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### Statistical Survey

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# The Work of the Louisiana Supreme Court for the 1959-1960 Term

## Statistical Survey

George W. Pugh\* and Jean H. Pugh\*\*

The statistical tables which follow represent a study of the business of the Louisiana Supreme Court during the last term (October 1959 through September 1960). During this period, two events of historic significance to Louisiana judicial administration occurred: (1) the 1958 constitutional amendments<sup>1</sup> providing for extensive appellate reorganization went into effect on July 1, 1960, and (2) by Act 15 of 1960, the Louisiana legislature adopted the Louisiana Code of Civil Procedure (effective January 1, 1961). The impact of these events will long be felt. Henceforth, the Louisiana Supreme Court will be essentially a "writ court." It will thus be able by and large to regulate its own docket, and to select for review only those cases truly deserving of consideration by the state's highest court.

The salutary effects of the new system should become apparent almost immediately, for as a result of a 1960 constitutional amendment,<sup>2</sup> many of the cases constituting the backlog which had accumulated in the Supreme Court under the old system were transferred to the intermediate courts of appeal. In thus diffusing the backlog among the four courts of appeal, much more rapid disposition of these cases can be made. The 1959-1960 term is the last of the former era, and it and its predecessors will afford interesting comparisons with the work of future years. It has been thought advisable, therefore, in this discussion to treat not only the past term, but the past eight terms.<sup>3</sup>

During the past term, there were decreases in all areas of judicial business.<sup>4</sup> By far the largest decrease (71%) occurred with respect to written opinions on rehearing (a numerical drop

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1. LA. CONSR. art. VII, §§ 10, 19, 20-24, 26, 28-30, 36, 81, and 91, as amended on November 4, 1958, pursuant to La. Acts 1958, No. 561.

2. *Id.* § 30, as amended on November 8, 1960, pursuant to La. Acts 1960, No. 593.

3. Although statistical studies are available for many of the prior years, the data was not collected for the 1949-1950, 1950-1951, and 1951-1952 terms.

4. See Table I, *infra*.

from 17 to 5). This is probably attributable, at least in part, to the fact that an abnormally low number of rehearings had been granted during the preceding term.<sup>5</sup> Decreases in the other areas of judicial business range from 7% (applications for rehearings disposed of) to 13% (cases disposed of with written opinions). For a summary of the three major categories comprising the grand total of matters handled, see the following chart.

CHART 1  
Volume of Judicial Business

|  | Number  |         | Percent<br>Change |
|--|---------|---------|-------------------|
|  | 1958-59 | 1959-60 |                   |
| Cases disposed of with written opinions..... | 231     | 201     | -12.99%           |
| Applications for writs considered.....       | 295     | 271     | -8.14%            |
| Applications for rehearings disposed of..... | 103     | 96      | -6.80%            |
| Grand total of matters handled.....          | 629     | 568     | -9.70%            |

It is to be expected that under the new system there will be a substantial increase in the number of writ applications, and probably a further decrease in the number of cases disposed of with written opinions, reflecting the greater selectivity made possible by the new system, and the greater time and intensive study which, it is anticipated, will be devoted to the cases selected for review. This would result in the accentuation of the trend observable from the following chart.

CHART 2  
Volume of Judicial Business  
(By categories as percentage of whole)

| Supreme Court<br>Term                         | 1952-<br>1953 | 1953-<br>1954 | 1954-<br>1955 | 1955-<br>1956 | 1956-<br>1957 | 1957-<br>1958 | 1958-<br>1959 | 1959-<br>1960 |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Cases disposed<br>of with written<br>opinions | 48.5          | 42.1          | 41.0          | 41.9          | 39.2          | 36.6          | 36.7          | 35.4          |
| Applications for<br>writs considered          | 36.9          | 36.7          | 38.4          | 36.1          | 42.2          | 45.7          | 46.9          | 47.7          |
| Applications<br>for rehearings<br>disposed of | 14.6          | 21.2          | 20.6          | 22.0          | 18.6          | 17.7          | 16.4          | 16.9          |
|   | 100.0%        | 100.0%        | 100.0%        | 100.0%        | 100.0%        | 100.0%        | 100.0%        | 100.0%        |

