

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1961-62

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Hallows, Dieterich, Currie, Broadfoot	1	<i>Copland v. Wisconsin Dep't of Taxation</i>
Hallows, Currie, Broadfoot, Martin	1	<i>Rice Lake Creamery Co. v. Industrial Com.</i>
Fairchild, Brown, Gordon, Wilkie	1	<i>State v. Esser</i>
Dieterich, Currie, Brown, Martin	1	<i>Weyauwega Tel. Co. v. Public Service Com.</i>

4-3 Membership in the Majority

Justice	Votes
Hallows	2
Dieterich	2
Fairchild	1
Currie	3
Brown	2
Gordon	1
Wilkie	1
Broadfoot	2
Martin	2

4-3 Majority Opinions Authored

	Opinions
Hallows	1
Dieterich	0
Fairchild	1
Currie	2
Brown	0
Gordon	0
Wilkie	0
Broadfoot	0
Martin	0
<b>Total</b>	<b>4</b>

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

7-0 (or 6-0) 212/238 (89%)	6-1 (or 5-1) 12/238 (5%)	5-2 (or 4-2) 10/238 (4%)	4-3 4/238 (2%)
<i>A. J. SWEET OF LA CROSSE, INC. v. INDUSTRIAL COMM. of Wisconsin</i>	<i>Application of Brandt</i>	<i>Harweger v. Wilcox</i>	<i>Copland v. Wisconsin Dep't of Taxation</i>
<i>A. O. Smith Corp. v. Associated Sales &amp; Bag Co.</i>	<i>Dahlke v. Roeder</i>	<i>In re ESTATE of BEALE</i>	<i>Rice Lake Creamery Co. v. Industrial Com.</i>
<i>Allstate Ins. Co. v. Charneski</i>	<i>First Nat'l Bank v. Motors Acceptance Corp.</i>	<i>In re Estate of Gibbs</i>	<i>State v. Esser</i>
<i>Alsmeyer v. Norden</i>	<i>First Wisconsin Nat'l Bank v. Rische</i>	<i>In re Estate of Phillips</i>	<i>Weyauwega Tel. Co. v. Public Service Com.</i>
<i>Anderson v. Saunders</i>	<i>Pembar, Inc. v. Knapp</i>	<i>Nutrena Mills, Inc. v. Earle</i>	
<i>Arnold Joerns Co. v. Roberts</i>	<i>Pruitt v. State</i>	<i>Rogers v. Oconomowoc</i>	
<i>Ashwaubenon v. Public Service Com.</i>	<i>State v. Public Service Com.</i>	<i>Russell v. Johnson</i>	
<i>Ashwaubenon v. State Highway Com.</i>	<i>State v. Roggensack</i>	<i>State ex rel. Reynolds v. Nusbaum</i>	
<i>Baier v. Farmers Mut. Ins. Co.</i>	<i>State v. Texaco, Inc.</i>	<i>Brown Deer v. Milwaukee (4-2)</i>	
<i>Bartz v. Braun</i>	<i>Strahlendorf v. Walgreen Co.</i>	<i>Hoene v. Milwaukee (4-2)</i>	
<i>Bauermeister v. Alden</i>	<i>Teufel v. Home Indem. Co.</i>		
<i>Beardsley v. Darlington</i>	<i>In re Walker's Trust (5-1)</i>		
<i>Bethel Convalescent Home, Inc. v. Richfield</i>			
<i>Bielski v. Schulze</i>			
<i>Birnamwood Oil Co. v. Arrowhead Ass'n, Inc.</i>			
<i>Bliffert v. Bliffert</i>			
<i>Block v. Block</i>			
<i>Boehck Constr. Equip. Corp. v. Voigt</i>			
<i>Bohn v. Bohn</i>			
<i>Brodde v. Grosenick</i>			
<i>Bruno v. Golden Bell Dairy</i>			
<i>Buch v. State Highway Com.</i>			
<i>Burkhardt v. Smith</i>			
<i>Burris v. Karns</i>			
<i>C. Hennecke Co. v. Cardinal Boiler &amp; Welding Corp.</i>			
<i>Capitol Lumber Co. v. Wisconsin Dep't of Taxation</i>			

