

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1971-1972

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Wilkie, Hallows, Heffernan, Beilfuss	5	<i>State ex rel. Warren v. County Court of Shawano-Menominee County; State v. Beals; State ex rel. Thomas v. State; McAllister v. State; State v. Haugen</i>
Beilfuss, C. Hansen, Hanley, R. Hansen	3	<i>State v. Chambers; State v. Kwitek; State v. Guy</i>
Wilkie, Hallows, Heffernan, Hanley	1	<i>State ex rel. Bernal v. Hershman</i>
Wilkie, Hallows, Heffernan, R. Hansen	1	<i>Knutter v. Bakalarski</i>
Wilkie, Hallows, Heffernan, C. Hansen	1	<i>Flintrop v. Lefco</i>

4-3 Membership in the Majority

Justice	Votes
Wilkie	8
Hallows	8
Heffernan	8
Beilfuss	8
C. Hansen	4
Hanley	4
R. Hansen	4

4-3 Majority Opinions Authored

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

Decisions by Vote Split¹

7-0 (or 6-0)	6-1	5-2	4-3
268/292 (92%)	7/292 (2%)	6/292 (2%)	11/292 (4%)
State v. Omernik	State ex rel Warren v. Nusbaum	State ex rel. Kanieski v. Gagnon	State ex rel. Warren v. County Court of Shawano-Menominee County
State v. Gurnoe	In re Reitz	Housing Authority of Milwaukee v. Mosby	State v. Chambers
State v. I	Bressette v. State	Martineau v. State Conservation Com.	State v. Beals
John Mohr & Sons, Inc. v. Jahnke	Lupie v. Hartzheim	Molina v. State	State v. Kwitek
Polzin v. Helmbrecht	Board of Education v. Wisconsin Employment Relations Com.	Oestrich v. State	State ex rel. Thomas v. State
Bazan v. Kux Machine Co.	Holzem v. Mueller	Lopez v. Prestige Casualty Co.	State v. Guy
Cleghorn v. State	Wisconsin Fertilizer Ass'n v. Karns		McAllister v. State
Peterson v. State			State ex rel. Bernal v. Hershman
Schnabl v. Ford Motor Co.			Knutter v. Bakalarski
Bautista v. State			State v. Haugen
John Miller Supply Co. v. Western State Bank			Flintrop v. Lefco
Pamperin v. Milwaukee Mut. Ins. Co.			
Schwartz v. Milwaukee			
Mikulovsky v. State			
Gibson v. State			
State v. Mansfield			
Lawrence v. Jewell Cos.			
United States v. Burczyk			
Champlain v. State			
Merz v. Old Republic Ins. Co.			
In re D.			
State v. Lehtola			
State ex rel. Susedik v. Knutson			
State ex rel Howard v. O'Connell			

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¹ 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.

Thomas v. State			
Jones v. Jones			
State v. Hunt			
Zdiarstek v. State			
Orito v. State			
Krueger v. State			
State v. Dickson			
Miller v. State			
Bartell v. Luedtke			
Mears v. State			
Reinke v. Personnel Board			
Rodriguez v. Slattery			
State v. Garner			
State v. Tew			
Bowman v. Rural Mut. Ins. Co.			
Harris v. State			
Kurz v. Chicago, M. St. P. & P. R. Co.			
Scherr v. Drobac			
Armstrong v. State			
Fredrickson v. Louisville Ladder Co.			
In re Estate of Schultz			
Bourassa v. Gateway Erectors, Inc.			
Running v. Widdes			
State v. Driscoll			
Wisconsin Brick & Block Corp. v. Vogel			
Garcia v. Hargrove			
Schmidt v. Mueller			
Seidling v. Unichem, Inc.			
HM Distributors of Milwaukee, Inc. v. Dep't of Agriculture			
Bank of Commerce v. Lesperance			
State v. Hungerford			
State v. Smith			
Wuorinen v. City Federal S & L Asso.			
Bowers v. State			
Hall v. Arthur Overgaard, Inc.			
Johnson v. State			
Adamczyk v. Caledonia			
Estate of Schroeder v. Gateway Transp. Co.			
State v. Johnson			
Gautreaux v. State			
McNeill v. Jacobson			
Mortensen v. Pyramid Sav. & Loan Asso.			
Hubbard v. Mathis			
Wisth v. Mitchell			
Armour v. Wisconsin Gas Co.			
Schaefer v. Schaefer			
State v. Mahaney			