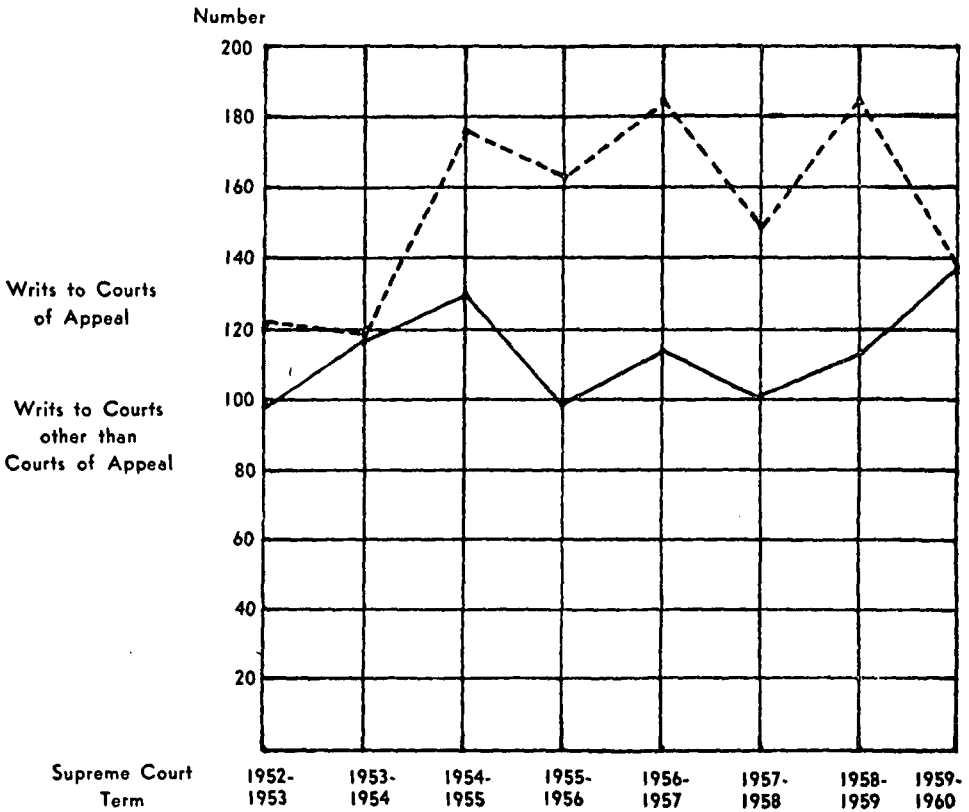
For the first time in the past six years, the number of applications for supervisory writs to courts other than the courts

5. See Chart 4, *infra*. It is interesting to note, however, that the court disposed of approximately the same number of applications for rehearing (a decrease of only 7%) as in the prior year.

of appeal almost equaled those to the courts of appeal, as shown by the following graph.<sup>6</sup>

GRAPH I

APPLICATIONS FOR WRITS FILED



During the past eight years, the percentage of writ applications granted has varied from 16% to 25% with respect to applications for writs to the courts of appeal, and from 13% to 26% for applications for writs to courts other than the courts of appeal. For each of the past four years, however, the percentage of writs granted in each category has been practically identical (with differences of only 0.1 to 1.1 percentage point).

6. For data for the 1959-1960 term, see Table VII, *infra*.

CHART 3  
Applications for Writs

| Supreme Court Term | Courts other than Courts of Appeal |                |                 | Courts of Appeal  |                |                 |
|--------------------|------------------------------------|----------------|-----------------|-------------------|----------------|-----------------|
|                    | Number considered                  | Number granted | Percent granted | Number considered | Number granted | Percent Granted |
| 1952-1953 .....    | 98                                 | 13             | 13.3            | 118               | 30             | 25.4            |
| 1953-1954 .....    | 115                                | 30             | 26.1            | 96                | 19             | 19.8            |
| 1954-1955 .....    | 117                                | 22             | 18.8            | 147               | 33             | 22.4            |
| 1955-1956 .....    | 96                                 | 22             | 22.9            | 161               | 26             | 16.1            |
| 1956-1957 .....    | 111                                | 21             | 18.9            | 177               | 33             | 18.6            |
| 1957-1958 .....    | 100                                | 20             | 20.0            | 148               | 28             | 18.9            |
| 1958-1959 .....    | 113                                | 25             | 22.1            | 182               | 40             | 22.0            |
| 1959-1960 .....    | 134                                | 21             | 15.7            | 137               | 23             | 16.8            |

The percentage of applications for rehearing which were granted showed a steady increase from 1952-1953 to 1957-1958. The 1958-1959 term showed a precipitous drop, but a marked increase occurred during the past term.<sup>7</sup>

CHART 4  
Applications for Rehearing

| Supreme Court Term | Number disposed of | Number granted | Percent granted |
|--------------------|--------------------|----------------|-----------------|
| 1952-1953 .....    | 87                 | 6              | 6.9             |
| 1953-1954 .....    | 124                | 9              | 7.3             |
| 1954-1955 .....    | 142                | 13             | 9.2             |
| 1955-1956 .....    | 157                | 16             | 10.2            |
| 1956-1957 .....    | 127                | 14             | 11.0            |
| 1957-1958 .....    | 96                 | 16             | 16.7            |
| 1958-1959 .....    | 103                | 8              | 7.8             |
| 1959-1960 .....    | 96                 | 13             | 13.5            |

