

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1965-66

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Hallows, Heffernan, Beilfuss, Gordon	2	<i>Hanz Trucking v. Harris Brothers; State ex rel. Gaynon v. Krueger</i>
Wilkie, Heffernan, Fairchild, Currie	1	<i>J & N Corp. v. Green Bay Div. of Bldg. Inspection</i>
Wilkie, Heffernan, Beilfuss, Currie	1	<i>Merkley v. Schramm</i>
Wilkie, Fairchild, Currie, Gordon	1	<i>State v. Milwaukee Braves</i>
Wilkie, Hallows, Fairchild, Currie	1	<i>State v. Shoffner</i>

4-3 Membership in the Majority

Justice	Votes
Wilkie	4
Hallows	3
Heffernan	4
Beilfuss	3
Fairchild	3
Currie	4
Gordon	3

4-3 Majority Opinions Authored

	Opinions
Wilkie	2
Hallows	1
Heffernan	0
Beilfuss	1
Fairchild	2
Currie	0
Gordon	0
Total	6

Decisions by Vote Split¹

7-0 (or 6-0) 248/275 (91%)	6-1 (or 5-1) 11/275 (4%)	5-2 (or 4-2) 10/275 (4%)	4-3 6/275 (2%)
<i>Acme Equipment Corp. v. Montgomery Co-op. Creamery Ass'n</i>	<i>Chrislaw v. Clinton</i>	<i>Delaney v. Prudential Ins. Co.</i>	<i>Hanz Trucking, Inc. v. Harris Bros. Co.</i>
<i>Alston v. State</i>	<i>Howard v. Preston</i>	<i>Drabek v. Sabley</i>	<i>J & N Corp. v. Green Bay Div. of Bldg. Inspection</i>
<i>Anheuser Busch, Inc. v. Industrial Com.</i>	<i>Jordan v. Menomonee Falls</i>	<i>Druml Co. v. Capitol Machinery Sales & Service Co.</i>	<i>Merkley v. Schramm</i>
<i>Ausman v. Ausman</i>	<i>Ministers Life & Casualty Union v. Haase</i>	<i>Larson v. Larson</i>	<i>State ex rel. Gaynon v. Krueger</i>
<i>Bachhuber v. Rundhammer</i>	<i>P. C. Monday Tea Co. v. Milwaukee County Expressway Com.</i>	<i>Metcalf v. Consolidated Badger Cooperative</i>	<i>State v. Milwaukee Braves, Inc.</i>
<i>Banach v. Milwaukee</i>	<i>Rivera v. Wollin</i>	<i>Schrab v. State Highway Com.</i>	<i>State v. Shoffner</i>
<i>Bayside v. Berthiaume</i>	<i>Shaw v. Wuttke</i>	<i>State ex rel. Foster v. Uttech</i>	
<i>Beghin v. State Personnel Board</i>	<i>State ex rel. Reiss v. Board of Review</i>	<i>State v. Reynolds</i>	
<i>Behling v. Lohman</i>	<i>West Milwaukee v. West Allis</i>	<i>Zelof v. Capital City Transfer, Inc.</i>	
<i>Bellart v. Martell</i>	<i>Willenbring v. Borkenhagen</i>	<i>Conley v. Industrial Comm. (4-2)</i>	
<i>Bendorf v. Darlington</i>	<i>Volunteers of America, Inc. v. Industrial Com. (5-1)</i>		
<i>Bihlmire v. Hahn</i>			
<i>Bischoff v. First Wisconsin Trust Co.</i>			
<i>Boeck Constr. Equipment Corp. v. O'Brien</i>			
<i>Bosket v. State</i>			
<i>Bratt v. Peterson</i>			
<i>Brown v. State</i>			
<i>Buckley v. Park Bldg. Corp.</i>			
<i>Bunkfeldt v. County Mut. Ins. Co.</i>			
<i>Burlison v. Janssen</i>			
<i>Burner v. Wille</i>			
<i>Casey v. Industrial Com.</i>			
<i>Casimere v. Herman</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>Chevrolet Div., General Motors Corp. v. Industrial Com.</i>			
<i>Clark Oil & Refining Corp. v. Tomah</i>			
<i>Collier v. State</i>			
<i>Columbia Stamping & Mfg. Co. v. Reich</i>			
<i>Conrad Milwaukee Corp. v. Wasilewski</i>			
<i>Cook v. Industrial Com.</i>			
<i>De Lap v. Institute of America, Inc.</i>			
<i>De Marco v. Braund</i>			
<i>De Toro v. Di-La-Ch, Inc.</i>			
<i>De Vougas v. State</i>			
<i>Doern v. Crawford</i>			
<i>Don Ganser & Associates, Inc. v. MHI, Inc.</i>			
<i>Drane v. State</i>			
<i>Drivers, Warehouse & Dairy Employees Union v. Wisconsin Employment Relations Board</i>			
<i>Dunwiddie v. Rock County</i>			
<i>E. M. Boerke, Inc. v. Williams</i>			
<i>Ertl v. Ertl</i>			
<i>Eskra v. State</i>			
<i>Fink v. Reitz</i>			
<i>Fischer v. Fischer</i>			
<i>Fontaine v. Milwaukee County Expressway Com.</i>			
<i>Foote v. Douglas County</i>			
<i>Ford Motor Credit Co. v. Amodt</i>			
<i>Forest Home Dodge, Inc. v. Karns</i>			
<i>Frinzi v. Hanson</i>			
<i>Frye v. Angst</i>			
<i>Gauthier v. State</i>			
<i>Gebhardt Bros., Inc. v. Brimmel</i>			
<i>Gelencser v. Industrial Com.</i>			
<i>Giese v. Karstedt</i>			
<i>Ginkowski v. Ginkowski</i>			
<i>Goetz v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Goodman v. Karns</i>			
<i>Gradinjan v. Boho</i>			
<i>Gray v. Wisconsin Tel. Co.</i>			
<i>Guilbeau v. State</i>			
<i>Harris v. State</i>			
<i>Hartwig v. Bitter</i>			
<i>Hastings Realty Corp. v. Texas Co.</i>			
<i>Hawkins v. State</i>			
<i>Heater v. Fireman's Fund Ins. Co.</i>			
<i>Heckendorf v. J. C. Penney Co.</i>			
<i>Hein v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Helmin v. Student Transp. Co.</i>			

