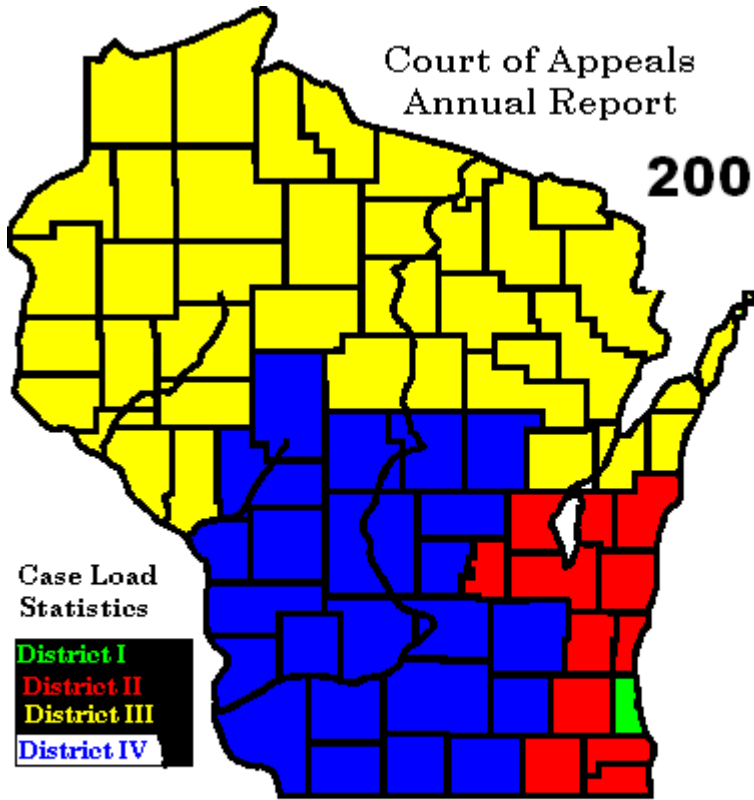


Court of Appeals  
Annual Report

**2005**



Case Load  
Statistics

- District I
- District II
- District III
- District IV

## 2005 COURT OF APPEALS - CASE LOAD STATISTICS

| District                  | <u>I</u>   | <u>II</u>  | <u>III</u> | <u>IV</u>  | <u>Total</u> |
|---------------------------|------------|------------|------------|------------|--------------|
| <u>Filings</u>            | <u>906</u> | <u>768</u> | <u>628</u> | <u>754</u> | <u>3056</u>  |
| Civil                     | 436        | 442        | 354        | 478        | 1710         |
| Criminal                  | 470        | 326        | 274        | 276        | 1346         |
| Adjusted Caseload*        | -134       | +23        | -16        | +127       |              |
| Three-Judge               | 768        | 586        | 516        | 598        | 2468         |
| One-Judge                 | 138        | 182        | 112        | 156        | 588          |
| Average filings per judge | 227        | 192        | 209        | 151        | 191          |
| *Adjusted average/judge   | 193        | 198        | 204        | 175        | 191          |
| No Merits                 | 242        | 135        | 133        | 126        | 636          |
| <u>Writs</u>              | <u>56</u>  | <u>42</u>  | <u>19</u>  | <u>44</u>  | <u>161</u>   |
| Granted                   | 8          | 5          | 0          | 4          | 17           |
| <u>Leaves to Appeal</u>   | <u>50</u>  | <u>58</u>  | <u>45</u>  | <u>53</u>  | <u>206</u>   |
| Granted                   | 8          | 7          | 4          | 4          | 23           |
| Matter of Right           | 558        | 533        | 431        | 531        | 2053         |

\*Numbers reflect cases gained or lost due to workload transfer, panel disqualification and no merit transfers. These figures do not reflect consolidation.

|                          |              |            |            |            |             |
|--------------------------|--------------|------------|------------|------------|-------------|
| <u>Submission</u>        | <u>401**</u> | <u>292</u> | <u>255</u> | <u>372</u> | <u>1320</u> |
| Civil                    | 166          | 173        | 173        | 250        | 762         |
| Criminal                 | 235          | 119        | 82         | 122        | 558         |
| Cases on Briefs          | 385          | 279        | 252        | 364        | 1280        |
| Civil                    | 154          | 165        | 171        | 244        | 734         |
| Criminal                 | 231          | 114        | 81         | 120        | 546         |
| Percentage on briefs     | 96%          | 96%        | 99%        | 98%        | 97%         |
| Oral Arguments           | 16           | 13         | 3          | 8          | 40          |
| Civil                    | 12           | 8          | 2          | 6          | 28          |
| Criminal                 | 4            | 5          | 1          | 2          | 12          |
| Percentage Orally Argued | 4%           | 4%         | 1%         | 2%         | 3%          |

