

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1976-1977

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Abrahamson, Day, Heffernan, Beilfuss	4	<i>Monahan; Spraggin; Terry; Ferris</i>
Beilfuss, C. Hansen, Hanley, R. Hansen	3	<i>Buse; Angus; Rudolph</i>
Heffernan, Beilfuss, C. Hansen, Hanley	1	<i>Johnson</i>

Rudolph v. State yielded a 4-3 *per curiam* decision, with Justices Beilfuss, C. Hansen, Hanley, and R. Hansen in the majority. With no author identified, this case does not figure in the “4-3 Majority Opinions Authored” table.

4-3 Membership in the Majority

Justice	Votes
Abrahamson	4
Day	4
Heffernan	5
Beilfuss	8
C. Hansen	4
Hanley	4
R. Hansen	3

4-3 Majority Opinions Authored

	Opinions
Abrahamson	2
Day	0
Heffernan	1
Beilfuss	2
C. Hansen	1
Hanley	1
R. Hansen	0
Total	7

Decisions by Vote Split¹

7-0 (or 6-0, 5-0)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
260/283 (92%)	10/283 (4%)	5/283 (2%)	8/283 (3%)
<i>In re Estate of Corey</i>	<i>Edwards v. State</i>	<i>Jaworski v. State</i>	<i>Buse v. Smith</i>
<i>Garcia v. State</i>	<i>Penister v. State</i>	<i>State v. Tarrell</i>	<i>Angus v. State</i>
<i>State v. Ziegenhagen</i>	<i>Keller v. State</i>	<i>State v. Wilson</i>	<i>State v. Monahan</i>
<i>Drinkwater v. State</i>	<i>Sanford v. State</i>	<i>Zweifel v. Joint Dist. No. 1</i>	<i>State v. Spraggin</i>
<i>Blenski v. State</i>	<i>Wisconsin Employment Relations Com. v. Teamsters Local No. 563</i>	<i>Reichhoff v. State (4-2)</i>	<i>Johnson v. Johnson</i>
<i>Brown v. State</i>	<i>State ex rel. Enk v. Mentkowski</i>		<i>Terry v. Kolski</i>
<i>In re Estate of Stevens</i>	<i>Larson v. Wisconsin Dep't of Industry, Labor & Human Relations</i>		<i>State ex rel. Forte v. Ferris</i>
<i>Staples v. State</i>	<i>Production Credit Asso. v. Rosner</i>		<i>Rudolph v. State (4-3, per curiam)</i>
<i>State v. Johnson</i>	<i>State ex rel. Ellenburg v. Gagnon (6-1, per curiam)</i>		
<i>Padilla v. Bydalek</i>	<i>Grams v. Melrose-Mindoro Joint School Dist. (5-1)</i>		
<i>Kavon Enterprises, Inc. v. American Universal Ins. Co.</i>			
<i>A. I. C. Financial Corp. v. Commercial Units, Inc.</i>			
<i>Cohen v. Dane County Bd. of Adjustment</i>			
<i>Hoppe v. State</i>			
<i>Young v. Board of Education</i>			
<i>Clay v. Bradley</i>			
<i>In re Estate of Mavrogenis</i>			
<i>State v. Johnson AND State v. Crape</i>			
<i>Jameson v. State</i>			
<i>Rainey v. State</i>			
<i>First Wisconsin Nat'l Bank v. Kramer</i>			
<i>State v. Keehn</i>			
<i>Radue v. Dill</i>			
<i>McAllister v. State</i>			
<i>Taylor v. State</i>			
<i>State ex rel. Mitchell Aero, Inc. v. Board of Review</i>			
<i>State v. Ritter</i>			
<i>Student Asso. of University of Wisconsin-Milwaukee v. Baum</i>			
<i>Snajder v. State</i>			
<i>State v. Antes</i>			
<i>La Barge v. State</i>			