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<i>Hilboldt v. Wisconsin Real Estate Brokers' Board</i>			
<i>Holschbach v. Holschbach</i>			
<i>Huber Glass Co. v. First Nat'l Bank</i>			
<i>Hughes v. State</i>			
<i>Huss v. Vande Hey</i>			
<i>Icke Constr. Co. v. Industrial Com.</i>			
<i>In re Elmwood Park</i>			
<i>In re Estate of Berry</i>			
<i>In re Estate of Helgert</i>			
<i>In re Estate of Jankewicz</i>			
<i>In re Estate of King</i>			
<i>In re Estate of Mayer</i>			
<i>In re Estate of Meehan</i>			
<i>In re Estate of Mory</i>			
<i>In re Estate of Radocay</i>			
<i>In re Estate of Raulf</i>			
<i>In re Estate of Rogers</i>			
<i>In re Estate of Scheibe</i>			
<i>In re Estate of Staniszewski</i>			
<i>In re Iron River Grade School Dist.</i>			
<i>In re Trust Created in Last Will & Testament of McDowell</i>			
<i>In re Will of Adler</i>			
<i>In re Will of Cooper</i>			
<i>Ivers & Pond Piano Co. v. Peckham</i>			
<i>Jackson v. State</i>			
<i>Jacobson v. Greyhound Corp.</i>			
<i>Kallenbach v. Lake Publications, Inc.</i>			
<i>Kamrowski v. State</i>			
<i>Kenosha County Court House, Afsame v. Kenosha County</i>			
<i>Ketterer v. Maerker</i>			
<i>King v. King</i>			
<i>Klotz v. Wathen</i>			
<i>Koczka v. Hardware Dealers Mut. Fire Ins. Co.</i>			
<i>Kohls v. Glassman</i>			
<i>Krueger v. Herman Mut. Ins. Co.</i>			
<i>Krueger v. Steffen</i>			
<i>Landt v. Wisconsin Dells</i>			
<i>Lane v. Collins</i>			
<i>Lathan v. Journal Co.</i>			
<i>Leszczynski v. Surges</i>			
<i>Lingott v. Bihlmire</i>			
<i>Lock v. State</i>			
<i>Lother v. Keller</i>			
<i>Luedtke v. Luedtke</i>			
<i>Luke v. Northwestern Nat'l Casualty Co.</i>			
<i>Lundquist v. Western Casualty & Surety Co.</i>			
<i>Lyf-Alum, Inc. v. C & M Aluminum Supply Corp.</i>			

