

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1982-1983

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Steinmetz, Day, Ceci, Callow	5	<i>Williamson; Baby Girl K; Lomagro; Fitchburg; Gavigan</i>
Abrahamson, Steinmetz, Heffernan, Beilfuss	4	<i>Smith; Gordon; Billings; Cuyler</i>
Day, Heffernan, Ceci, Beilfuss	1	<i>Harris</i>
Abrahamson, Heffernan, Ceci, Beilfuss	1	<i>Millonig</i>
Abrahamson, Day, Heffernan, Ceci	1	<i>Wisconsin Dep't of Revenue</i>
Abrahamson, Day, Heffernan, Beilfuss	1	<i>Groh</i>

4-3 Membership in the Majority

Justice	Votes
Abrahamson	7
Steinmetz	9
Day	8
Heffernan	8
Ceci	8
Callow	5
Beilfuss	7

4-3 Majority Opinions Authored

	Opinions
Abrahamson	4
Steinmetz	1
Day	4
Heffernan	1
Ceci	1
Callow	2
Beilfuss	0
Total	13

Decisions by Vote Split¹

7-0 (or 5-0, 6-0)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
101/133 (76%)	9/133 (7%)	10/133 (8%)	13/133 (10%)
<i>State ex rel. Dombrowski v. Moser</i>	<i>State v. Hegwood</i>	<i>State v. Brooks</i>	<i>State v. Williamson</i>
<i>League of Women Voters, Inc. v. Outagamie County</i>	<i>Robertson-Ryan & Associates, Inc. v. Pohlhammer</i>	<i>Noranda Exploration, Inc. v. Ostrom</i>	<i>In Interest of Baby Girl K.</i>
<i>Pleasant Prairie v. Department of Local Affairs & Dev.</i>	<i>Handicapped Children's Education Bd. v. Lukaszewski</i>	<i>State v. Burns</i>	<i>State v. Smith</i>
<i>State v. McConnohie</i>	<i>In re Estate of Devroy</i>	<i>State v. Excel Management Services, Inc.</i>	<i>State v. Lomagro</i>
<i>Citizens State Bank v. Timm, Schmidt & Co.</i>	<i>Crown Life Ins. Co. v. La Bonte (5-1)</i>	<i>Burg v. Miniature Precision Components, Inc.</i>	<i>Harris v. Metropolitan Mall</i>
<i>Ameek Bin-Rilla v. Israel</i>	<i>State v. Givosky (5-1)</i>	<i>Schmid v. Olsen</i>	<i>Millonig v. Bakken</i>
<i>Foley v. West Allis</i>	<i>State v. Monje (5-1)</i>	<i>State v. Stubbendick</i>	<i>Madison v. Fitchburg</i>
<i>State ex rel. Green Bay Newspaper Co. v. Circuit Court, Branch 1</i>	<i>Corroon & Black-Rutters & Roberts, Inc. v. Hosch (5-1)</i>	<i>Van Gorder v. Van Gorder</i>	<i>Wisconsin Dep't of Revenue v. Milwaukee Brewers Baseball Club</i>
<i>State Higher Educational Aids Bd. v. Hervey</i>	<i>Star Line Trucking Corp. v. Department of Industry, Labor & Human Relations (5-1)</i>	<i>La Fleur v. Mosher</i>	<i>State v. Gavigan</i>
<i>State v. Macemon</i>		<i>Barrera v. State (4-2)</i>	<i>State v. Gordon</i>
<i>State v. Marshall</i>			<i>State v. Billings</i>
<i>Scarpace v. Sears, Roebuck & Co.</i>			<i>State v. Cuyler</i>
<i>First Wisconsin Nat'l Bank v. Nicolaou</i>			<i>Groh v. Groh</i>
<i>Hansen v. A.H. Robins, Inc.</i>			
<i>Brockmeyer v. Dun & Bradstreet</i>			
<i>United Farm Agency, Inc. v. Klasen</i>			
<i>Bersch v. Van Kleeck</i>			
<i>Beane v. Sturgeon Bay</i>			
<i>Nielsen v. Silver Cliff</i>			
<i>State v. Burton</i>			
<i>Fox v. Wisconsin Dep't of Health & Social Services</i>			
<i>In Interest of E.J.H.</i>			
<i>State v. Bartelt</i>			
<i>Zinn v. State</i>			
<i>Wisconsin Dep't of Revenue v. Greiling</i>			
<i>Bank of Two Rivers v. Zimmer</i>			
<i>State ex rel. Bilder v. Delavan</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>State ex rel. Skowronski v. Mjelde</i>			
<i>Krueger v. Mitchell</i>			
<i>State v. Riekkoff</i>			
<i>In Interest of S.</i>			
<i>State v. White</i>			
<i>State v. Popanz</i>			
<i>State v. Gaudesi</i>			
<i>J.V. v. Barron</i>			
<i>In re Estate of Omernik</i>			
<i>Gauerke v. Rozga</i>			
<i>Lemon v. Federal Ins. Co.</i>			
<i>State ex rel. Cannon v. Moran</i>			
<i>State v. Holland Plastics Co.</i>			
<i>Auric v. Continental Casualty Co.</i>			
<i>Giese v. Montgomery Ward, Inc.</i>			
<i>Strid v. Converse</i>			
<i>Jackson v. Ozaukee County</i>			
<i>State v. Stone</i>			
<i>Anderson v. State Labor & Industry Review Com.</i>			
<i>Arnold v. Shawano County Agricultural Soc.</i>			
<i>In re B.</i>			
<i>Le Poidevin v. Wilson</i>			
<i>Tri-State Home Improv. Co. v. Labor & Industry Review Com.</i>			
<i>Princess House, Inc. v. Department of Industry, Labor & Human Relations</i>			
<i>County of Walworth v. Spalding</i>			
<i>Marina Fontana v. Fontana-on-Geneva Lake</i>			
<i>Landwehr v. Citizens Trust Co.</i>			
<i>State ex rel. Hubbard v. Hubbard</i>			
<i>State v. Armstrong</i>			
<i>State v. Jackson</i>			
<i>State v. Christensen</i>			
<i>Wisconsin Electric Power Co. v. Public Service Com.</i>			
<i>Mutual Service Casualty Ins. Co. v. Koenigs</i>			
<i>Bankert v. Threshermen's Mut. Ins. Co.</i>			
<i>Kimberly-Clark Corp. v. Public Service Com.</i>			
<i>D.L. v. Huebner</i>			
<i>In re Petition of Wisconsin Electric Power Co. etc.</i>			
<i>In re In Interest of D.L.D.</i>			
<i>Sun Prairie v. Storms</i>			
<i>State v. Twaite</i>			
<i>Tesky v. Tesky</i>			

