

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1966-67

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Wilkie, Hallows, Beilfuss, Hanley	1	<i>Rasmussen v. Oshkosh Sav. & Loan</i>
Wilkie, Heffernan, Currie, Gordon	1	<i>Hixson v. Public Service Com.</i>

4-3 Membership in the Majority

Justice	Votes
Wilkie	2
Hallows	1
Heffernan	1
Beilfuss	1
Hanley	1
Currie	1
Gordon	1
Hansen	0

4-3 Majority Opinions Authored

	Opinions
Wilkie	1
Hallows	1
Heffernan	0
Beilfuss	0
Hanley	0
Currie	0
Gordon	0
Hansen	0
Total	2

Decisions by Vote Split¹

7-0 (or 6-0, 5-0)	6-1 (or 5-1, 4-1)	5-2	4-3
258/278 (93%)	10/278 (4%)	8/278 (3%)	2/278 (1%)
<i>Heath v. Zellmer</i>	<i>Vogt v. Chicago, M. S. P. & P. R. Co.</i>	<i>Lemke v. Larsen Co.</i>	
<i>Nelson v. State</i>	<i>Kayden Industries, Inc. v. Murphy</i>	<i>Wurtzinger v. Jacobs</i>	
<i>Columbia Hospital Asso. v. Milwaukee</i>	<i>Spoehr v. Mittelstadt</i>	<i>State v. Alfonsi</i>	
<i>In re Estate of Javornik</i>	<i>Boutelle v. Chrislaw</i>	<i>Grunwald v. Halron</i>	
<i>Peterman v. State</i>	<i>Huebner v. State</i>	<i>Farwell v. Farwell</i>	
<i>Besnah v. Fond Du Lac</i>	<i>Ogle v. Avina</i>	<i>Manka v. Karns</i>	
<i>Traeger v. Traeger</i>	<i>Carson v. Beloit</i>	<i>Muskego-Norway Consol. Schools Joint School Dist. v. Wisconsin Employment Relations Board [11-1-66]</i>	
<i>Wiggins Constr. Co. v. Joint School Dist.</i>	<i>Muskego-Norway Consol. Schools Joint School Dist. v. Wisconsin Employment Relations Board (5-1) [6-30-67]</i>	<i>Herzog v. Bujniewicz</i>	
<i>Dawson v. Jost</i>	<i>Ripon v. Diedrich (5-1)</i>		
<i>Ernst v. Greenwald</i>	<i>Bleck v. Monona Village (4-1)</i>		
<i>Welch v. Neisius</i>			
<i>Barber v. Oshkosh</i>			
<i>Continental Grain Co. v. Afram Bros. Co.</i>			
<i>Reid v. Thrans</i>			
<i>Barclay Brass & Aluminum Foundry, Inc. v. Resnick</i>			
<i>Aetna Casualty & Surety Co. v. Osborne-McMillan Elevator Co.</i>			
<i>Grunwaldt v. Milwaukee</i>			
<i>State v. Miller</i>			
<i>State v. Reppin</i>			
<i>Fitzgerald v. Globe-Union, Inc.</i>			
<i>Milwaukee v. Trzesniewski</i>			
<i>Kerner v. Employers Mut. Liability Ins. Co.</i>			
<i>Kenosha v. State</i>			

(continued on following page)

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>Vinicky v. Midland Mut. Cas. Ins. Co.</i>			
<i>McManus v. Hinney</i>			
<i>Yelk v. Seefeldt</i>			
<i>State ex rel. Schmeier v. Gagnon</i>			
<i>Rhineland City Employee's v. Rhineland</i>			
<i>Premke v. Pan American Motel, Inc.</i>			
<i>State ex rel. Klinkiewicz v. Duffy</i>			
<i>In re Estate of Perry</i>			
<i>Seitz v. Seitz</i>			
<i>State ex rel. Beaudry v. Panosian</i>			
<i>Grayson v. State</i>			
<i>Davidson v. Davidson</i>			
<i>Rath v. Doerfler</i>			
<i>Raisanen v. Milwaukee</i>			
<i>State v. Freiberg</i>			
<i>Woller v. Wisconsin Dep't of Taxation</i>			
<i>Moritz v. Broadfoot</i>			
<i>Schlicht v. Thesing</i>			
<i>Dahl v. Ellis</i>			
<i>Cogger v. Trudell</i>			
<i>Northwestern Nat'l Casualty Co. v. State Auto. & Casualty Underwriters</i>			
<i>Lawver v. Park Falls</i>			
<i>Cirillo v. Milwaukee</i>			
<i>Gaertner v. State</i>			
<i>Strack v. Great Atlantic & Pacific Tea Co.</i>			
<i>Metzger v. Wisconsin Dep't of Taxation</i>			
<i>Wetzel v. Wetzel</i>			
<i>Kriesel v. Kriesel</i>			
<i>Venisek v. Draski</i>			
<i>Vroman v. Kempke</i>			
<i>Hillstead v. Shaw</i>			
<i>Creighbaum v. State</i>			
<i>Bruss v. Milwaukee Sporting Goods Co.</i>			
<i>In re Estate of Scheibe</i>			
<i>Libowitz v. Lake Nursing Home, Inc.</i>			
<i>Greenwald v. State</i>			
<i>Midhun v. Morgan</i>			
<i>H. & M. Heating Co. v. Andrae</i>			
<i>Jessup v. La Pin</i>			
<i>Lehman v. Sentry Ins. Co.</i>			
<i>County of Milwaukee v. Schmidt, Garden & Erikson</i>			
<i>Milwaukee v. Bichel</i>			
<i>Air Power Equipment Corp. v. Telemark Co.</i>			
<i>Wallow v. Zupan</i>			
<i>Zepczyk v. Nelson</i>			
<i>Merriman v. Cash-Way, Inc.</i>			
<i>Greenfield v. Local 1127</i>			