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State v. Parker			
Nelson v. State			
Menominee v. Skubitz			
Verdev v. Wisconsin Dep't of Revenue			
Holmgren v. Strebig			
State v. Elbaum			
Veith v. Joint School Dist.			
State ex rel. Welch v. Hegge			
Salters v. State			
State ex rel. Berg Equipment Corp. v. Spencer, Board of Review			
Stryker v. La Pointe			
Transport Oil Inc. v. Cummings			
State v. McGee			
State v. Wimberly			
Cohen v. Towne Realty, Inc.			
Malkowski v. Malkowski			
State v. White			
Mednicoff v. Dep't of Industry, Labor & Human Relations			
In re Estate of Trojan			
Lorscheter v. Lorscheter			
Neu's Supply Line, Inc. v. Wis. Dep't of Revenue			
Burkhalter v. State			
Fanshaw v. Medical Protective Ass'n			
Farrar v. State			
Hennen v. Hennen			
Kelley v. State			
Utecht v. Steinagel			
Beberfall v. Beberfall			
Bullock v. State			
Chambers v. State			
Christian v. State			
Dittberner v. Dittberner			
Hanson v. State			
Herro v. Natural Resources Board			
Lange v. State			
Quinn v. State			
State v. Burgher			
State v. Erickson			
Swonger v. State			
Taylor v. State			
Dobrient v. Ciskowski			
Bauman v. Hoch			
Boden v. Transit Casualty Co.			
Bosket v. State			
Byas v. State			
Hanes v. State			
In re Estate of Philips			
In re Estate of Von Ruden			
Keller v. Schuster			

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Knapke v. Grain Dealers Mut. Ins. Co.			
Rauser v. Rauser			
Rodenbeck v. American Mut. Liability Ins. Co.			
Schey Enterprises, Inc. v. State			
State v. Herro			
State v. Lindsey			
State v. Smith			
Superior Builders, Inc. v. Large			
Bastian v. State			
Bennett v. State			
Byrnes v. Metz			
Evangelical Alliance Mission v. Williams Bay			
In re Estate of Daniels			
In re Estate of Sneeberger			
Johnson v. State			
Kirkpatrick v. State			
Laundry v. Schott			
Milwaukee v. Shoup Voting Machine Corp.			
Moore v. Relish			
Nelson v. State			
Poeske v. Estreen			
Reliable Pharmacy v. Hall			
Smith v. Smith			
State ex rel. Hanna v. Blessinger			
State ex rel. Hensel v. Wilson			
State v. Duffy			
State v. Madison			
State v. Scarbrough			
Austin v. State			
Baker v. McDel Corp.			
Brown v. State			
County of Dane v. McManus			
Craig v. State			
Davis v. Allstate Ins. Co.			
Hughes v. State			
In re Estate of Poulsen			
Jasenczak v. Schill			
Kastenson v. Kastenson			
Kohnke v. Department of Indus., Labor & Human Rels.			
Kunde v. Kunde			
Low v. Siewert			
Luter v. State			
Marshall v. Miles			
McClellan v. State			
Northern State Bank v. Biechler			
Parham v. State			
Powalka v. State Mut. Life Assurance Co.			
Pyykola v. Woody			
State v. Zdiarstek			

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Trilling v. Nippersink Management Corp.			
University Dodge, Inc. v. Drott Tractor Co.			
Wadsworth v. Moe			
Waukechon v. Shawano			
Anderson v. Anderson			
Appleton v. Brunschweiler			
Barren v. State			
Bies v. State			
Dreazy v. North Shore Publishing Co.			
Dunn v. State			
Hanser v. Metropolitan Sewerage Dist.			
La Crosse County Institution Employees v. Wisconsin Employment Relations Com.			
McCabe v. Milwaukee			
Mills v. State			
Oudenhoven v. Nishioka			
State Dep't of Natural Resources, etc. v. Clintonville			
State ex rel. Brajdic v. Seber			
State ex rel. Czapiewski v. Milwaukee City Service Com.			
State ex rel. Lozoff v. Board of Trustees			
State v. Langston			
State v. Passarelli			
Bowers v. State			
Chambliss v. Gorelik			
Franklin v. Gerovac			
Gordon v. Schultz Savo Stores, Inc.			
Gustavson v. Milwaukee & Suburban Transport Corp.			
Sprecher v. Weston's Bar, Inc.			
State v. Erickson			
Husting v. Husting			
Breiby v. Department of Administration			
Jennaro v. Jennaro			
Nelson v. State			
Surety Sav. & Loan Ass'n v. State Dep't of Transp.			
Collings v. Phillips			
Sprangers v. Philippi			
Gawin v. Redevelopment Authority of Milwaukee			
Robinson v. State			
State ex rel. Sheets v. Fay			
Davis v. State			
In re Schroud			
Moore v. State			
Renk v. State			
Thorp Sales Corp. v. Lease			

