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Statistical Data Regarding State Courts

The National Center for State Courts

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STATISTICAL DATA REGARDING STATE COURTS

The National Center for State Courts

Editor's note: Like the statement from the American Academy of Appellate Lawyers and the federal-court statistics that precede them in this issue, the state-court statistics in these charts were circulated to all attendees in advance of the 2005 National Conference on Appellate Justice. They informed all of the presentations and discussions at the National Conference.

Appellate

*Appellate courts,
as the final arbiters
of disputes, shape
and define the law.*

Appellate courts, whether at the intermediate or highest level, provide review of decisions of lower courts and, as the final arbiters of disputes, shape and define the law. In most states, appellate courts are required to review decisions in criminal cases when the defendant is sentenced to death. Appellate courts are also responsible for disciplining attorneys and judges for serious violations of ethics and conduct.

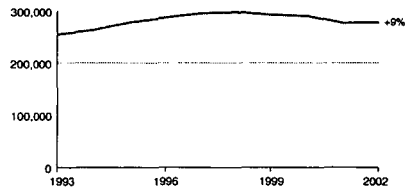
Most states divide their appellate system into two levels: an intermediate appellate court (IAC), which renders a first level of trial court review, and a court of last resort (COLR), which handles the most critical and important matters and appeals from the IACs. Only eleven states and the District of Columbia function without an IAC, while two states, Oklahoma and Texas, have more than one COLR.

Many of the analyses included here make a distinction between mandatory and discretionary caseloads in appellate courts. As the terms imply, mandatory jurisdiction over cases means that an appellate court is obligated by its state constitution or statutes to consider the merits of a case. Discretionary jurisdiction means the court decides whether it will grant review of a case.

Appellate court filings show a slight increase for the first time since 1998

- ▶ Total appellate court caseloads include original proceedings and appeals over which the appellate courts have mandatory or discretionary jurisdiction. This trend shows annual filing data for state appellate courts for the last 10 years.
- ▶ Between 1993 and 1998 the number of appellate court filings increased 17 percent, from 254,000 to 297,000. Over the next five years, filings declined 6 percent to 278,000.

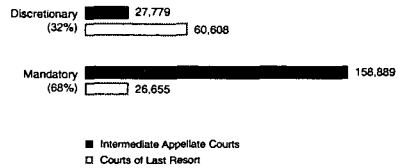
Total Appellate Court Filings, 1993-2002



Intermediate appellate courts handle most mandatory appeals

- ▶ Intermediate appellate courts provide first-level review, while courts of last resort are the final arbiters of disputes. This structure results in intermediate appellate courts handling the majority of appeals. Where there is no intermediate appellate court, a state supreme court conducts first and final appellate review.
- ▶ The caseloads in IACs and COLRs are reported here as filings of mandatory appeals and discretionary petitions. Mandatory appeals in IACs outnumbered those in COLRs by a margin of 6 to 1. Conversely, there are more than two discretionary petitions filed in COLRs for every one filed in IACs.

Total Mandatory and Discretionary Caseloads in COLRs and IACs, 2002



Appellate court filing rates vary widely across the states

States in this table are divided into those with and without an intermediate appellate court and then ranked according to their number of appeals per 100,000 population. Caseloads are shown as percentages composed of mandatory appeals and discretionary petitions.

When adjusted for population, Louisiana (population rank 24) reported the highest number of appeals (283 per 100,000 population) and North Carolina (population rank 11) reported the lowest (38 per 100,000 population).

Proportions of mandatory and discretionary caseloads vary dramatically, but several states show 100 percent mandatory or discretionary jurisdiction. These proportions were based upon the number of cases reported in each category rather than actual mandated jurisdiction. Hence, a 100 percent designation in one category could simply mean that there were no cases filed in the other category in 2002.