(continued on following page)

<i>County of Waukesha v. Mueller</i>			
<i>Hutterli v. State Conservation Com.</i>			
<i>Jabs v. State Board of Personnel</i>			
<i>Beres v. New Berlin</i>			
<i>State ex rel. Bowman v. Barczak</i>			
<i>Ahnapee & W. R. Co. v. Challoner</i>			
<i>State v. Koopman</i>			
<i>Sholund v. Sholund</i>			
<i>Belohlavek v. State</i>			
<i>Kraynick v. Industrial Com.</i>			
<i>Lambrecht v. State Highway Com.</i>			
<i>Wipfli v. Martin</i>			
<i>In re Estate of Detjen</i>			
<i>Hakes v. Paul</i>			
<i>Jelinski v. Eggers</i>			
<i>McCullough v. Brandt</i>			
<i>Skornia v. Highway Pavers, Inc.</i>			
<i>Northwest Capital Corp. v. Kimmel</i>			
<i>Novakofski v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Artmar, Inc. v. United Fire & Casualty Co.</i>			
<i>Okimosh v. State</i>			
<i>Schroedel Corp. v. State Highway Com.</i>			
<i>State v. Conway</i>			
<i>Kwaterski v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Smith v. State</i>			
<i>Pleasant Prairie v. Johnson</i>			
<i>Grieb v. Citizens Casualty Co.</i>			
<i>Ballard v. Lumbermens Mut. Casualty Co.</i>			
<i>Mosing v. Hagen</i>			
<i>Cedarburg Light & Water Com. v. Allis-Chalmers Mfg. Co.</i>			
<i>Appleton State Bank v. Lee</i>			
<i>State v. McCredde</i>			
<i>Hansen v. State</i>			
<i>Wojtanowski v. St. Josaphat's Congregation</i>			
<i>Bay View State Bank v. Liber</i>			
<i>Ash v. American Family Mut. Ins. Co.</i>			
<i>Moldenhauer v. Faschingbauer</i>			
<i>Arthur v. State Conservation Com.</i>			
<i>Marlin Electric Co. v. Industrial Com.</i>			
<i>Newberger v. Pokrass</i>			
<i>Singer Bros., Inc. v. Glendale</i>			
<i>Johnson Hill's Press, Inc. v. Nasco Industries, Inc.</i>			
<i>Ray v. State</i>			
<i>Bayside v. Bruner</i>			

(continued on following page)