(continued on following page)

<i>State ex rel. Thompson v. Riveland</i>			
<i>S.D.R. v. State (In re S.D.R.)</i>			
<i>Sandy v. Sandy</i>			
<i>Pigeon v. Department of Industry, Labor & Human Relations</i>			
<i>Stappas v. Kagen</i>			
<i>In Interest of TDP</i>			
<i>Tamminen v. Aetna Casualty & Surety Co.</i>			
<i>State v. Gilbert</i>			
<i>Hedtcke v. Sentry Ins. Co.</i>			
<i>Madison Gas & Electric Co. v. Public Service Com.</i>			
<i>State v. Walberg</i>			
<i>Wisconsin Public Service Corp. v. Public Service Com.</i>			
<i>State v. Bauer</i>			
<i>Shuput v. Lauer</i>			
<i>County of Walworth v. Rohner</i>			
<i>After Hour Welding, Inc. v. Laneil Management Co.</i>			
<i>De Pratt v. West Bend Mut. Ins. Co. (6-0)</i>			
<i>State Historical Soc. v. Maple Bluff (6-0)</i>			
<i>Thorp Sales Corp. v. Gyuro Grading Co. (6-0)</i>			
<i>Wassenaar v. Panos (6-0)</i>			
<i>In re Liquidation of Wisconsin Surety Corp. (6-0)</i>			
<i>Department of Transp. v. Transportation Com. (6-0)</i>			
<i>State v. Felton (6-0)</i>			
<i>State v. Lemieux (6-0)</i>			
<i>Pfeiffer v. Board of Regents (6-0)</i>			
<i>Westfall v. Kottke (6-0)</i>			
<i>In re All-Star Ins. Corp. (6-0)</i>			
<i>State v. Sharlow (6-0)</i>			
<i>Radoff v. Red Owl Stores, Inc. (6-0)</i>			
<i>State v. Fencl (6-0)</i>			
<i>In the Interest of T.R.B. (6-0)</i>			
<i>State v. Alsteen (6-0)</i>			
<i>Guthrie v. Wisconsin Employment Relations Com. (5-0)</i>			

Frequency in the Majority

These charts display how frequently each justice voted in the majority in decisions filed during the 1982-83 term. The first chart includes all cases in which a justice voted (out of the total of 133 cases specified above), while the second chart includes only cases decided by split votes.

All Cases

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	110	128	86%
Steinmetz	121	131	92%
Day	124	131	95%
Heffernan	123	132	93%
Ceci	123	130	95%
Callow	122	132	92%
Beilfuss	116	123	94%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	14	32	44%
Steinmetz	21	31	68%
Day	25	32	78%
Heffernan	23	32	72%
Ceci	24	31	77%
Callow	22	32	69%
Beilfuss	21	28	75%

Opinions Authored

This chart indicates how many majority/lead opinions a justice authored in cases decided by each of the four possible majority vote totals.

Opinion Author	7-0 (or 5-0, 6-0)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
Abrahamson	17	0	0	4
Steinmetz	15	1	2	1
Day	10	2	2	4
Heffernan	18	0	1	1
Ceci	13	1	3	1
Callow	14	3	0	2
Beilfuss	14	2	2	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Abrahamson	10	14
Steinmetz	6	8
Day	3	3
Heffernan	1	4
Ceci	0	3
Callow	2	3
Beilfuss	1	3

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.²

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Abrahamson	15	45
Steinmetz	17	48
Day	18	60
Heffernan	19	76
Ceci	16	59
Callow	17	39
Beilfuss	17	36

² This table does not include 14 cases that were submitted on briefs.

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.

Firms and Agencies	Number of Oral Arguments
Boardman, Suhr, Curry & Field	2
Borgelt, Powell, Peterson & Frauen	4
Cook & Franke	2
DeWitt, Sundby, Huggett & Schumacher	3
Foley & Lardner	6
Frisch, Dudek & Slattery	2
Habush, Habush & Davis	3
Kluwin, Dunphy, Hankin & McNulty	3
Legal Action of Wisconsin	2
Legal Assistance to Institutionalized Persons Program	2
Levine & Epstein	2
Michael, Best & Friedrich	2
Milwaukee County District Attorney's Office	3
Nowlan & Mouat	2
Peter W. Zeeh	2
Public Service Commission of Wisconsin	4
Quarles & Brady	7
Robert C. Hahn	2
Robinson, Smith & Robinson	2
Ross & Stevens	2
Shellow, Shellow & Glynn	4
Stafford, Rosenbaum, Rieser & Hansen	3
State Attorney General's Office	53
State Public Defender's Office	22
Terwilliger, Wakeen, Piehler, Conway & Klingberg	2