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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>West v. State</i>			
<i>Norwood v. State</i>			
<i>In re Estate of Kennedy</i>			
<i>State v. Lenarchick</i>			
<i>French v. Sorano</i>			
<i>Snyder v. Waukesha County Zoning Bd. of Adjustment</i>			
<i>Dudrey v. State</i>			
<i>Loveday v. State</i>			
<i>Coffey v. Milwaukee</i>			
<i>In re Estate of Jones</i>			
<i>Kuesel v. Kuesel</i>			
<i>State ex rel. Terry v. Schubert</i>			
<i>International Foundation of Employee Ben. Plans, Inc. v. Brookfield</i>			
<i>RTE Corp. v. Maryland Casualty Co.</i>			
<i>Harmann v. French</i>			
<i>State v. Becker</i>			
<i>Milewski v. State</i>			
<i>Handel v. State</i>			
<i>Franklin v. State</i>			
<i>State v. Courtney</i>			
<i>Rollie Winter Agency, Inc. v. First Cent. Mortg.</i>			
<i>King v. State</i>			
<i>Dickenson v. State</i>			
<i>Rawhouser v. Cooperative Educational Service Agency No. 4</i>			
<i>Garski v. State</i>			
<i>Bussewitz v. Bussewitz</i>			
<i>In re Estate of Walker AND In re Estate of Hills AND In re Estate of Morsell</i>			
<i>Grassl v. Nelson</i>			
<i>Wolf v. Sachse</i>			
<i>State ex rel. Wolf v. Lisbon</i>			
<i>Davison v. St. Paul Fire & Marine Ins. Co.</i>			
<i>Smith Realty Co. v. Zimmerman</i>			
<i>Augustine v. Anti-Defamation League of B'Nai B'Rith</i>			
<i>Drehmel v. Radandt</i>			
<i>Ruiz v. State</i>			
<i>Klimas v. State</i>			
<i>State ex rel. Memmel v. Mundy</i>			
<i>Clark v. Corby</i>			
<i>Nyberg v. State</i>			
<i>State v. Asfoor</i>			
<i>Wisconsin Public Service Corp. v. Marathon County</i>			
<i>Pleasant Prairie v. Kenosha</i>			
<i>Johnson v. State</i>			
<i>Hart v. State</i>			

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<i>State v. Boyce</i>			
<i>Stas v. Milwaukee County Civil Service Com.</i>			
<i>St. Francis Sav. & Loan Asso. v. Hearthside Homes, Inc.</i>			
<i>State v. Sittig</i>			
<i>Harris v. State</i>			
<i>Murphy v. State</i>			
<i>Lake Geneva v. Smuda</i>			
<i>Ferris v. State</i>			
<i>State ex rel. Winnie v. Harris</i>			
<i>WKBH Television, Inc. v. Wisconsin Dep't of Revenue</i>			
<i>State v. Olson</i>			
<i>Turner v. State</i>			
<i>Wagner v. State</i>			
<i>Flores v. State</i>			
<i>Beloit v. Kallas</i>			
<i>Scarborough v. State</i>			
<i>Berschens v. Prairie Du Sac</i>			
<i>Monroe County v. Kruse</i>			
<i>Vigil v. State</i>			
<i>Hipp v. State</i>			
<i>Green v. State</i>			
<i>Fields v. Playboy Club of Lake Geneva, Inc.</i>			
<i>Gerner v. Vasby</i>			
<i>Schaffer v. State</i>			
<i>Federal Deposit Ins. Corp. v. First Mortg. Investors</i>			
<i>Graves v. Nutting Truck & Caster Co.</i>			
<i>State v. Hungerford</i>			
<i>Stevens Constr. Co. v. Fisher</i>			
<i>State v. Balgie</i>			
<i>Consolidated Papers, Inc. v. Department of Industry, Labor & Human Relations</i>			
<i>Kabat v. State</i>			
<i>Vocational, Technical & Adult Education, Dist. 13 v. Department of Industry, Labor & Human Relation</i>			
<i>Sturdevant v. State</i>			
<i>Holmes v. State</i>			
<i>Cunningham v. State</i>			
<i>Briggs v. State</i>			
<i>H. v. State</i>			
<i>In re Estate of Becker</i>			
<i>Lee v. Wisconsin Physicians Service</i>			
<i>Anderson v. State</i>			
<i>Herrmeyer v. Kleeman</i>			
<i>Robinson v. Kunach</i>			
<i>Micale v. State</i>			
<i>Bies v. State</i>			