Surveying the total number of cases disposed of with written opinions, several interesting observations may be made. As shown by the following chart, the percentages of decisions affirmed and reversed have fluctuated surprisingly little during the past eight terms.<sup>8</sup>

CHART 5  
Disposition of Reported Litigation  
(Cases disposed of with written opinions)

| Supreme Court Term | 1952-1953 | 1953-1954 | 1954-1955 | 1955-1956 | 1956-1957 | 1957-1958 | 1958-1959 | 1959-1960 |
|--------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Affirmed           | 48.6      | 47.2      | 51.8      | 39.8      | 42.3      | 44.7      | 42.9      | 37.3      |
| Reversed*          | 28.1      | 28.9      | 22.7      | 31.4      | 28.8      | 33.2      | 30.7      | 27.4      |
| Other disposition  | 23.3      | 23.9      | 25.5      | 28.8      | 28.9      | 22.1      | 26.4      | 35.3      |
|                    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    |

7. *Ibid.*

8. For data for the 1959-1960 term, see Table II, *infra*.

|                | Range<br>low-term | high-term       |
|----------------|-------------------|-----------------|
| Affirmed ..... | 37.3% — 1959-60   | 51.8% — 1954-55 |
| Reversed ..... | 22.7% — 1954-55   | 33.2% — 1957-58 |

\*Including cases reversed and rendered, and cases reversed and remanded.

Although for the past eight years, appeals from the district courts have constituted a substantial majority of the cases disposed of with written opinions, the percentage of the reported cases represented by this category has shown a general decline. As a result of the recent appellate reorganization, this general trend should be accentuated.<sup>9</sup>

CHART 6  
Jurisdictional Origin of Reported Cases  
(by categories as percentage of whole)

| Supreme Court Term                                      | 1952-1953 | 1953-1954 | 1954-1955 | 1955-1956 | 1956-1957 | 1957-1958 | 1958-1959 | 1959-1960 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Appeals from district courts                            | 84.4**    | 80.9      | 77.7      | 79.6      | 79.8      | 74.4      | 75.7      | 69.2*     |
| Writs of certiorari or review to Courts of Appeal       | 10.4      | 8.1       | 7.8       | 12.4      | 7.5*      | 9.6       | 9.1       | 14.4**    |
| Supervisory writs to lower courts                       | 2.4*      | 7.7       | 5.3       | 4.4       | 4.9       | 6.0       | 8.7       | 10.4**    |
| Other   | 2.8*      | 3.3       | 9.2       | 3.6       | 7.8       | 10.0**    | 6.5       | 6.0       |
|   | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    | 100.0%    |
| Total number of cases disposed of with written opinions | 288       | 246       | 282       | 299       | 267       | 199       | 231       | 201       |

\*Indicates the lowest percentage during this eight-term period.

\*\*Indicates the highest percentage during this eight-term period.

With respect to appeals from district courts disposed of with written opinions, it is interesting to observe the number of appeals originating in the most populous parishes over the eight-term span (1952-1953 to 1959-1960), and their relationship to the total number of appeals.<sup>10</sup> Although there has been a considerable decrease over the period in the total number, and somewhat of a decrease in the number originating in the parish of Orleans, the number originating in the parishes of Jefferson, Caddo, and East Baton Rouge has remained relatively constant.