Total Appellate Caseloads by State, 2002

| States | Appeals per 100,000 Population | Total Appeals | Mandatory Appeals | Discretionary Petitions | Population Rank |
|--|--------------------------------|---------------|-------------------|-------------------------|-----------------|
| With Intermediate Appellate Court | | | | | |
| Louisiana | 283 | 12,706 | 29% | 71% | 24 |
| Alabama | 141 | 6,325 | 82 | 18 | 23 |
| Florida | 140 | 23,379 | 83 | 17 | 4 |
| Puerto Rico | 132 | 5,079 | 33 | 67 | 27 |
| Pennsylvania | 131 | 16,178 | 83 | 17 | 6 |
| New Jersey | 123 | 10,546 | 72 | 28 | 9 |
| Oregon | 120 | 4,213 | 83 | 17 | 28 |
| Alaska | 114 | 736 | 74 | 26 | 48 |
| Ohio | 113 | 12,952 | 88 | 12 | 7 |
| Nebraska | 108 | 1,830 | 82 | 18 | 39 |
| Texas | 103 | 22,413 | 86 | 14 | 2 |
| Kansas | 99 | 2,676 | 67 | 33 | 33 |
| Illinois | 95 | 11,885 | 78 | 22 | 5 |
| Michigan | 94 | 9,429 | 44 | 56 | 8 |
| Washington | 94 | 5,692 | 70 | 30 | 15 |
| Idaho | 93 | 1,248 | 85 | 15 | 40 |
| Kentucky | 92 | 3,783 | 78 | 22 | 26 |
| Hawaii | 92 | 1,146 | 94 | 6 | 43 |
| Arizona | 91 | 4,951 | 76 | 24 | 19 |
| Colorado | 90 | 4,041 | 69 | 31 | 22 |
| California | 89 | 31,296 | 45 | 55 | 1 |
| Virginia | 88 | 6,440 | 11 | 89 | 12 |
| New York | 86 | 16,386 | 76 | 24 | 3 |
| Arkansas | 83 | 2,256 | 74 | 26 | 34 |
| Wisconsin | 83 | 4,522 | 75 | 25 | 20 |
| Missouri | 80 | 4,519 | 86 | 14 | 17 |
| New Mexico | 78 | 1,440 | 58 | 42 | 37 |
| Iowa | 73 | 2,137 | 100 | 0 | 31 |
| South Carolina | 70 | 2,856 | 59 | 41 | 25 |
| Tennessee | 65 | 3,784 | 61 | 39 | 16 |
| Maryland | 63 | 3,453 | 63 | 37 | 18 |
| Georgia | 60 | 5,132 | 68 | 32 | 10 |
| Minnesota | 59 | 2,942 | 74 | 26 | 21 |
| Massachusetts | 57 | 3,694 | 60 | 40 | 13 |
| Utah | 55 | 1,264 | 100 | 0 | 35 |
| Indiana | 52 | 3,185 | 77 | 23 | 14 |
| Connecticut | 49 | 1,693 | 71 | 29 | 30 |
| Mississippi | 49 | 1,401 | 78 | 22 | 32 |
| North Carolina | 38 | 3,157 | 55 | 45 | 11 |
| Without an Intermediate Appellate Court | | | | | |
| District of Columbia | 266 | 1,520 | 96 | 4 | 51 |
| West Virginia | 147 | 2,653 | 0 | 100 | 38 |
| Delaware | 89 | 715 | 100 | 0 | 46 |
| Montana | 88 | 798 | 73 | 27 | 45 |
| Vermont | 86 | 530 | 87 | 3 | 50 |
| Nevada | 79 | 1,723 | 100 | 0 | 36 |
| Rhode Island | 70 | 754 | 45 | 55 | 44 |
| New Hampshire | 64 | 813 | 0 | 100 | 42 |
| South Dakota | 60 | 457 | 84 | 16 | 47 |
| North Dakota | 57 | 363 | 94 | 6 | 49 |
| Maine | 57 | 738 | 76 | 24 | 41 |

Notes: Oklahoma and Wyoming were unable to provide data for 2002. States in blue are the nation's 10 most populous.

State appellate courts issued over 38,000 opinions

- ▶ Most appeals are resolved by opinions, memoranda/orders, or pre-argument dismissals. While opinions can be rendered through a variety of means, the data here capture only two: signed opinions and *per curiam* affirmed opinions. In 2002, 17 courts of last resort issued almost 3,700 such opinions while 24 intermediate appellate courts issued over 34,500.
- ▶ During 2002, these courts also issued more than 23,000 memoranda/orders and dismissed approximately 27,000 cases.