District I's January 2006 decision conference occurred on December 27, 2005 (28 cases)

|                                |     |     |     |     |      |
|--------------------------------|-----|-----|-----|-----|------|
| Total Terminations             | 847 | 772 | 638 | 984 | 3241 |
| Average terminations per judge | 212 | 193 | 213 | 197 | 203  |

|                 |                 |                  |                   |                  |                     |
|-----------------|-----------------|------------------|-------------------|------------------|---------------------|
| <b>District</b> | <b><u>I</u></b> | <b><u>II</u></b> | <b><u>III</u></b> | <b><u>IV</u></b> | <b><u>Total</u></b> |
|-----------------|-----------------|------------------|-------------------|------------------|---------------------|

**Percentages of Total Terminations:**

|                            |            |            |            |            |            |
|----------------------------|------------|------------|------------|------------|------------|
| <b>Opinion</b>             | <b>40%</b> | <b>34%</b> | <b>37%</b> | <b>34%</b> | <b>36%</b> |
| <b>Summary Disposition</b> | <b>26%</b> | <b>32%</b> | <b>33%</b> | <b>32%</b> | <b>31%</b> |
| <b>Memo Opinion</b>        | <b>24%</b> | <b>27%</b> | <b>23%</b> | <b>26%</b> | <b>25%</b> |
| <b>Other</b>               | <b>10%</b> | <b>7%</b>  | <b>6%</b>  | <b>8%</b>  | <b>8%</b>  |

**Percentages of Civil/Criminal Affirmances:**

|                             |            |            |            |            |            |
|-----------------------------|------------|------------|------------|------------|------------|
| <b>Civil: % Affirmed</b>    | <b>78%</b> | <b>83%</b> | <b>72%</b> | <b>69%</b> | <b>75%</b> |
| <b>Criminal: % Affirmed</b> | <b>90%</b> | <b>90%</b> | <b>84%</b> | <b>86%</b> | <b>88%</b> |

**Average Days to Opinion:**

|                                    |            |            |            |            |            |
|------------------------------------|------------|------------|------------|------------|------------|
| <b>Notice of Appeal to Opinion</b> | <b>229</b> | <b>200</b> | <b>175</b> | <b>237</b> | <b>243</b> |
| <b>Three-Judge Opinions</b>        | <b>368</b> | <b>349</b> | <b>292</b> | <b>454</b> | <b>374</b> |
| <b>One-Judge Opinions</b>          | <b>162</b> | <b>192</b> | <b>163</b> | <b>209</b> | <b>182</b> |
| <b>Per Curiam Opinions</b>         | <b>444</b> | <b>405</b> | <b>287</b> | <b>374</b> | <b>374</b> |
| <b>Summary Dispositions</b>        | <b>317</b> | <b>254</b> | <b>206</b> | <b>295</b> | <b>271</b> |
| <b>without No Merits</b>           | <b>427</b> | <b>234</b> | <b>184</b> | <b>222</b> | <b>233</b> |
| <b>No Merit SMDs</b>               | <b>274</b> | <b>208</b> | <b>164</b> | <b>272</b> | <b>236</b> |
| <b>Memo Opinions</b>               | <b>100</b> | <b>87</b>  | <b>105</b> | <b>110</b> | <b>101</b> |
| <b>Orders*</b>                     | <b>50</b>  | <b>39</b>  | <b>25</b>  | <b>17</b>  | <b>40</b>  |
| <b>Fast Tracks</b>                 | <b>NA</b>  | <b>157</b> | <b>182</b> | <b>156</b> | <b>166</b> |

\*Does not include voluntary dismissals.