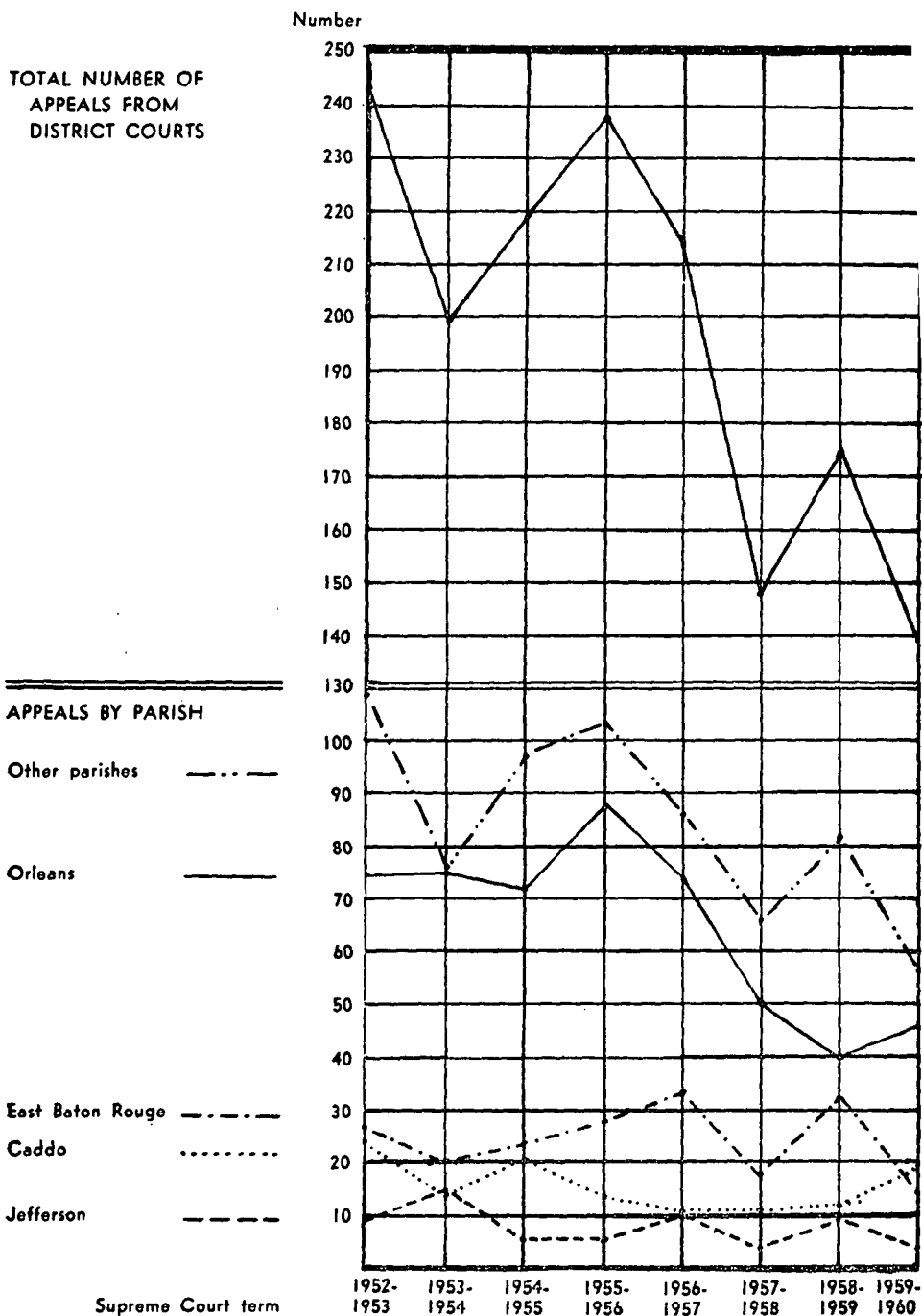
9. For data for the 1959-1960 term, see Table V, *infra*.

10. For data for the 1959-1960 term, see Table VI, *infra*.

## GRAPH 2

### APPEALS FROM DISTRICT COURTS

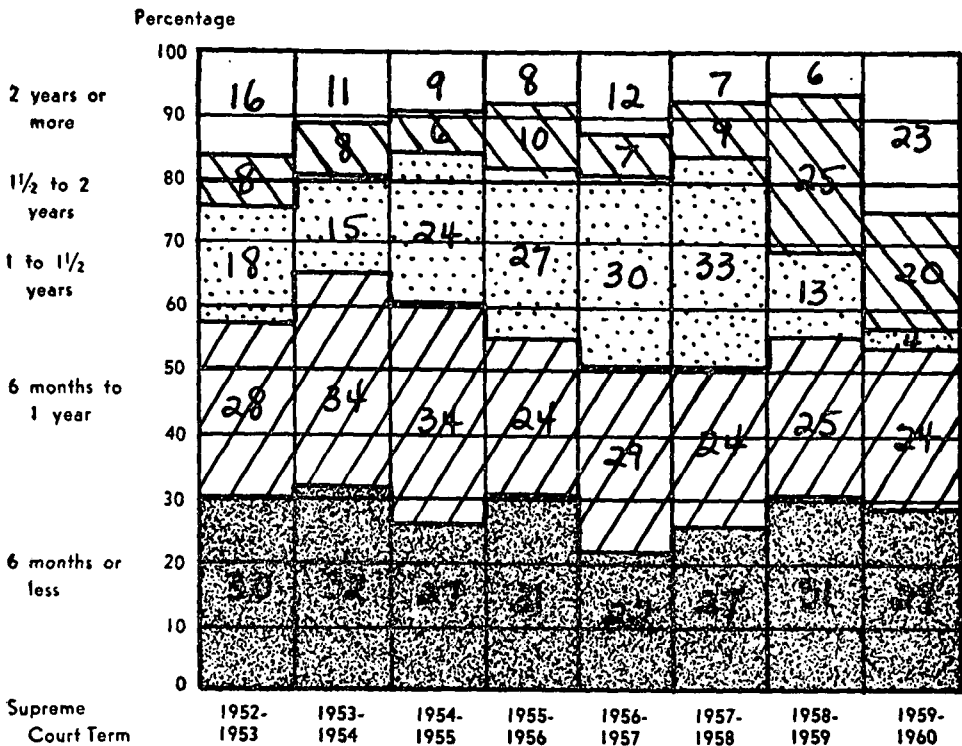
Geographical Origin of Appeals Disposed of with Written Opinions