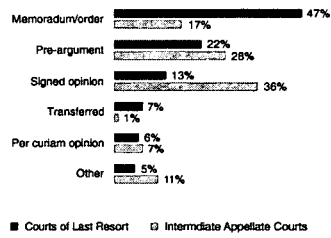
Manner of Disposition in 17 Courts of Last Resort and 24 Intermediate Appellate Courts, 2002

| | Number of Justices | Total Dispositions | Opinions | | Non-Opinion Dispositions | | | Other |
|--------------------------------------|--------------------|--------------------|----------|------------|--------------------------|--------------|-------------|-------|
| | | | Signed | Per Curiam | Memo/Order | Pre-Argument | Transferred | |
| Courts of Last Resort | | | | | | | | |
| Florida | 7 | 2,977 | 95 | 213 | 2,669 | | | |
| Nevada | 7 | 2,454 | 38 | 61 | 1,767 | 588 | | |
| Iowa | 8 | 2,180 | 180 | 11 | | 928 | 1,015 | 46 |
| District of Columbia | 9 | 1,836 | 339 | 575 | 865 | | | 57 |
| Colorado | 7 | 1,415 | 121 | | 1,287 | | 7 | |
| Washington | 9 | 1,328 | 129 | | 892 | 70 | 118 | 119 |
| Puerto Rico | 7 | 1,240 | 92 | 44 | 129 | 957 | | 18 |
| Indiana | 5 | 1,103 | 195 | 18 | 190 | 687 | | 13 |
| Hawaii | 5 | 847 | 191 | | 257 | | 258 | 141 |
| Rhode Island | 5 | 818 | 75 | 105 | 70 | 290 | | 278 |
| Montana | 7 | 792 | 343 | | 239 | 210 | | |
| Delaware | 5 | 713 | 71 | 19 | 546 | 77 | | |
| Vermont | 5 | 603 | 68 | | 388 | 147 | | |
| Alaska | 5 | 516 | 182 | 68 | | 95 | | 171 |
| South Dakota | 5 | 428 | 164 | | 167 | 64 | | 33 |
| Oregon | 7 | 371 | 60 | 40 | 251 | | | 20 |
| North Dakota | 5 | 345 | 189 | | | 71 | | 85 |
| Intermediate Appellate Courts | | | | | | | | |
| Ohio | 68 | 10,627 | 6,992 | | | 3,389 | | 246 |
| Pennsylvania Superior Ct. | 15 | 8,152 | 5,315 | | | 2,835 | 2 | |
| Michigan | 28 | 7,647 | 212 | 102 | 3,636 | 1,793 | | 1,904 |
| New Jersey | 34 | 7,280 | 431 | 3,560 | 250 | 3,039 | | |
| Pennsylvania Commonwealth Ct. | 9 | 4,753 | 1,746 | | | 2,722 | 117 | 168 |
| Washington | 22 | 4,306 | 1,846 | | 264 | 1,593 | 11 | 592 |
| Oregon | 10 | 3,844 | 393 | 118 | 1,483 | 1,660 | | 190 |
| Missouri | 32 | 3,661 | 1,666 | | 103 | 1,200 | 92 | 580 |
| Wisconsin | 16 | 3,486 | 761 | 523 | 867 | | | 1,335 |
| Georgia | 12 | 3,389 | 1,401 | | 643 | 567 | 69 | 709 |
| Massachusetts | 22 | 2,869 | 363 | | 1,071 | 618 | 76 | 741 |
| Alabama Ct. of Criminal Appeals | 5 | 2,748 | 122 | | 1,673 | 578 | | 375 |
| Colorado | 16 | 2,463 | 291 | | 1,330 | 834 | | 8 |
| Maryland | 13 | 2,351 | 144 | 1,179 | | 500 | | 41 |
| Minnesota | 16 | 2,007 | 1,324 | 3 | 61 | 609 | | 10 |
| Kansas | 10 | 1,742 | 1,246 | | 292 | | 204 | |
| Tennessee Ct. of Appeals | 12 | 1,504 | 843 | | 422 | 4 | | 235 |
| Alabama Ct. of Civil Appeals | 5 | 1,306 | 323 | | 574 | 358 | 51 | |
| Tennessee Ct. of Criminal Appeals | 12 | 1,304 | 890 | | 288 | 17 | | 109 |
| Connecticut | 9 | 1,271 | 537 | | | 262 | 129 | 243 |
| Iowa | 9 | 1,231 | 1,144 | 70 | | 14 | | 3 |
| Arkansas | 12 | 1,200 | 629 | | | 43 | 80 | 448 |
| New Mexico | 10 | 855 | 152 | | 541 | 145 | 8 | 9 |
| Alaska | 3 | 302 | 55 | | 172 | 31 | | 44 |

Memoranda/orders are the most common disposition in state courts of last resort

- ▶ The most common dispositions in intermediate appellate courts are signed opinions and pre-argument dismissals. Together, these two actions comprise about two-thirds of all dispositions in IACs. Opinions typically include statements of fact, points of law, rationale, and dicta, while a pre-argument dismissal is based on a review of briefs rather than oral arguments.
- ▶ Nearly one-half of cases in appellate courts of last resort are resolved by a memorandum/order, which is a simple order based on a unanimous opinion. Pre-argument dismissals and signed opinions are the next most common at 22 percent and 13 percent, respectively.
- ▶ The remaining appeals are disposed of by *per curiam* opinions (usually a short opinion issued in the name of the court rather than specific justices), transfers to another court, or some other method.