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<i>First Nat'l Bank v. Barron County Cooperative Dairy Cattle Breeders Sales Asso.</i>			
<i>Gaastra v. Fairwater</i>			
<i>State v. Manson</i>			
<i>State v. Jennaro</i>			
<i>Bere v. State</i>			
<i>Ricchio v. Oberst</i>			
<i>In re Ryde</i>			
<i>State v. Johnnies</i>			
<i>In re Sensenbrenner</i>			
<i>First Wisconsin Nat'l Bank v. Midland Nat'l Bank</i>			
<i>Johnson v. State</i>			
<i>Wilberscheid v. Wilberscheid</i>			
<i>Stevens v. White Motor Corp.</i>			
<i>Rosploch v. Alumatic Corp. of America</i>			
<i>Christensen v. Economy Fire & Casualty Co.</i>			
<i>Day v. State</i>			
<i>Nasewaupsee v. Sturgeon Bay</i>			
<i>Schaefer v. State Bar of Wisconsin</i>			
<i>Northwest Airlines, Inc. v. State, Dep't of Revenue</i>			
<i>Bruneau v. State</i>			
<i>Lichter v. Fritsch</i>			
<i>De Simone v. Kramer</i>			
<i>State v. McGovern</i>			
<i>State ex rel. Struzik v. Department of Health & Social Services</i>			
<i>State v. Genova</i>			
<i>McGivern v. AMASA Lumber Co.</i>			
<i>State v. O'Connor</i>			
<i>State v. Evans</i>			
<i>State ex rel. Jackson v. Froelich</i>			
<i>Lange v. Norway</i>			
<i>Schell v. Knickelbein</i>			
<i>Laffin v. Chemical Supply Co.</i>			
<i>State ex rel. Shock v. Department of Health & Social Services</i>			
<i>Schmidt v. State</i>			
<i>La Tender v. State</i>			
<i>Roehl v. State</i>			
<i>Tooley v. O'Connell</i>			
<i>Thompson v. Howe</i>			
<i>S & M Rotogravure Service, Inc. v. Baer</i>			
<i>Maryland Casualty Co. v. Department of Industry, Labor & Human Relations</i>			
<i>Buel v. La Crosse Transit Co.</i>			

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<i>Koehring Co. v. Glowacki</i>			
<i>Worthington v. Farmers Ins. Exchange</i>			
<i>Sinclair v. Department of Health & Social Services, Div. of Family Services</i>			
<i>Milwaukee Professional Firefighters v. Milwaukee Joint School Dist. v. Chilton</i>			
<i>Garrity v. Rural Mut. Ins. Co.</i>			
<i>Shelstad v. Cook</i>			
<i>Kosmatka v. Department of Natural Resources</i>			
<i>Krezinski v. Hay</i>			
<i>Tri-State Home Improv. Co. v. Mansavage</i>			
<i>State ex rel. Michalek v. Le Grand</i>			
<i>Peeples v. Sargent</i>			
<i>Hochgurtel v. San Filippo AND Biesiadny v. Henningfeld</i>			
<i>Accounting Data, Inc. v. McMurtrie</i>			
<i>Joint School Dist. v. Jefferson Education Asso.</i>			
<i>In re Mader's Store for Men, Inc.</i>			
<i>Sprecher v. Weston's Bar, Inc.</i>			
<i>Metropolitan Sewerage Dist. v. Chicago & N. W. R. Co.</i>			
<i>Schafer v. Wegner</i>			
<i>State v. Doe</i>			
<i>McKissick v. State</i>			
<i>Henning v. Waterford</i>			
<i>Harrison v. State</i>			
<i>Hitchcock v. Hitchcock</i>			
<i>Aero Auto Parts, Inc. v. State, Dep't of Transp., Div. of Highways</i>			
<i>Campbell v. La Crosse</i>			
<i>In re Estate of Barr</i>			
<i>Allen v. Allen</i>			
<i>Krauza v. Mauritz</i>			
<i>Karl v. Employers Ins. of Wausau</i>			
<i>Druml Co. v. New Berlin</i>			
<i>In re Estate of McWilliams</i>			
<i>Hunter v. McDonald</i>			
<i>Chapin v. State</i>			
<i>Harris v. State</i>			
<i>Family Hospital Nursing Home, Inc. v. Milwaukee</i>			
<i>Pleasure Time, Inc. v. Kuss</i>			
<i>Friends of the Earth v. Public Service Com.</i>			
<i>Nodell Inv. Corp. v. Glendale</i>			