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<i>Madison v. Walker</i>			
<i>Marion v. Orson's Camera Centers, Inc.</i>			
<i>Massey v. State</i>			
<i>Mayer v. Grueber</i>			
<i>McCluskey v. Thranow</i>			
<i>McLaughlin v. Chicago, M. S. P. & P. R. Co.</i>			
<i>McManus v. Hinney</i>			
<i>McPhillips v. Blomgren</i>			
<i>McWhorter v. Employers Mut. Casualty Co.</i>			
<i>Medlock v. Schmidt</i>			
<i>Meihost v. Meihost</i>			
<i>Miller v. Wadkins</i>			
<i>Milwaukee & Suburban Transport Corp. v. Royal Transit Co.</i>			
<i>Milwaukee v. Hoffmann</i>			
<i>Milwaukee v. Horvath</i>			
<i>Milwaukee v. Leavitt</i>			
<i>Milwaukee, County of v. Caldwell</i>			
<i>Mlynarski v. St. Rita's Congregation</i>			
<i>Moldenhauer v. Faschingbauer</i>			
<i>Moore v. Suburban Mobile, Inc.</i>			
<i>Mount Pleasant, etc. v. Racine, etc.</i>			
<i>Mueller v. Luther</i>			
<i>Neenah v. Alsteen</i>			
<i>Nelson v. Ohio Casualty Ins. Co.</i>			
<i>Neuenfeldt v. State</i>			
<i>Neumann v. Industrial Sound Engineering, Inc.</i>			
<i>Newmister v. Carmichael</i>			
<i>Niesen v. State</i>			
<i>North Gate Corp. v. National Food Stores, Inc.</i>			
<i>Novak v. Delavan</i>			
<i>Novo Industrial Corp. v. Nissen</i>			
<i>Ocampo v. Racine</i>			
<i>O'Connor Oil Corp. v. Warber</i>			
<i>O'Connor v. State</i>			
<i>Oosterwyk v. County of Milwaukee</i>			
<i>Parchem v. St. Cecilia's Congregation</i>			
<i>Parent v. State</i>			
<i>Pavalon v. Fishman</i>			
<i>Pederson v. First Nat'l Bank</i>			
<i>Pelikan v. Russell</i>			
<i>Peppas v. Milwaukee</i>			
<i>Perkins v. Worzala</i>			
<i>Perry Creek Cranberry Corp. v. Hopkins Agricultural Chemical Co.</i>			
<i>Peterson v. Warren</i>			
<i>Phillips v. State</i>			