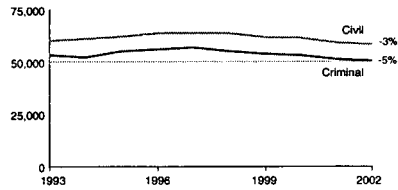
Manner of Disposition in COLRs v. IACs, 2002



Mandatory appeals in intermediate appellate courts continued to decline

- ▶ Mandatory civil and criminal appeals in IACs, those cases that the courts are statutorily required to hear, have tracked consistently with one another for the last 10 years with civil appeals averaging about 8,000 more filings per year than criminal appeals.
- ▶ In 2002, mandatory civil and criminal appeals in the 36 intermediate appellate courts featured on this chart continued a decline that began in 1998, resulting in a 3 percent decrease in civil appeals and a 5 percent decrease in criminal appeals.

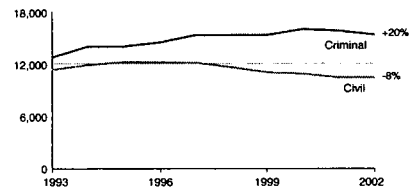
Mandatory Civil and Criminal Appeals in 36 Intermediate Appellate Courts, 1993 - 2002



Criminal petitions in courts of last resort decreased for second consecutive year

- ▶ Courts of last resort in 15 states were able to provide filing data for discretionary civil and criminal petitions from 1993 to 2002. For the ten-year period shown here, discretionary criminal petitions are up 20 percent despite a 4 percent decrease over the last two years.
- ▶ The number of discretionary civil petitions in the same 15 courts of last resort reached its peak in 1995; the number of filings then remained constant for three years. From 1997 to 2001, filings declined annually. The number of civil petitions filed in 2002 was virtually the same as in 2001. Overall, there has been an 8 percent decline in the last 10 years.

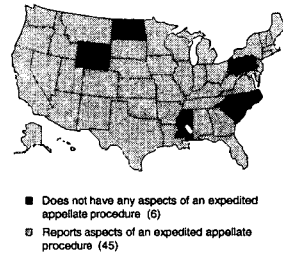
Discretionary Criminal and Civil Petitions in 15 Courts of Last Resort, 1993-2002



The majority of states expedite dependency appeals to speed permanent placement

- ▶ Forty-four states and the District of Columbia report having at least some aspect of an expedited appellate procedure for dependency cases. Only six states report not having any such procedure.
- ▶ Strategies to expedite appeals include developing a tracking system, devising and implementing penalties for delay, reducing briefing schedules, limiting oral argument, and expediting the assembling of the record and transcript preparation.
- ▶ States have formalized expedited processes through court rules (23 states), statutes (15 states), or constitutional amendments (one state). Internal operating procedures may also be used to expedite cases. Often, states have more than one legal process for expediting dependency appeals. For example, Georgia has utilized a constitutional amendment, state statute, and internal operating procedures.

Status of Expedited Procedures as of July 2002

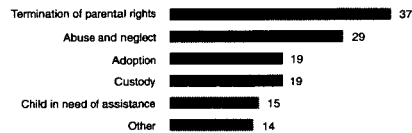


Source: Dependency Appeals: Strategies to Reduce Delay, 2nd Edition, NCSC, 2003

Termination of parental rights is the most common of expedited dependency appeals

- ▶ Case types that may be classified as dependency appeals include termination of parental rights (TPR), abuse and neglect, adoption, custody, children in need of assistance, domestic violence cases that include custody issues, guardianship of a minor, and visitation appeals.
- ▶ Many states expedite more than one case type. In fact, most states expedite two or more case types, and many expedite any appeal that involves a child-related issue.