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<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>Carson v. Pape</i>			
<i>Carstensen v. Faber</i>			
<i>Chenow v. Aliota</i>			
<i>Clark v. London &amp; Lancashire Indem. Co.</i>			
<i>Cochran v. Allyn</i>			
<i>Connor v. Michigan Wisconsin Pipe Line Co.</i>			
<i>Continental Casualty Co. v. Transport Indem. Co.</i>			
<i>Cooper's, Inc. v. Industrial Com.</i>			
<i>Crossman v. Gipp</i>			
<i>Dairyman's State Bank v. Tessman</i>			
<i>De Long v. Sagstetter</i>			
<i>Dehnart v. Waukesha Brewing Co.</i>			
<i>Devine v. McGowan</i>			
<i>Dick &amp; Reuteman Co. v. Doherty Realty Co.</i>			
<i>Dull v. Curran</i>			
<i>Duncan v. Steeper</i>			
<i>Dunlop v. Laitsch</i>			
<i>Dyer v. Hardware Mut. Casualty Co.</i>			
<i>Eloff v. Riesch</i>			
<i>Falke v. Industrial Com.</i>			
<i>Filipiak v. Plombon</i>			
<i>Fisher v. Simon</i>			
<i>Fjeseth v. New York Life Ins. Co.</i>			
<i>Foellmi v. Smith</i>			
<i>Fox v. Pettis</i>			
<i>Freuen v. Brenner</i>			
<i>Garcia v. Heritage Mut. Ins. Co.</i>			
<i>General Acci. Fire &amp; Life Assurance Corp. v. Bergquist</i>			
<i>Gerruth Realty Co. v. Pire</i>			
<i>Gile v. Widholm</i>			
<i>Gogolewski v. Gust</i>			
<i>Griffith v. Harris</i>			
<i>Gullickson v. Western Casualty &amp; Surety Co.</i>			
<i>Hansen v. Schmidman Properties, Inc.</i>			
<i>Harper v. Hartford Acci. &amp; Indem. Co.</i>			
<i>Hayes v. Adams County</i>			
<i>Haynie v. Hanson</i>			
<i>Hellenbrand v. Bowar</i>			
<i>Hintz v. Mielke</i>			
<i>Holytz v. Milwaukee</i>			
<i>Huck v. Chicago, S. P. M. &amp; O. R. Co.</i>			
<i>Huck v. Chicago, S. P., M. &amp; O. R. Co.</i>			
<i>Hudiburg Chevrolet, Inc. v. Ponce</i>			
<i>Huntley v. Donlevy</i>			

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<i>Huse v. Milwaukee County Expressway Com.</i>			
<i>In re Acheson</i>			
<i>In re Estate of Barnes</i>			
<i>In re ESTATE of DOBRECEVICH</i>			
<i>In re Estate of Ford</i>			
<i>In re ESTATE of JOAS</i>			
<i>In re ESTATE of KEMMERER</i>			
<i>In re Estate of Liginger</i>			
<i>In re ESTATE of MASSOURAS</i>			
<i>In re Estate of Odegard</i>			
<i>In re ESTATE of RIENOW</i>			
<i>In re ESTATE of SMITH</i>			
<i>In re Estate of Stronks</i>			
<i>In re ESTATE of ZINK</i>			
<i>In re Joint School Dist.</i>			
<i>In re Will of Wicker</i>			
<i>Jackson v. Jackson</i>			
<i>Jefferson v. Eiffler</i>			
<i>Kerkhoff v. American Auto. Ins. Co.</i>			
<i>Kincaide v. Hardware Mut. Casualty Co.</i>			
<i>Knutson v. Knutson</i>			
<i>Kopke v. Ranney</i>			
<i>Krause v. Hartwig</i>			
<i>Krause v. Home Mut. Ins. Co.</i>			
<i>Kultgen v. State Highway Com.</i>			
<i>Lambrecht Farms v. Industrial Com.</i>			
<i>Lau v. Chicago &amp; N. W. R. Co.</i>			
<i>Lealiou v. Quatsoe</i>			
<i>Lehmann v. Waukesha County Highway Com.</i>			
<i>Longberg v. H.L. Green Co.</i>			
<i>Loof v. Rural Mut. Casualty Ins. Co.</i>			
<i>Loomis v. Vernon Mut. Fire Ins. Co.</i>			
<i>Marky Invest., Inc. v. Arnezeder</i>			
<i>Martin v. Outboard Marine Corp.</i>			
<i>Maus v. Cook</i>			
<i>Mayville v. Hart</i>			
<i>Mertens v. Lundquist</i>			
<i>Meyer v. Val-Lo-Will Farms, Inc.</i>			
<i>Miller v. Miller</i>			
<i>Millis v. Raye</i>			
<i>Milwaukee v. Zurich</i>			
<i>Missionaries of Our Lady of La Salette v. Michalski</i>			
<i>Moore Motor Freight Lines, Inc. v. Wisconsin Dep't of Taxation</i>			
<i>Moreland Corp. v. Retail Store Employees Union</i>			
<i>Morn v. Schalk</i>			
<i>Neuhaus v. Clark County</i>			
<i>Norton v. Huisman</i>			