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<i>Pillsbury v. State</i>			
<i>Polanski v. Eagle Point</i>			
<i>Radandt v. Radandt</i>			
<i>Rafferty v. State</i>			
<i>Reimers v. State</i>			
<i>Reith v. Wynhoff</i>			
<i>Rice v. Gruetzmacher</i>			
<i>Risdon, Inc. v. Miller Distributing Co.</i>			
<i>Schaefer v. Hayes</i>			
<i>Schmit v. Sekach</i>			
<i>Schmude v. Hansen</i>			
<i>Schumann v. Samuels</i>			
<i>Security Nat'l Bank v. Cohen</i>			
<i>Sheaffer v. Industrial Com.</i>			
<i>Shurpit v. Brah</i>			
<i>Sinden v. Laabs</i>			
<i>Skalecki v. Frederick</i>			
<i>Skyline Constr., Inc. v. Sentry Realty, Inc.</i>			
<i>Smazal v. State</i>			
<i>Sorge Ice Cream & Dairy Co. v. Wahlgren</i>			
<i>Southard v. Occidental Life Ins. Co.</i>			
<i>Spellman v. Ruhde</i>			
<i>Stack Constr. Co. v. Chenenoff</i>			
<i>State ex rel. Baker v. County Court of Rock County, Branch I</i>			
<i>State ex rel. Casper v. Board of Trustees</i>			
<i>State ex rel. Copas v. Burke</i>			
<i>State ex rel. Harvey v. Morgan</i>			
<i>State ex rel. La Follette v. Moser</i>			
<i>State ex rel. La Follette v. Raskin</i>			
<i>State ex rel. Skibinski v. Tadych</i>			
<i>State ex rel. Stollberg v. Crittenden</i>			
<i>State ex rel. White v. Simpson</i>			
<i>State ex rel. Wisconsin Registration Board of Architects & Professional Engineers v. T. V. Engineers</i>			
<i>State ex rel. Youmans v. Owens</i>			
<i>State v. Burnett</i>			
<i>State v. Camara</i>			
<i>State v. Cohen</i>			
<i>State v. Dekeyser</i>			
<i>State v. Dodd</i>			
<i>State v. Kanieski</i>			
<i>State v. Kanzelberger</i>			
<i>State v. Kopacka</i>			
<i>State v. Ludwig</i>			
<i>State v. Sorenson</i>			
<i>State v. Thompson</i>			
<i>State v. Van Beek</i>			
<i>State v. Woodington</i>			
<i>Stowe v. Stowe</i>			
<i>Strudell Asphalt, Inc. v. Bernstein</i>			

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<i>Szafranski v. Radetzky</i>			
<i>Telemark Co. v. Wisconsin Dep't of Taxation</i>			
<i>Thompson v. Dairyland Mut. Ins. Co.</i>			
<i>Tom Welch Accounting Service v. Walby</i>			
<i>Volbrecht v. State Highway Com.</i>			
<i>Walder v. Allen</i>			
<i>Weed v. Lepianka</i>			
<i>Weeden v. Beloit</i>			
<i>Wegerer v. Koehler</i>			
<i>Welch v. Fiber Glass Engineering, Inc.</i>			
<i>Wendland v. Wendland</i>			
<i>Werkowski v. Waterford Homes, Inc.</i>			
<i>Wesolowski v. Wesolowski</i>			
<i>West Milwaukee v. Klix</i>			
<i>Wiegand v. Gissal</i>			
<i>Williamson v. State</i>			
<i>Winnebago Homes, Inc. v. Sheldon</i>			
<i>Wisconsin Employment Relations Board v. Mews</i>			
<i>Wurtzler v. Miller</i>			
<i>Zartner v. Scopp</i>			
<i>Zinda v. Pavloski</i>			
<i>Zweifel v. Milwaukee Auto Mut. Ins. Co.</i>			
<i>State v. Randolph (per curiam, 7-0)</i>			
<i>Auto Acceptance & Loan Corp. v. Taus (6-0)</i>			
<i>Bade v. Badger Mut. Ins. Co. (6-0)</i>			
<i>Bass v. State (6-0)</i>			
<i>Harker v. Paul Revere Life Ins. Co. (6-0)</i>			
<i>In re Bossell, Van Vechten & Chapman (6-0)</i>			
<i>In re Bossell, Van Vechten & Chapman (6-0)</i>			
<i>In re Estate of Wettig (6-0)</i>			
<i>Interstate Finance Corp. v. Wisconsin Dep't of Taxation (6-0)</i>			
<i>Johnston v. Sheboygan (6-0)</i>			
<i>Lee v. Wisconsin State Board of Dental Examiners (6-0)</i>			
<i>Loeb v. Board of Regents (6-0)</i>			
<i>Mitchell v. Western Casualty & Surety Co. (6-0)</i>			
<i>Olson v. Rothwell (6-0)</i>			
<i>Purtell v. Tehan (6-0)</i>			
<i>Ranous v. Hughes (6-0)</i>			
<i>State ex rel. Roth v. Ryan (6-0)</i>			
<i>Sulkowski v. Schaefer (6-0)</i>			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1965-66 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	262	265	99%
Hallows	262	272	96%
Heffernan	269	273	99%
Beilfuss	266	274	97%
Fairchild	270	275	98%
Currie	265	274	97%
Gordon	263	273	96%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wilkie	22	25	88%
Hallows	17	27	63%
Heffernan	23	27	85%
Beilfuss	19	27	70%
Fairchild	22	27	81%
Currie	18	27	67%
Gordon	17	27	63%