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Priddy v. State			
In re Estate of McKillip			
In re Estate of Velk			
McMurtrie v. McMurtrie			
Payne v. Bilco Co.			
Span v. Span			
State ex rel. Schlehle v. Duris			
State v. Schenk			
Transamerica Ins. Co. v. Department of Indus., Labor & Human Rels.			
Ver Hagen v. Gibbons			
Bednarski v. State			
Hikade v. Ernst			
In re Estate of Kugler			
Matthew v. American Family Mut. Ins. Co.			
Nelson v. State			
Plan Credit Corp. v. Swinging Singles, Inc.			
Raymond v. State			
State ex rel. Farrell v. Schubert			
State v. McClanahan			
Taylor v. State			
Coach House Inn, Inc. v. Great American Ins. Co.			
Eden v. La Crosse Lutheran Hospital			
Holsen v. Marshall & Ilsley Bank			
Le Bow v. Optometry Examining Board			
Rosencrans v. Wisconsin Tel. Co.			
State v. Haugen			
Thomas v. Kells			
Washington v. Cecil			
Waukesha County Dep't of Social Services v. Loper			
Allis-Chalmers Mfg. Co. v. Eagle Motor Lines, Inc.			
Honeywell, Inc. v. Aetna Casualty & Surety Co.			
Keller Implement Co. v. Eiting			
Leatherman v. American Family Mut. Ins. Co.			
Liebmann v. Busalacchi			
Schnepf v. Rosenthal			
Simos v. State			
State v. Bailey			
State v. Barclay			
State v. Kort			
Employers Mut. Liability Ins. Co. v. Department of Industry, Labor & Human Relations			
Smith v. United Services Auto. Ass'n			
State ex rel. Chain O'Lakes Protective Ass'n v. Moses			

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Mequon v. Lake Estates Co.			
State v. Hall			
Wirth v. State			
Harris v. State			
McDonald v. McDonald (6-0)			
Welter v. Sauk County Clerk of Court (6-0)			
Jolin v. Oster (6-0)			
Godard v. State (6-0)			
Dahl v. Housing Authority of Madison (6-0)			
Campfire Land Co. v. Jolin (6-0)			
Milwaukee v. Starr (<i>per curiam</i> , 7-0)			
Kenosha v. Dosemagen (<i>per curiam</i> , 7-0)			
Wiener v. J. C. Penney Co. (<i>per curiam</i> , 7-0)			
State v. Richardson (<i>per curiam</i> , 7-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1971-72 term. The first table includes all cases in which a justice voted (out of the total of 292 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	282	291	97%
Hallows	284	292	97%
Heffernan	284	289	98%
Beilfuss	287	290	99%
C. Hansen	284	292	97%
Hanley	283	292	97%
R. Hansen	282	292	97%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	15	24	63%
Hallows	16	24	67%
Heffernan	19	24	79%
Beilfuss	21	24	88%
C. Hansen	16	24	67%
Hanley	15	24	63%
R. Hansen	14	24	58%

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)	6-1	5-2	4-3
Wilkie	40	0	1	2
Hallows	37	0	0	4
Heffernan	33	3	0	1
Beilfuss	36	2	1	1
C. Hansen	39	1	0	1
Hanley	41	0	2	0
R. Hansen	38	1	2	2

Opinion Author	Concurring Opinions	Dissenting Opinions
Wilkie	7	7
Hallows	5	4
Heffernan	1	3
Beilfuss	0	1
C. Hansen	0	2
Hanley	0	1
R. Hansen	4	7

² *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.)

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Wilkie	42	31
Hallows	37	37
Heffernan	37	29
Beilfuss	40	31
C. Hansen	41	29
Hanley	43	29
R. Hansen	42	32