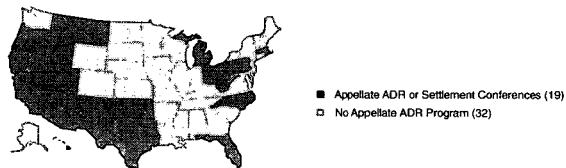
Number of States Supporting Expedited Dependency Appeals by Type of Case



Appellate courts are beginning to use alternative dispute resolution

- ▶ Alternative dispute resolution (ADR) consists of dispute resolution processes outside of (or adjacent to) the traditional court case structure. Processes as diverse as mediation, arbitration, early neutral evaluation (ENE), summary jury trials, settlement conferences, parenting classes for divorcing couples, and group or family conferencing are all considered types of ADR.
- ▶ The focus of many appellate court ADR programs is to encourage or require counsel for the parties to discuss settlement at a conference facilitated by a non-judicial court employee or other third-party neutral. Although these attorney-neutrals have different titles depending on the court, their role is primarily that of a mediator. The conferences are usually held before the filing of appellate briefs and, in nearly all cases, before oral argument. Some appellate programs are geared exclusively toward settlement, while other programs also address case management and procedural issues.
- ▶ Local court rules or procedures identify the criteria each court uses to determine whether a case is eligible for the program and whether a conference should be scheduled.
- ▶ In twenty-one states, appellate courts are addressing increasing caseloads by offering alternative dispute resolution before and during the appeal.
- ▶ Case types that are often referred to mediation include general civil (tort, contract, and real property rights), domestic relations, and workers' compensation cases.

States Using ADR in Appellate Courts



Administrative agency appeals have decreased 18 percent over the last five years

- ▶ Administrative agencies are licensing or regulatory bodies that oversee policies regarding worker's compensation, unemployment compensation, public utilities, historic preservation, etc. These agencies typically have a combination of legislative, executive, and judicial functions that they use to carry out legislatively mandated policy. Thus, an administrative agency appeal is an appeal of a decision made by one of these agencies.
- ▶ The number of administrative agency appeals in 11 state appellate courts has been declining since 1999. The greatest decline (-16 percent) occurred in 2001 when the number of filings fell by almost 1,000 cases.

Administrative Agency Appeals in 11 States, 1998-2002

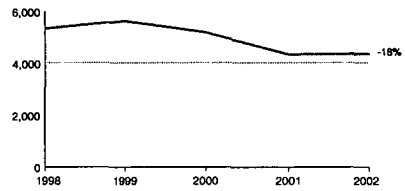


TABLE 1: Reported National Caseload for State Appellate Courts, 2002

| <u>Reported Caseload</u> | <u>Filed</u> | <u>Disposed</u> | |
|--|------------------------------|-----------------|----------------|
| Courts of last resort: | | | |
| I. Mandatory jurisdiction appeals: | | | |
| A. Number of reported complete cases | 26,437 | 26,993 | |
| Number of courts reporting complete data | 44 | 43 | |
| B. Number of reported complete cases that include some discretionary petitions | 2,060 | 1,562 | |
| Number of courts reporting complete data with some discretionary petitions | 4 | 3 | |
| C. Number of reported cases that are incomplete | 669 | 348 | |
| Number of courts reporting incomplete data | 3 | 1 | |
| D. Number of reported cases that are incomplete and include some discretionary petitions | 573 | 612 | |
| Number of courts reporting incomplete data that include some discretionary petitions | 1 | 1 | |
| II. Discretionary jurisdiction petitions: | | | |
| A. Number of reported complete petitions | 59,739 | 58,153 | |
| Number of courts reporting complete petitions | 47 | 44 | |
| B. Number of reported complete petitions that include some mandatory cases | 0 | 2,265 | |
| Number of courts reporting complete petitions that include some mandatory cases | 0 | 3 | |
| C. Number of reported petitions that are incomplete | 1,371 | 1,253 | |
| Number of courts reporting incomplete petitions | 2 | 1 | |
| Intermediate appellate courts: | | | |
| I. Mandatory jurisdiction appeals: | | | |
| A. Number of reported complete cases | 127,022 | 132,464 | |
| Number of courts reporting complete data | 36 | 36 | |
| B. Number of reported complete cases that include some discretionary petitions | 27,644 | 37,810 | |
| Number of courts reporting complete data with some discretionary petitions | 7 | 7 | |
| C. Number of reported cases that are incomplete | 4,722 | 4,753 | |
| Number of courts reporting incomplete data | 1 | 1 | |
| II. Discretionary jurisdiction petitions: | | | |
| A. Number of reported complete petitions | 27,769 | 27,747 | |
| Number of courts reporting complete petitions | 21 | 21 | |
| B. Number of reported complete petitions that include some mandatory cases | 0 | 0 | |
| Number of courts reporting complete petitions that include some mandatory cases | 0 | 0 | |
| C. Number of reported petitions that are incomplete | 0 | 0 | |
| Number of courts reporting incomplete petitions | 0 | 0 | |
| Summary section for all appellate courts: | | | |
| | Reported Filings | | |
| | <u>COLR</u> | <u>IAC</u> | <u>Total</u> |
| A. Number of reported complete cases/petitions | 86,176 | 154,791 | 240,967 |
| B. Number of reported complete cases/petitions that include other case types | 2,060 | 27,644 | 29,704 |
| C. Number of reported cases/petitions that are incomplete | 2,040 | 4,722 | 6,762 |
| D. Number of reported cases/petitions that are incomplete and include other case types | 573 | 0 | 573 |
| Total | 90,849 | 187,157 | 278,006 |
| | Reported Dispositions | | |
| | <u>COLR</u> | <u>IAC</u> | <u>Total</u> |
| A. Number of reported complete cases/petitions | 85,146 | 160,211 | 245,357 |
| B. Number of reported complete cases/petitions that include other case types | 3,827 | 37,810 | 41,637 |
| C. Number of reported cases/petitions that are incomplete | 1,601 | 4,753 | 6,354 |
| D. Number of reported cases/petitions that are incomplete and include other case types | 612 | 0 | 612 |
| Total | 91,186 | 202,774 | 293,960 |