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 (or 5-1)	5-2 (or 4-2)	4-3
Wilkie	37	1	4	2
Hallows	36	3	3	1
Heffernan	39	0	0	0
Beilfuss	37	1	2	1
Fairchild	22	4	1	2
Currie	37	2	0	0
Gordon	39	0	0	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Wilkie	2	1
Hallows	1	9
Heffernan	0	2
Beilfuss	1	6
Fairchild	0	2
Currie	5	5
Gordon	2	7

² The unanimous *per curiam* decision (*State v. Randolph*) does not figure in this table. When two or more justices co-authored a separate opinion, I credited each of them.

Agreement Among Pairs of Justices

The following tables show the percentage of decisions in which every possible pair of justices found themselves on the same side—either both in the majority or both dissenting. The first table covers all 275 decisions; the second table narrows its focus to decisions that were not unanimous. When reading the *second* table, for instance, one finds that Justices Wilkie and Heffernan voted together in 72% of the decisions, while the figure for Justices Hallows and Currie was 30%.

Agreement Between Pairs of Justices—All Decisions

	Hallows	Heffernan	Beilfuss	Fairchild	Currie	Gordon
Wilkie	249/262=95%	256/263=97%	253/264=96%	262/265=99%	259/264=98%	251/263=95%
	Hallows	260/270=96%	257/271=95%	259/272=95%	252/271=93%	254/270=94%
		Heffernan	266/272=98%	264/273=97%	259/272=95%	259/271=96%
			Beilfuss	261/274=95%	258/273=95%	262/272=96%
				Fairchild	266/274=97%	260/273=95%
					Currie	259/272=95%
						Gordon

Agreement Between Pairs of Justices—Non-Unanimous Decisions

	Hallows	Heffernan	Beilfuss	Fairchild	Currie	Gordon
Wilkie	12/25=48%	18/25=72%	14/25=56%	22/25=88%	20/25=80%	13/25=52%
	Hallows	17/27=63%	13/27=48%	14/27=52%	8/27=30%	11/27=41%
		Heffernan	21/27=78%	18/27=67%	14/27=52%	15/27=56%
			Beilfuss	14/27=52%	12/27=44%	17/27=63%
				Fairchild	19/27=70%	14/27=52%
					Currie	14/27=52%
						Gordon

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	44	28
Hallows	42	30
Heffernan	38	29
Beilfuss	41	31
Fairchild	29	41
Currie	39	29
Gordon	39	28