<i>Davis v. State</i>			
<i>State ex rel. Baer v. Milwaukee</i>			
<i>Abbott v. Truck Ins. Exchange Co.</i>			
<i>State ex rel. La Follette v. Reuter</i>			
<i>Cranston v. Bluhm</i>			
<i>Thornewell v. Indiana Lumbermens Mut. Ins. Co.</i>			
<i>Associated Hospital Service, Inc. v. Milwaukee Auto. Mut. Ins. Co.</i>			
<i>Van Gheem v. Chicago & N. R. Co.</i>			
<i>D'Angelo v. Cornell Paperboard Products Co.</i>			
<i>Mueller v. Mizia</i>			
<i>Newton v. Newton</i>			
<i>Strandberg v. Strandberg</i>			
<i>Commodore v. State</i>			
<i>Smith v. Milwaukee & Suburban Transport Co.</i>			
<i>Petzak v. Graves</i>			
<i>State Cent. Credit Union v. Bayley</i>			
<i>In re Will of Kalicicki</i>			
<i>State ex rel. Werlein v. Elamore Center Drainage Dist. v. Capitol Indem. Corp.</i>			
<i>Dewing v. Cooper</i>			
<i>Kalkopf v. Donald Sales & Mfg. Co.</i>			
<i>Krause v. Holand</i>			
<i>Sanderfoot v. Sherry Motors, Inc.</i>			
<i>Wojkiewicz v. American Family Mut. Ins. Co.</i>			
<i>Rausch v. Buisse</i>			
<i>Buhler v. Racine County</i>			
<i>State ex rel. Rizzo v. County Court of Kenosha County</i>			
<i>Holloway v. State</i>			
<i>Lewandowski v. Preferred Risk Mut. Ins. Co.</i>			
<i>State v. Carter</i>			
<i>Von Uhl v. Trempealeau County Mut. Ins. Co.</i>			
<i>Baierl v. Hinshaw</i>			
<i>In re Estate of Keske</i>			
<i>Schilling v. Gall</i>			
<i>S & H, Inc. v. Sladky</i>			
<i>Sommers v. Sommers</i>			
<i>State v. Pierce</i>			
<i>Reyes v. Lawry</i>			
<i>Duggan v. Arnold N. May Builders, Inc.</i>			
<i>Gremban v. Burke</i>			
<i>Geis v. Hirth</i>			
<i>Reinke v. Woltjen</i>			
<i>Associates Discount Corp. v. Mohs Realty, Inc.</i>			

(continued on following page)

<i>Fromm & Sichel, Inc. v. Ray's Brookfield, Inc.</i>			
<i>Saxauer v. Luebke</i>			
<i>Schafer v. Time Ins. Co.</i>			
<i>B. D. C. Corp. v. Public Service Comm.</i>			
<i>Schwarzbauer v. Menasha</i>			
<i>McGee v. Kuchenbaker</i>			
<i>Tuttle v. Virginia Surety Co.</i>			
<i>Rewolinski v. Harley-Davidson Motor Co.</i>			
<i>Jung v. State</i>			
<i>Galloway v. State</i>			
<i>Caldwell v. Piggly Wiggly Madison Co.</i>			
<i>Scharping v. Johnson</i>			
<i>St. Regis Apartment Corp. v. Sweitzer</i>			
<i>Cheese v. Afram Bros. Co.</i>			
<i>Oseman v. State</i>			
<i>Pattermann v. Whitewater</i>			
<i>Sailing v. Wallestad</i>			
<i>State ex rel. Sauk County Dist. Attorney v. Gollmar</i>			
<i>Withers v. Tucker</i>			
<i>Wolke v. Rudd</i>			
<i>Tobar v. State</i>			
<i>In re Estate of Hoepfner</i>			
<i>St. Clair v. McDonnell</i>			
<i>Peterson v. Maul</i>			
<i>State v. Halverson</i>			
<i>Ace Refrigeration & Heating Co. v. Industrial Com.</i>			
<i>Duszynski v. B & T Riding Academy, Inc.</i>			
<i>McKearn v. Lerman Tire Service, Ltd.</i>			
<i>Norway v. State Board of Health</i>			
<i>Buska v. Central Life Assurance Co.</i>			
<i>Foreway Express, Inc. v. Hilbert</i>			
<i>Le Barron v. State</i>			
<i>In re Winburn</i>			
<i>Wisconsin Collectors Ass'n, Inc. v. Thorp Finance Corp.</i>			
<i>McLaughlin v. State</i>			
<i>Beaudoin v. Watertown Memorial Hospital</i>			
<i>In re Estate of Topel</i>			
<i>American Motors Corp. v. Wisconsin Employment Relations Board</i>			
<i>Mueller v. State</i>			
<i>Simpson v. State</i>			
<i>State v. Cathey</i>			
<i>State v. Croy</i>			
<i>Gleason v. Gillihan</i>			
<i>Davis v. Geib</i>			
<i>Menzl v. Milwaukee</i>			

(continued on following page)