TABLE 2: Reported Total Caseload for All State Appellate Courts, 2002

| State/Court name: | TOTAL CASES FILED | | | | | | |
|---|-----------------------------|-------------------------------------|---|--|-----------------|--|-----------------|
| | Total mandatory cases filed | Total discretionary petitions filed | Total discretionary petitions filed granted | Sum of mandatory cases and discretionary petitions filed | | Sum of mandatory cases and discretionary petitions filed granted | |
| | | | | Number | Filed per judge | Number | Filed per judge |
| States with one or more court of last resort and one intermediate appellate court | | | | | | | |
| ALASKA | | | | | | | |
| Supreme Court | 258 | 157 | 21 | 415 | 83 | 279 | 56 |
| Court of Appeals | 286 | 35 | 6 | 321 | 107 | 292 | 97 |
| State Total | 544 | 192 | 27 | 736 | 92 | 571 | 71 |
| ARIZONA | | | | | | | |
| Supreme Court | 177 | 1,050 | NA | 1,227 | 245 | | |
| Court of Appeals | 3,608 | 116 | NA | 3,724 | 169 | | |
| State Total | 3,785 | 1,166 | | 4,951 | 183 | | |
| ARKANSAS | | | | | | | |
| Supreme Court | 320 A | 446 | 110 | 766 | 109 | 430 | 61 |
| Court of Appeals | 1,345 | 145 | 18 | 1,490 | 124 | 1,363 | 114 |
| State Total | 1,665 * | 591 | 128 | 2,256 | 119 | 1,793 | 94 |
| CALIFORNIA | | | | | | | |
| Supreme Court | 23 | 8,894 | 136 A | 8,917 | 1,274 | 159 | 23 |
| Courts of Appeal | 13,825 | 8,454 | NA | 22,379 | 213 | | |
| State Total | 13,948 | 17,348 | | 31,296 | 279 | | |
| COLORADO | | | | | | | |
| Supreme Court | 111 A | 1,257 | NA | 1,368 | 195 | | |
| Court of Appeals | 2,673 | NJ | NJ | 2,673 | 167 | 2,673 | 167 |
| State Total | 2,784 * | 1,257 | | 4,041 | 176 | | |
| CONNECTICUT | | | | | | | |
| Supreme Court | 46 | 499 | 63 | 545 | 78 | 109 | 16 |
| Appellate Court | 1,148 B | (B) | NA | | | | |
| State Total | 1,194 * | | | | | | |
| FLORIDA | | | | | | | |
| Supreme Court | 143 | 2,634 | NA | 2,777 | 397 | | |
| District Courts of Appeal | 19,226 | 1,376 | NA | 20,602 | 332 | | |
| State Total | 19,369 | 4,010 | | 23,379 | 339 | | |
| GEORGIA | | | | | | | |
| Supreme Court | 682 | 1,190 | 86 | 1,872 | 267 | 768 | 110 |
| Court of Appeals | 2,825 | 435 | NA | 3,260 | 272 | | |
| State Total | 3,507 | 1,625 | | 5,132 | 270 | | |
| HAWAII | | | | | | | |
| Supreme Court | 819 | 67 | NA | 886 | 177 | | |
| Intermediate Court of Appeals | 260 | NJ | NJ | 260 | 65 | 260 | 65 |
| State Total | 1,079 | 67 | | 1,146 | 127 | | |
| IDAHO | | | | | | | |
| Supreme Court | 573 C | 184 | NA | 757 | 151 | | |
| Court of Appeals | 491 | NJ | NJ | 491 | 164 | 491 | 164 |
| State Total | 1,064 * | 184 | | 1,248 | 156 | | |
| ILLINOIS* | | | | | | | |
| Supreme Court | 730 | 2,579 | 98 | 3,309 | 473 | 828 | 118 |
| Appellate Court | 8,676 B | (B) | NA | 8,676 | 167 | | |
| State Total | 9,406 * | | | 11,985 | 203 | | |