During each of the past eight terms, as shown by the following chart, over 50% of the reported cases have been disposed of within a year of filing. For the last term, however, the percentage of such cases decreased to 53.2% from 56.3%, the figure for the prior term.<sup>11</sup> During the past two terms, there has been an increase in the percentage of reported cases decided more than a year and a half from filing — from 16% in 1957-1958 to 31% in 1958-1959, to 43% in 1959-1960. Under the new system it is to be expected that the overwhelming majority of cases docketed with the Supreme Court should be disposed of within six to nine months.

CHART 7

TIME ELAPSED BETWEEN DISPOSITION OF REPORTED CASES AND DATE OF FILING IN SUPREME COURT



A faculty symposium discussing individual decisions rendered

11. For data for the 1959-1960 term, see Table XI, *infra*.



by the Supreme Court of Louisiana during the 1959-1960 term follows the statistical tables below. Complete coverage of all cases decided during the term has neither been attempted nor considered desirable, but it is hoped that this survey of the most interesting and important cases will be of assistance to the reader.

TABLE I  
VOLUME OF JUDICIAL BUSINESS

|   | Number | No. of decrease from preceding year | Percent change |
|---|--------|-------------------------------------|----------------|
| Cases disposed of with written opinions.....          | 201    | -30                                 | -12.99         |
| Applications for writs filed.....                     | 274    | -22                                 | -7.43          |
| Applications for writs considered.....                | 271    | -24                                 | -8.14          |
| Applications for rehearings disposed of.....          | 96     | -7                                  | -6.80          |
| Rehearings with written opinions.....                 | 5      | -12                                 | -70.59         |
| Cases filed (excluding writ applications).....        | 254    | -23                                 | -8.30          |
| Total matters docketed.....                           | 528    | -45                                 | -7.85          |
| Total matters handled (excluding rehearings).....     | 472    | -54                                 | -10.27         |
| Grand total of matters handled (including rehearings) | 568    | -61                                 | -9.70          |

TABLE II  
DISPOSITION OF REPORTED LITIGATION

|  | Appeals from District Courts | Writs of Certiorari or Review to Courts of Appeal | Supervisory Writs to Lower Courts | Appeals from Municipal Courts | Appeals from Juvenile Courts | Appeals from Administrative Tribunals | Transferred from Courts of Appeal | Original Jurisdiction | Totals |
|--|------------------------------|---|-----------------------------------|-------------------------------|------------------------------|---------------------------------------|-----------------------------------|-----------------------|--------|
| Affirmed .....   | 58                           | 11  | 3                                 | 1                             |                              | 1                                     | 1                                 |                       | 75     |
| Amended and Affirmed.....                                | 12                           | 1   |                                   |                               |                              | 1                                     |                                   |                       | 14     |
| Affirmed in part,<br>Reversed in part,<br>Rendered ..... | 3                            | 4   |                                   |                               |                              |                                       |                                   |                       | 7      |
| Affirmed in part,<br>Reversed in part,<br>Remanded ..... | 2                            |   |                                   |                               |                              |                                       |                                   |                       | 2      |
| Reversed and rendered<br>in part, remanded.....          | 1                            |   | 1                                 |                               |                              |                                       |                                   |                       | 2      |
| Reversed and Rendered.....                               | 11                           | 10  | 6                                 |                               |                              |                                       |                                   |                       | 27     |
| Reversed and Remanded....                                | 21                           | 2   | 4                                 |                               | 1                            |                                       |                                   |                       | 28     |
| Transferred to Court<br>of Appeal .....                  | 13                           |   |                                   |                               |                              |                                       |                                   |                       | 13     |
| Motion to dismiss<br>appeal granted .....                | 4                            |   |                                   |                               |                              | 2                                     | 1                                 |                       | 7      |

TABLE II—(Continued)

|  |                |    |                |   |   |   |   |                |     |
|--|----------------|----|----------------|---|---|---|---|----------------|-----|
| Motion to dismiss<br>appeal denied .....         | 9              |    |                |   |   |   | 1 |                | 10  |
| Proceedings dismissed<br>on motion of Court..... | 2              | 1  | 3              |   |   |   |   |                | 6   |
| Miscellaneous .....                              | 3 <sup>1</sup> |    | 4 <sup>2</sup> |   |   |   |   | 3 <sup>3</sup> | 10  |
| Totals .....                                     | 139            | 29 | 21             | 1 | 1 | 4 | 3 | 3              | 201 |

<sup>1</sup>In two of these cases, suspensive appeals were dismissed, but cases were retained on devolutive appeal. In another, the court granted a motion to remand.