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<i>Metropolitan Sewerage Com. v. R. W. Constr., Inc.</i>			
<i>Zimmermann v. Brennan</i>			
<i>State v. Pohlhammer</i>			
<i>In re Estate of Puchner</i>			
<i>Doheny v. Kohler</i>			
<i>Tadysak v. Foht</i>			
<i>Captain Soma Boat Line, Inc. v. Wisconsin Dells</i>			
<i>State ex rel. Korne v. Wolke</i>			
<i>State ex rel. Di Salvo v. County Court of Washington County, Branch II</i>			
<i>Chicago & Northwestern Transp. Co. v. Krohn Cartage Co.</i>			
<i>Gierach v. Snap-On Tools Corp.</i>			
<i>Spivey v. Great Atlantic & Pacific Tea Co.</i>			
<i>Handal v. American Farmers Mut. Casualty Co.</i>			
<i>Ryan v. State</i>			
<i>State ex rel. Althouse v. Madison</i>			
<i>Hopper v. Madison</i>			
<i>Estreen v. Bluhm</i>			
<i>Wisconsin's Environmental Decade, Inc. v. Public Service Com.</i>			
<i>In re Estate of Ganser</i>			
<i>Tisdale v. Hasslinger</i>			
<i>Williams v. State</i>			
<i>Onderdonk v. Lamb</i>			
<i>Tri City Shopping Center, Inc. v. Paulos</i>			
<i>Furrenes v. Ford Motor Co.</i>			
<i>Abdella v. Catlin</i>			
<i>In re Installation of Storm Sewers, Etc.</i>			
<i>Leimert v. McCann</i>			
<i>State v. Sabin</i>			
<i>Master Plumbers Ltd. Mut. Liability Co. v. Cormany & Bird, Inc.</i>			
<i>Scott v. Min-Aqua Bats Water Ski Club, Inc.</i>			
<i>County of Dane v. Dep't of Health & Soc. Servs.</i>			
<i>Voight v. Washington Island Ferry Line, Inc.</i>			
<i>James W. Thomas Constr. Co. v. Madison</i>			
<i>Hammes v. First Nat'l Bank & Trust Co.</i>			
<i>Weiss v. Milwaukee</i>			
<i>Hansher v. Kaishian</i>			
<i>Donley v. Boettcher</i>			

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<i>Wisconsin's Environmental Decade, Inc. v. Public Service Com.</i>			
<i>State v. Collova</i>			
<i>Lupovici v. Hunzinger Constr. Co.</i>			
<i>Hoven v. Kelble</i>			
<i>Shillcutt v. State</i> (7-0, <i>per curiam</i>)			
<i>American Orthodontics Corp. v. G & H Ins. Agency, Inc.</i> (7-0, <i>per curiam</i>)			
<i>In re Estate of Trojan</i> (7-0, <i>per curiam</i>)			
<i>Sundseth v. Roadmaster Body Corp.</i> (6-0)			
<i>Dahm v. Employers Mut. Liability Ins. Co.</i> (6-0)			
<i>Lehndorff Geneva, Inc. v. Warren</i> (6-0)			
<i>Jones v. Perkins</i> (6-0)			
<i>In re Estate of Alexander</i> (6-0)			
<i>House of Stainless, Inc. v. Marshall & Ilsley Bank</i> (6-0)			
<i>Roeske v. Diefenbach AND Rabbe v. State Farm Mutual Automobile Insurance Co.</i> (6-0)			
<i>Kelly v. State</i> (6-0)			
<i>Lakeside Plywood & Bldg. Materials, Inc. v. Aetna Casualty & Surety Co.</i> (6-0)			
<i>Naus v. Joint School Dist.</i> (6-0)			
<i>Ridders v. Ryan</i> (6-0)			
<i>State ex rel. Godfrey v. Gollmar</i> (6-0)			
<i>Balczewski v. Department of Industry, Labor & Human Relations</i> (6-0)			
<i>State (Dep't of Admin.) v. Department of Industry, Labor & Human Relations</i> (6-0)			
<i>Cutler Cranberry Co. v. Oakdale Electric Cooperative</i> (6-0)			
<i>Attoe v. Madison Professional Policemen's Asso.</i> (6-0)			
<i>Falkner v. Northern States Power Co. AND Bauer v. Northern States Power Co.</i> (5-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1976-77 term. The first table includes all cases in which a justice voted (out of the total of 283 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
Abrahamson	261	276	94.6%
Day	270	275	98.2%
Heffernan	277	282	98.2%
Beilfuss	279	279	100%
C. Hansen	278	283	98.2%
Hanley	276	283	97.5%
R. Hansen	276	283	97.5%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Abrahamson	8	23	35%
Day	18	23	78%
Heffernan	18	23	78%
Beilfuss	21	21	100%
C. Hansen	18	23	78%
Hanley	16	23	70%
R. Hansen	16	23	70%