TOTAL CASES DISPOSED

| <u>Total mandatory cases disposed</u> | <u>Total discretionary petitions disposed</u> | <u>Total discretionary petitions granted disposed</u> | <u>Sum of mandatory cases and discretionary petitions disposed</u> | <u>Sum of mandatory cases and discretionary petitions granted disposed</u> | <u>Court type</u> | <u>Point at which cases are counted</u> |
|---------------------------------------|---|---|--|--|-------------------|---|
| 339 | 177 | NA | 516 | | COLR | 1 |
| 266 | 36 | NA | 302 | | IAC | 1 |
| 605 | 213 | | 818 | | | |
| 173 | 1,091 | NA | 1,264 | | COLR | 6 |
| 3,444 | 111 | NA | 3,555 | | IAC | 6 |
| 3,617 | 1,202 | | 4,819 | | | |
| 348 A | 436 | 110 | 784 | 458 | COLR | 2 |
| 1,062 | 138 | 18 | 1,200 | 1,080 | IAC | 2 |
| 1,410 * | 574 | 128 | 1,984 | 1,538 | | |
| 21 | 8,781 | 74 | 8,802 | 95 | COLR | 6 |
| 17,117 | 8,348 | NA | 25,465 | | IAC | 2 |
| 17,138 | 17,129 | | 34,267 | | | |
| (B) | 1,415 B | NA | 1,415 | | COLR | 1 |
| 2,463 | NJ | NJ | 2,463 | 2,463 | IAC | 1 |
| | 1,415 * | | 3,878 | | | |
| (B) | 539 B | NA | 539 | | COLR | 1 |
| 1,271 B | (B) | NA | 1,271 | | IAC | 1 |
| | | | 1,810 | | | |
| 139 | 2,838 | NA | 2,977 | | COLR | 1 |
| 19,014 | 1,237 | NA | 20,251 | | IAC | 1 |
| 19,153 | 4,075 | | 23,228 | | | |
| 514 | 1,479 | 47 | 1,993 | 561 | COLR | 2 |
| 2,973 | 416 | NA | 3,389 | | IAC | 2 |
| 3,487 | 1,895 | | 5,382 | | | |
| 778 | 69 | NA | 847 | | COLR | 2 |
| 204 | NJ | NJ | 204 | 204 | IAC | 2 |
| 982 | 69 | | 1,051 | | | |
| 612 C | 198 | NA | 810 | | COLR | 1 |
| 507 | NJ | NJ | 507 | 507 | IAC | 4 |
| 1,119 * | 198 | | 1,317 | | | |
| 682 | 2,407 | 0 | 3,089 | 682 | COLR | 1 |
| 9,419 B | (B) | NA | 9,419 | | IAC | 1 |
| 10,101 * | | | 12,508 | | | |

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 2002 (continued)