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<i>O'Brien v. Hessman</i>			
<i>O'Brien v. Isaacs</i>			
<i>Otten v. Schutt</i>			
<i>Paschong v. Hollenbeck</i>			
<i>Peterson v. Wingertsman</i>			
<i>Pines v. Perssion</i>			
<i>Punke v. Brody</i>			
<i>Pyter v. Kramp Constr. Co.</i>			
<i>Radke v. Yaeger</i>			
<i>Raim v. Ventura</i>			
<i>Raskin v. Hack</i>			
<i>Reddick v. Reddick</i>			
<i>Richards v. State</i>			
<i>Rische Constr. Co. v. May</i>			
<i>Rudzinski v. Warner Theatres, Inc.</i>			
<i>Rupp v. Travelers Indem. Co.</i>			
<i>S. D. Realty Co. v. Sewerage Com. of Milwaukee</i>			
<i>Scanlon v. Menasha</i>			
<i>Schlichting v. Schlichting</i>			
<i>Schneider v. Schneider</i>			
<i>Schumski v. Hales Corners</i>			
<i>Schwanke v. Reid</i>			
<i>Schwenn v. Loraine Hotel Co.</i>			
<i>Scott v. Merrill</i>			
<i>Seefeldt v. Keske</i>			
<i>Seeger v. Weber</i>			
<i>Seybold v. Burke</i>			
<i>Sharp v. Milwaukee &amp; Suburban Transport Corp.</i>			
<i>Shawley v. Industrial Comm'n</i>			
<i>Spring v. Spring</i>			
<i>State Dep't of Public Welfare v. Lemere</i>			
<i>State ex rel. Isham v. Mullally</i>			
<i>State ex rel. Keehn v. Capelle</i>			
<i>State ex rel. Kern v. Kern</i>			
<i>State ex rel. Reynolds v. Circuit Court for Waukesha County</i>			
<i>STATE ex rel. STATE BAR OF WISCONSIN v. KELLER</i>			
<i>State ex rel. Unified School Dist. v. Janowski</i>			
<i>State ex rel. Wasilewski v. Board of School Directors</i>			
<i>State v. Baker</i>			
<i>State v. Chippewa Cable Co.</i>			
<i>State v. Dried Milk Products Co-op.</i>			
<i>State v. Fischer</i>			
<i>State v. Kennedy</i>			
<i>State v. Omernick</i>			
<i>State v. Ramsay</i>			
<i>State v. Wickstrom</i>			
<i>Steel v. Ritter</i>			
<i>Swonger v. Celentano</i>			
<i>Szuszka v. Milwaukee</i>			
<i>Templeton v. Crull</i>			