Opinions Authored

The first table indicates how many majority/lead 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. Cases with *per curiam* decisions do not figure in the first table (majority/lead opinions). However, one of these *per curiam* decisions (*Rudolph v. State*) included a dissent by Justice Day, which is counted in the second table.

Opinion Author	7-0 (or 6-0, 5-0)	6-1 (or 5-1)	5-2 (4-2)	4-3
Abrahamson	37	0	1	2
Day	36	1	1	0
Heffernan	36	1	0	1
Beilfuss	33	2	1	2
C. Hansen	37	2	2	1
Hanley	41	1	0	1
R. Hansen	37	2	0	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Abrahamson	4	13
Day	0	2
Heffernan	2	1
Beilfuss	0	0
C. Hansen	3	1
Hanley	0	2
R. Hansen	4	5

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. The table does not include *per curiam* decisions and cases that were submitted on briefs (119 cases altogether).

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Abrahamson	26	75
Day	25	104
Heffernan	22	63
Beilfuss	23	46
C. Hansen	23	39
Hanley	23	35
R. Hansen	22	43

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
Axley, Brynelson, Herrick & Gehl	2
Bieberstein, Cooper, Bruemmer, Gartzke & Hanson	2
Borgelt, Powell, Peterson & Frauen	3
Campbell, Brennan, Steil & Ryan	2
Cook & Franke	2
Dane County Corporation Counsel's Office	2
DeWitt, McAndrew & Porter	2
Everson, Whitney, Everson, Brehm & Pfankuch	2
Foley & Capwell	5
Foley & Lardner	7
Fulton, Menn & Nehs	2
Gibbs, Roper, Loots & Williams	2
Gimbel, Gimbel & Reilly	3
Goldberg, Previant & Uelmen	4
Johns, Flaherty & Gillette	2
Kaftan, Kaftan, Kaftan, Kuehne & Van Egeren	3
Kasdorf, Dall, Lewis & Swietlik	3
Kluwin, Dunphy, Hankin & McNulty	2
Kramer, Nelson, Azim and Kussmaul	2
La Follette, Sinykin, Anderson & Abrahamson	2
Lawton & Cates	3
Madison City Attorney's Office	3
Michael, Best & Friedrich	4
Milwaukee City Attorney's Office	8
Milwaukee County Corporation Counsel's Office	3
Milwaukee County District Attorney's Office	2
Milwaukee Legal Services	2
Perry & First	2
Post-conviction Defense Project	3
Public Service Commission	2
Quarles & Brady	5
Schoone, McManus & Hanson	3
Schroeder, Gedlen, Riester & Moerke	2
Shellow & Shellow	3

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State Attorney General's Office	82
State Public Defender's Office	38
Stroud, Stroud, Willink, Thompson & Howard	2
Thompson & Coates	2
Walther & Halling	2
Whyte & Hirschboeck	2
Wisconsin Education Association Council	2