>90%</b>
Beilfuss	17	20	<b>85%</b>
C. Hansen	16	20	<b>80%</b>
Hanley	13	20	<b>65%</b>
R. Hansen	6	20	<b>30%</b>

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.<sup>2</sup>

Opinion Author	7-0 (or 6-0)	6-1 (or 5-1)	5-2	4-3
Wilkie	37	1	0	2
Hallows	40	1	0	0
Heffernan	35	3	1	1
Beilfuss	39	0	4	0
C. Hansen	39	0	1	1
Hanley	37	1	3	0
R. Hansen	42	1	0	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Wilkie	5	1
Hallows	5	3
Heffernan	0	2
Beilfuss	0	1
C. Hansen	0	0
Hanley	0	0
R. Hansen	6	13

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<sup>2</sup> *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 cases that were submitted on briefs.)

	<b>Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument</b>	<b>Ave. No. of Days From Oral Argument to Opinion Filing</b>
Wilkie	26	52
Hallows	10	38
Heffernan	35	46
Beilfuss	33	35
C. Hansen	31	30
Hanley	36	35
R. Hansen	27	33