<sup>2</sup>These cases were disposed of as follows: (1) trial judge ordered to sign judgment and grant appeal if applied for; (2) judgment of district court affirmed and case remanded for further proceedings; (3) judge of district court ordered to grant suspensive appeal; (4) motion to recall writ of certiorari granted.

<sup>3</sup>These three cases were disposed of as follows: (1) alternative writs of habeas corpus made peremptory, and sheriff ordered to honor respites of Governor and delay execution of sentences; (2) Commissioner appointed to conduct hearing on question of petitioner's application for permission to take the Bar Examination; (3) attorney's license to practice law cancelled.

TABLE III

## DISPOSITION OF REPORTED CASES REVIEWED ON WRITS OF CERTIORARI OR REVIEW

|   | Orleans | First<br>Circuit | Second<br>Circuit | Totals |
|---|---------|------------------|-------------------|--------|
| Affirmed .....  | 7       | 4                |                   | 11     |
| Amended and Affirmed .....                            |         | 1                |                   | 1      |
| Affirmed in part, Reversed in part,<br>Rendered ..... |         | 1                | 3                 | 4      |
| Reversed and Rendered .....                           | 1       | 3                | 6                 | 10     |
| Reversed and Remanded .....                           |         |                  | 2                 | 2      |
| Proceedings dismissed on<br>motion of Court .....     | 1       |                  |                   | 1      |
| Totals .....  | 9       | 9                | 11                | 29     |

TABLE IV

## TOPICAL ANALYSIS OF REPORTED CASES

|  |    |
|--|----|
| Administrative Law .....                             | 10 |
| Agency .....   | 2  |
| Constitutional Law .....                             | 5  |
| Contracts and Obligations .....                      | 7  |
| Corporations .....                                   | 2  |
| Criminal Law and Procedure .....                     | 17 |
| Elections .....                                      | 2  |
| Evidence .....                                       | 1  |
| Expropriation .....                                  | 14 |
| Family Law .....                                     | 7  |
| Insurance .....                                      | 4  |
| Labor Law .....                                      | 1  |
| Lease .....  | 1  |
| Legal Profession .....                               | 2  |
| Mineral Rights .....                                 | 9  |
| Municipal Corporations .....                         | 5  |
| Negotiable Instruments .....                         | 1  |
| Practice and Procedure .....                         | 57 |
| Property .....                                       | 3  |
| Sales .....  | 9  |
| Security Devices .....                               | 3  |
| Successions, Donations, and Community Property ..... | 12 |
| Taxation .....                                       | 8  |

|                              |     |
|------------------------------|-----|
| Torts .....                  | 15  |
| Workmen's Compensation ..... | 4   |
| Total .....                  | 201 |

TABLE V  
JURISDICTIONAL ORIGIN OF REPORTED CASES

|  |     |
|--|-----|
| Appeals from District Courts.....                      | 139 |
| Writs of Certiorari or Review to Courts of Appeal..... | 29  |
| Supervisory Writs to Lower Courts.....                 | 21  |
| Appeals from Municipal Courts.....                     | 1   |
| Appeals from Juvenile Courts.....                      | 1   |
| Transferred from Courts of Appeal.....                 | 3   |
| Appeals from Administrative Tribunals.....             | 4   |
| Original Jurisdiction .....                            | 3   |
| Total .....  | 201 |