**Terminations by Opinion:**

|                           |                   |                   |                   |                   |                    |
|---------------------------|-------------------|-------------------|-------------------|-------------------|--------------------|
| <b><u>Opinions</u></b>    | <b><u>335</u></b> | <b><u>263</u></b> | <b><u>239</u></b> | <b><u>339</u></b> | <b><u>1176</u></b> |
| Civil                     | 163               | 155               | 152               | 244               | 714                |
| Percentage                | 49%               | 59%               | 64%               | 72%               | 61%                |
| Criminal                  | 172               | 108               | 87                | 95                | 462                |
| Percentage                | 51%               | 41%               | 36%               | 28%               | 39%                |
| <b>%s of Disposition:</b> |                   |                   |                   |                   |                    |
| Affirmed                  | 82%               | 82%               | 70%               | 71%               | 76%                |
| Reversed                  | 11%               | 14%               | 23%               | 17%               | 16%                |
| Other                     | 7%                | 5%                | 7%                | 12%               | 8%                 |
| <b>Per Curiams</b>        | <b>92</b>         | <b>102</b>        | <b>111</b>        | <b>144</b>        | <b>449</b>         |
| <b>Signed Opinions</b>    | <b>243</b>        | <b>161</b>        | <b>128</b>        | <b>195</b>        | <b>727</b>         |
| <b>1-Judge Opinions*</b>  | <b>81</b>         | <b>70</b>         | <b>53</b>         | <b>79</b>         | <b>283</b>         |
| <b>3-Judge Opinions</b>   | <b>162</b>        | <b>91</b>         | <b>75</b>         | <b>116</b>        | <b>444</b>         |

**Publication Data:**

|                             |            |            |            |            |             |
|-----------------------------|------------|------------|------------|------------|-------------|
| <b>All Opinions*</b>        | <b>290</b> | <b>255</b> | <b>215</b> | <b>297</b> | <b>1057</b> |
| <b>Percentage Published</b> | <b>21%</b> | <b>27%</b> | <b>19%</b> | <b>20%</b> | <b>22%</b>  |
| <b>Considered**</b>         | <b>156</b> | <b>86</b>  | <b>67</b>  | <b>99</b>  | <b>408</b>  |
| <b>Published</b>            | <b>61</b>  | <b>68</b>  | <b>41</b>  | <b>58</b>  | <b>228</b>  |
| <b>Percentage</b>           | <b>39%</b> | <b>79%</b> | <b>61%</b> | <b>59%</b> | <b>56%</b>  |

\* This figure reflects Dec 2004 and YTD Nov 2005 three-judge, one-judge and per curiam opinions.

\*\* Three-judge opinions only; deferrals are counted only when decided.

**Termination by Other Means (Orders):**

|                                    |                   |                   |                   |                   |                   |
|------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| <b><u>Summary Dispositions</u></b> | <b><u>222</u></b> | <b><u>244</u></b> | <b><u>213</u></b> | <b><u>317</u></b> | <b><u>996</u></b> |
| Affirmance                         | 17                | 100               | 69                | 131               | 317               |
| Reversals                          | 3                 | 8                 | 4                 | 6                 | 24                |
| No Merits                          | 193               | 135               | 133               | 176               | 637               |
| Other                              | 9                 | 1                 | 4                 | 4                 | 18                |
| <b><u>Memo Opinions</u></b>        | <b><u>207</u></b> | <b><u>211</u></b> | <b><u>146</u></b> | <b><u>254</u></b> | <b><u>818</u></b> |
| Jurisdiction                       | 29                | 29                | 14                | 24                | 96                |
| Other                              | 97                | 106               | 82                | 153               | 438               |
| Writs Denied, etc.                 | 43                | 20                | 17                | 34                | 114               |
| Writs Granted                      | 8                 | 5                 | 0                 | 3                 | 16                |
| Leaves Denied, etc.                | 30                | 51                | 33                | 40                | 154               |
| <b><u>Other</u></b>                | <b><u>83</u></b>  | <b><u>54</u></b>  | <b><u>40</u></b>  | <b><u>74</u></b>  | <b><u>251</u></b> |
| Voluntary Dismissals               | 45                | 34                | 27                | 67                | 173               |
| Stipulations                       | 4                 | 2                 | 0                 | 0                 | 6                 |
| Other                              | 34                | 18                | 13                | 7                 | 72                |

**Motions (not including Leaves to Appeal and Writs Terminated):**

|                   |      |      |      |      |       |
|-------------------|------|------|------|------|-------|
| Motions           | 3367 | 2487 | 1930 | 2839 | 10623 |
| Writs Terminated  | 51   | 25   | 17   | 37   | 130   |
| Writs Granted     | 8    | 5    | 0    | 3    | 16    |
| Leaves Terminated | 47   | 62   | 45   | 50   | 204   |

**Pending Cases:**

|          |     |     |     |     |      |
|----------|-----|-----|-----|-----|------|
| 12-31-05 | 714 | 442 | 363 | 474 | 1993 |
| 12-31-04 | 782 | 423 | 369 | 556 | 2130 |