<i>State v. Koerner</i>			
<i>State v. Sabala</i>			
<i>State v. Yancey</i>			
<i>Weiss v. Mutual Indem. Co.</i>			
<i>Boerschinger v. Elkay Enterprises, Inc.</i>			
<i>Mazurkiewicz v. Pawinski</i>			
<i>Ruff v. Burger</i>			
<i>Ivy v. Tower Ins. Co.</i>			
<i>La Vigne v. State</i>			
<i>Lee Realty Corp. v. West Allis</i>			
<i>State ex rel. Youmans v. Owens (per curiam, 7-0)</i>			
<i>Sivyer Steel Casting Co. v. American Steel & Pump Corp. (per curiam, 6-0)</i>			
<i>State v. Eau Claire Oil Co. (6-0)</i>			
<i>Moutry v. American Mut. Liability Ins. Co. (6-0)</i>			
<i>Miller v. State (6-0)</i>			
<i>Zillmer v. Miglautsch (6-0)</i>			
<i>Harris v. Knutson (6-0)</i>			
<i>State ex rel. La Follette v. Raskin (6-0)</i>			
<i>Heiden v. Ray's, Inc. (6-0)</i>			
<i>Kramer v. Bohlman (6-0)</i>			
<i>Moran v. Quality Aluminum Casting Co. (6-0)</i>			
<i>North Gate Corp. v. North Gate Bowl, Inc. (6-0)</i>			
<i>First Nat'l Bank v. Sheriff of Milwaukee County (6-0)</i>			
<i>Conery v. Tackmaier (6-0)</i>			
<i>Bentzler v. Braun (6-0)</i>			
<i>Whitty v. State (6-0)</i>			
<i>State ex rel. Murphy v. Voss (6-0)</i>			
<i>Abdella v. Smith (6-0)</i>			
<i>Schimke v. Milwaukee & Suburban Transport Co. (6-0)</i>			
<i>Stippich v. Milwaukee (6-0)</i>			
<i>In re Estate of Rosenthal (6-0)</i>			
<i>Schemenauer v. Travelers Indem. Co. (6-0)</i>			
<i>Banas v. State (6-0)</i>			
<i>Jansen v. Vils (6-0)</i>			
<i>Gauer v. Gauer (6-0)</i>			
<i>Geyso v. Cudahy (6-0)</i>			
<i>Whitefish Bay v. Wisconsin Employment Relations Board (6-0)</i>			
<i>Cash Loan Co. v. Boser (6-0)</i>			
<i>Whitman v. Whitman (6-0)</i>			
<i>Farmers Mut. Ins. Co. v. Fischer (6-0)</i>			
<i>Prescher v. Wauwatosa (6-0)</i>			
<i>Westler v. Milwaukee (6-0)</i>			
<i>Brunette v. Slezewski (6-0)</i>			

(continued on following page)

<i>Beloit v. Public Service Com.</i> (6-0)			
<i>Walter D. Giertsen Co. v. State</i> (6-0)			
<i>Morateck v. Milwaukee Auto. Mut. Ins. Co.</i> (6-0)			
<i>State ex rel. Kaczkowski v. Board of Fire & Police Comm'rs</i> (6-0)			
<i>Gottlieb v. Milwaukee</i> (6-0)			
<i>Abbott Labs. v. Norse Chem. Corp.</i> (6-0)			
<i>Shadow Lawn School Dist. v. Walworth County School Committee</i> (6-0)			
<i>Sid Grinker Co. v. Craighead</i> (6-0)			
<i>In re Estate of Nunnemacher</i> (6-0)			
<i>State ex rel. Garton Toy Co. v. Mosel</i> (6-0)			
<i>State ex rel. Dudek v. Circuit Court for Milwaukee County</i> (5-0)			
<i>Chille v. Howell</i> (5-0)			
<i>Milwaukee v. Firemen's Relief Asso.</i> (5-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1966-67 term. The first table includes all cases in which a justice voted, while the second table includes only cases decided by split votes.

All Cases

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	269	273	99%
Hallows	265	273	97%
Heffernan	272	278	98%
Beilfuss	273	277	99%
Hanley	267	269	99%
Currie	271	276	98%
Gordon	163	165	99%
Hansen	82	83	99%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	15	19	79%
Hallows	11	19	58%
Heffernan	14	20	70%
Beilfuss	16	20	80%
Hanley	18	20	90%
Currie	15	20	75%
Gordon	10	12	83%
Hansen	5	6	83%

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 (or 5-1, 4-1)	5-2	4-3
Wilkie	33	1	2	1
Hallows	35	3	2	1
Heffernan	40	1	1	0
Beilfuss	38	2	0	0
Hanley	37	2	1	0
Currie	38	0	0	0
Gordon	25	0	1	0
Hansen	10	1	1	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Wilkie	1	2
Hallows	2	7
Heffernan	0	1
Beilfuss	0	2
Hanley	0	0
Currie	3	5
Gordon	4	2
Hansen	0	0

² The two unanimous *per curiam* decisions do not figure in this table.

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.

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Wilkie	36	36
Hallows	41	36
Heffernan	42	31
Beilfuss	40	32
Hanley	40	29
Currie	38	29
Gordon	26	27
Hansen	12	26