TABLE VI  
GEOGRAPHICAL ORIGIN OF APPEALS FROM DISTRICT COURTS IN REPORTED CASES

*A — By Parish*

|                        |    |                          |     |
|------------------------|----|--------------------------|-----|
| Acadia .....           | 4  | Orleans — Civil .....    | 40  |
| Ascension .....        | 1  | Orleans — Criminal ..... | 6   |
| Beauregard .....       | 2  | Ouachita .....           | 2   |
| Bienville .....        | 1  | Plaquemines .....        | 2   |
| Bossier .....          | 2  | Rapides .....            | 3   |
| Caddo .....            | 19 | Red River .....          | 1   |
| Calcasieu .....        | 2  | Sabine .....             | 1   |
| Claiborne .....        | 2  | St. Bernard .....        | 1   |
| DeSoto .....           | 2  | St. Charles .....        | 2   |
| East Baton Rouge ..... | 14 | St. James .....          | 3   |
| East Feliciana .....   | 3  | St. Landry .....         | 2   |
| Grant .....            | 1  | St. Tammany .....        | 2   |
| Iberia .....           | 1  | Tangipahoa .....         | 2   |
| Iberville .....        | 1  | Tensas .....             | 1   |
| Jefferson .....        | 3  | Vernon .....             | 2   |
| Lafayette .....        | 1  | Washington .....         | 1   |
| Lafourche .....        | 3  | West Carroll .....       | 1   |
| Lincoln .....          | 1  | West Feliciana .....     | 2   |
| Natchitoches .....     | 2  | Total .....              | 139 |

*B — By Judicial District*

|  |    |
|--|----|
| First District (Caddo) .....   | 19 |
| Second District (Bienville, Claiborne, Jackson) .....                  | 3  |
| Third District (Lincoln, Union) .....                                  | 1  |
| Fourth District (Morehouse, Ouachita) .....                            | 2  |
| Fifth District (West Carroll, Richland, Franklin) .....                | 1  |
| Sixth District (East Carroll, Madison, Tensas) .....                   | 1  |
| Eighth District (Grand, Winn) .....                                    | 1  |
| Ninth District (Rapides) .....   | 3  |
| Tenth District (Natchitoches, Red River) .....                         | 3  |
| Eleventh District (DeSoto, Sabine) .....                               | 3  |
| Fourteenth District (Cameron, Calcasieu) .....                         | 2  |
| Fifteenth District (Acadia, Lafayette, Vermilion) .....                | 5  |
| Sixteenth District (Iberia, St. Martin, St. Mary) .....                | 1  |
| Seventeenth District (Lafourche, Terrebonne) .....                     | 3  |
| Eighteenth District (Iberville, Pointe Coupee, West Baton Rouge) ..... | 1  |
| Nineteenth District (East Baton Rouge) .....                           | 14 |
| Twentieth District (East Feliciana, West Feliciana) .....              | 5  |

TABLE VI—(Continued)

|  |            |
|--|------------|
| Twenty-first District (Livingston, St. Helena, Tangipahoa) ..... | 2          |
| Twenty-second District (St. Tammany, Washington) .....           | 3          |
| Twenty-third District (Ascension, Assumption, St. James) .....   | 4          |
| Twenty-fourth District (Jefferson) .....                         | 3          |
| Twenty-fifth District (Plaquemines, St. Bernard) .....           | 3          |
| Twenty-sixth District (Bossier, Webster) .....                   | 2          |
| Twenty-seventh District (St. Landry) .....                       | 2          |
| Twenty-ninth District (St. Charles, St. John) .....              | 2          |
| Thirtieth District (Beauregard, Vernon) .....                    | 4          |
| Orleans — Civil District .....                                   | 40         |
| Orleans — Criminal District .....                                | 6          |
| <b>Total</b> .....   | <b>139</b> |

TABLE VII

## DISPOSITION OF APPLICATIONS FOR WRITS AND REHEARINGS FILED DURING TERM

|   | Granted   | Refused    | Pending  | With-<br>drawn | Not Con-<br>sidered | Totals     |
|---|-----------|------------|----------|----------------|---------------------|------------|
| Applications for Supervisory Writs<br>to Courts other than<br>Courts of Appeal..... | 21        | 113        |          | 1              | 1                   | 136        |
| Applications for Supervisory Writs<br>to Courts of Appeal.....                      | 23        | 114        | 1        |                |                     | 138        |
| Total Writs .....   | 44        | 227        | 1        | 1              | 1                   | 274        |
| Applications for Rehearing.....   | 13        | 83         | 1        |                |                     | 97         |
| <b>Totals</b> .....   | <b>57</b> | <b>310</b> | <b>2</b> | <b>1</b>       | <b>1</b>            | <b>371</b> |