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<i>Thompson v. Beth</i>			
<i>Townsend v. Milwaukee Ins. Co.</i>			
<i>Travelers Indem. Co. v. Home Mut. Ins. Co.</i>			
<i>Trczyniewski v. Milwaukee</i>			
<i>Tullgren v. School Dist. of Whitefish Bay</i>			
<i>Utschig v. McClone</i>			
<i>Van Erem v. Van Erem</i>			
<i>Van Wie v. Hill</i>			
<i>Vande Voort v. Stern</i>			
<i>Vick v. Haas</i>			
<i>Vogt v. S. M. Byrne Constr. Co.</i>			
<i>Wendel v. Little</i>			
<i>Whitney v. Wisconsin Dep't of Taxation</i>			
<i>Williams v. Madison</i>			
<i>Wisconsin Dep't of Taxation v. Pabst</i>			
<i>Wolfe v. Oliver Constr. Co.</i>			
<i>Yingling v. Tic</i>			
<i>Zajdel v. Zajdel</i>			
<i>Zeitlow v. Western Casualty &amp; Surety Co.</i>			
<i>Zimmermann v. Thompson</i>			
<i>Bloomquist v. Better Business Bureau (6-0)</i>			
<i>Colson v. Rule (6-0)</i>			
<i>Columbia County v. Board of Trustees (6-0)</i>			
<i>Florkowski v. Milwaukee (6-0)</i>			
<i>Fuller v. Krogh (6-0)</i>			
<i>Herman Andrae Electrical Co. v. Packard Plaza, Inc. (6-0)</i>			
<i>In re Estate of Ohnstad (6-0)</i>			
<i>In re Spread Eagle (6-0)</i>			
<i>Jordan-Jefferson, Inc. v. Scheer (6-0)</i>			
<i>Knapmiller v. American Ins. Co. (6-0)</i>			
<i>Kramer v. Stewart (6-0)</i>			
<i>Kubiak v. General Acci. Fire &amp; Life Assurance Corp. (6-0)</i>			
<i>Magin v. Bemis (6-0)</i>			
<i>McConville v. State Farm Mut. Auto. Ins. Co. (6-0)</i>			
<i>Milwaukee Western Bank v. Lienemann (6-0)</i>			
<i>Northern P. R. Co. v. Knauf &amp; Tesch Co. (6-0)</i>			
<i>Oglebay Norton Co. v. Industrial Com. (6-0)</i>			
<i>Pollack v. Reserve Life Ins. Co. (6-0)</i>			
<i>Rivera v. Misericordia Hospital (6-0)</i>			
<i>State ex rel. H. A. Morton Co. v. Board of Review (6-0)</i>			
<i>Stommel v. Industrial Com. (6-0)</i>			

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<i>Touchett v. E Z Paintr Corp.</i> (6-0)			
<i>Trowbridge v. Trowbridge</i> (6-0)			
<i>Van Valin v. Industrial Com.</i> (6-0)			
<i>Yaeger v. Fenske</i> (6-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1961-62 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
Hallows	227	238	<b>95%</b>
Dieterich	229	237	<b>97%</b>
Fairchild	226	236	<b>96%</b>
Currie	229	238	<b>96%</b>
Brown	233	236	<b>99%</b>
Gordon	130	131	<b>99%</b>
Wilkie	34	34	<b>100%</b>
Broadfoot	197	199	<b>99%</b>
Martin	89	89	<b>100%</b>

## Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Hallows	15	26	<b>58%</b>
Dieterich	17	25	<b>68%</b>
Fairchild	16	26	<b>62%</b>
Currie	17	26	<b>65%</b>
Brown	23	26	<b>88%</b>
Gordon	13	14	<b>93%</b>
Wilkie	3	3	<b>100%</b>
Broadfoot	19	21	<b>90%</b>
Martin	12	12	<b>100%</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 (or 4-2)	4-3
Hallows	32	3	0	1
Dieterich	31	2	1	0
Fairchild	30	1	2	1
Currie	35	2	1	2
Brown	29	3	2	0
Gordon	16	0	2	0
Wilkie	2	0	0	0
Broadfoot	27	0	0	0
Martin	10	1	2	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Hallows	4	4
Dieterich	0	6
Fairchild	3	5
Currie	3	8
Brown	0	1
Gordon	1	1
Wilkie	0	0
Broadfoot	1	1
Martin	1	0

<sup>2</sup> When two or more justices co-authored a separate opinion, I credited each of them.



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.

	<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>
Hallows	12	28
Dieterich	14	33
Fairchild	13	27
Currie	15	28
Brown	15	29
Gordon	0	--
Wilkie	0	--
Broadfoot	13	29
Martin	13	28