TABLE VIII

## DISTRIBUTION OF WRITTEN OPINIONS OF REPORTED CASES

|  | Original<br>Opinion | Concurring with<br>Original Opinion | Opinion on<br>Rehearing | Concurring with<br>Opinion on<br>Rehearing | On Application<br>for Rehearing | On Motion for<br>Clarification | Totals     |
|--|---------------------|-------------------------------------|-------------------------|--|---------------------------------|--------------------------------|------------|
| Chief Justice Fournet .....              | 21                  | 3                                   | 1                       |  |                                 |                                | 25         |
| Assoc. Justice Ponder .....              | 2                   |                                     |                         |  |                                 |                                | 2          |
| Assoc. Justice Hamiter ....              | 29                  |                                     |                         |  |                                 |                                | 29         |
| Assoc. Justice Hawthorne ..              | 33                  | 1                                   |                         |  |                                 |                                | 34         |
| Assoc. Justice McCaleb ....              | 33                  | 5                                   | 1                       | 1  |                                 |                                | 40         |
| Assoc. Justice Simon .....               | 27                  | 1                                   | 1                       |  |                                 |                                | 29         |
| Assoc. Justice Hamlin .....              | 23                  | 1                                   | 2                       |  |                                 |                                | 26         |
| Assoc. Justice Viosca .....              | 28                  |                                     |                         |  |                                 |                                | 28         |
| Assoc. Justice ad hoc.<br>Gardiner ..... | 4                   |                                     |                         |  |                                 |                                | 4          |
| Per Curiam .....                         | 1                   |                                     |                         |  | 3                               | 1                              | 5          |
| <b>Totals</b> .....                      | <b>201</b>          | <b>11</b>                           | <b>5</b>                | <b>1</b>                                   | <b>3</b>                        | <b>1</b>                       | <b>222</b> |

TABLE IX  
DISSENTS IN REPORTED CASES

|                                    | Dissenting from Original Opinion |                               | Dissenting from Opinion on Re-hearing |                                  | Dissenting from Denial of Re-hearing |                         | Totals |
|------------------------------------|----------------------------------|-------------------------------|---------------------------------------|----------------------------------|--------------------------------------|-------------------------|--------|
|                                    | With written reasons             | In part, with written reasons | Without written reasons               | In part, without written reasons | With written reasons                 | Without written reasons |        |
| Chief Justice Fournet .....        | 2                                |                               | 1                                     |                                  |                                      |                         | 2      |
| Assoc. Justice Ponder .....        |                                  |                               |                                       |                                  |                                      |                         | 1      |
| Assoc. Justice Hamiter .....       | 1                                | 3                             | 2                                     |                                  | 2                                    |                         | 10     |
| Assoc. Justice Hawthorne .....     | 1                                |                               | 2                                     |                                  | 2                                    | 1                       | 8      |
| Assoc. Justice McCaleb .....       | 5                                | 1                             |                                       |                                  | 1                                    |                         | 8      |
| Assoc. Justice Simon .....         | 1                                |                               | 3                                     |                                  |                                      | 1                       | 4      |
| Assoc. Justice Hamlin .....        | 3                                |                               |                                       |                                  | 1                                    |                         | 4      |
| Assoc. Justice Viosca .....        |                                  |                               |                                       |                                  |                                      |                         | 0      |
| Assoc. Justice ad hoc. Gardiner .. |                                  |                               |                                       |                                  |                                      |                         | 0      |
| Totals .....                       | 13                               | 4                             | 8                                     | 0                                | 4                                    | 2                       | 37     |

TABLE X  
CASES REPORTED IN 1959-1960 WITH REFERENCE TO DATE FILED

| Year Filed      | Disposed of in 1959-1960 Term |
|-----------------|-------------------------------|
| 1959-1960 ..... | 40                            |
| 1958-1959 ..... | 70                            |
| 1957-1958 ..... | 73                            |
| 1956-1957 ..... | 8                             |
| 1955-1956 ..... | 3                             |
| 1954-1955 ..... | 5                             |
| 1953-1954 ..... | 2                             |
| Total .....     | 201                           |

TABLE XI  
TIME ELAPSED BETWEEN DISPOSITION OF 1959-1960 REPORTED CASES AND DATE OF FILING IN SUPREME COURT

| Time elapsed divided into periods of six months | Number of Cases | Percentage          |
|---|-----------------|---------------------|
| 6 months or less .....                          | 59              | 29.35               |
| 6 months to one year .....                      | 48              | 23.88               |
| 1 to 1½ years .....                             | 8               | 3.98                |
| 1½ to 2 years .....                             | 39              | 19.40               |
| 2 to 2½ years .....                             | 29              | 14.43               |
| 2½ to 3 years .....                             | 6               | 2.98                |
| 3 to 3½ years .....                             | 4               | 1.99                |
| 3½ to 4 years .....                             | 1               | .50                 |
| 4 to 4½ years .....                             | 1               | .50                 |
| 4½ to 5 years .....                             | 2               | 1.00                |
| 5 to 5½ years .....                             | 2               | 1.00                |
| 5½ to 6 years .....                             | 2               | 1.00                |
| Totals .....                                    | 201             | 100.01 <sup>1</sup> |

<sup>1</sup>Percentages do not total exactly 100.00 because of rounding.