| State/Court name: | TOTAL CASES FILED | | | | | | |
|--------------------------|-----------------------------|-------------------------------------|---|--|-----------------|--|-----------------|
| | Total mandatory cases filed | Total discretionary petitions filed | Total discretionary petitions filed granted | Sum of mandatory cases and discretionary petitions filed | | Sum of mandatory cases and discretionary petitions filed granted | |
| | | | | Number | Filed per judge | Number | Filed per judge |
| IOWA | | | | | | | |
| Supreme Court | 1,076 B | (B) | NA | 1,076 | 135 | | |
| Court of Appeals | 1,061 | NJ | NJ | 1,061 | 118 | 1,061 | 118 |
| State Total | 2,137 * | | | 2,137 | 126 | | |
| KANSAS | | | | | | | |
| Supreme Court | 160 | 883 | 19 | 1,043 | 149 | 179 | 26 |
| Court of Appeals | 1,635 B | (B) | NA | 1,635 | 164 | | |
| State Total | 1,795 * | | | 2,678 | 158 | | |
| KENTUCKY | | | | | | | |
| Supreme Court | 413 | 742 | NA | 1,155 | 165 | | |
| Court of Appeals | 2,553 | 75 | NA | 2,628 | 188 | | |
| State Total | 2,966 | 817 | | 3,783 | 180 | | |
| LOUISIANA | | | | | | | |
| Supreme Court | 227 | 3,029 | 306 | 3,256 | 465 | 533 | 76 |
| Courts of Appeals | 3,494 | 5,956 | 1,665 | 9,450 | 178 | 5,159 | 97 |
| State Total | 3,721 | 8,985 | 1,971 | 12,706 | 212 | 5,692 | 95 |
| MARYLAND | | | | | | | |
| Court of Appeals | 238 A | 721 | 120 | 959 | 137 | 358 | 51 |
| Court of Special Appeals | 1,926 | 568 | 8 | 2,494 | 192 | 1,934 | 149 |
| State Total | 2,164 * | 1,289 | 128 | 3,453 | 173 | 2,292 | 115 |
| MASSACHUSETTS | | | | | | | |
| Supreme Judicial Court | 290 | 752 | NA | 1,042 | 149 | | |
| Appeals Court | 1,911 | 741 | NA | 2,652 | 121 | | |
| State Total | 2,201 | 1,493 | | 3,694 | 127 | | |
| MICHIGAN | | | | | | | |
| Supreme Court | 2 | 2,271 | NA | 2,273 | 325 | | |
| Court of Appeals | 4,109 | 3,047 | NA | 7,156 | 256 | | |
| State Total | 4,111 | 5,318 | | 9,429 | 269 | | |
| MINNESOTA | | | | | | | |
| Supreme Court | 112 | 674 | 130 | 786 | 112 | 242 | 39 |
| Court of Appeals | 2,065 | 91 | NA | 2,156 | 135 | | |
| State Total | 2,177 | 765 | | 2,942 | 128 | | |
| MISSISSIPPI** | | | | | | | |
| Supreme Court | 1,099 | 302 | 62 | | | | |
| Court of Appeals | NA | NJ | NJ | | | | |
| State Total | 1,099 | 302 | 62 | 1,401 | 74 | 1,161 | 61 |
| MISSOURI | | | | | | | |
| Supreme Court | 182 | 623 | 51 | 805 | 115 | 233 | 33 |
| Court of Appeals | 3,714 | NJ | NJ | 3,714 | 116 | 3,714 | 116 |
| State Total | 3,896 | 623 | 51 | 4,519 | 116 | 3,947 | 101 |
| NEBRASKA | | | | | | | |
| Supreme Court | 75 | 328 | 48 | 403 | 58 | 123 | 18 |
| Court of Appeals | 1,427 | NJ | NJ | 1,427 | 238 | 1,427 | 238 |
| State Total | 1,502 | 328 | 48 | 1,830 | 141 | 1,550 | 119 |

TOTAL CASES DISPOSED

| Total mandatory cases disposed | Total discretionary petitions disposed | Total discretionary petitions granted disposed | Sum of mandatory cases and discretionary petitions disposed | Sum of mandatory cases and discretionary petitions granted disposed | Court type | Point at which cases are counted |
|--------------------------------|--|--|---|---|------------|----------------------------------|
| 191 | 1,999 | NA | 2,180 | | COLR | 1 |
| 1,231 | NJ | NJ | 1,231 | 1,231 | IAC | 4 |
| 1,422 | 1,999 | | 3,411 | | | |
| 1,059 B | (B) | NA | 1,059 | | COLR | 5 |
| 1,742 B | (B) | NA | 1,742 | | IAC | 5 |
| 2,801 * | | | 2,801 | | | |
| 398 | 725 | NA | 1,123 | | COLR | 6 |
| 2,790 | 86 | NA | 2,876 | | IAC | 3 |
| 3,188 | 811 | | 3,999 | | | |
| 218 | 3,232 | 181 | 3,450 | 399 | COLR | 2 |
| 4,319 | 6,426 | 1,633 | 10,745 | 5,952 | IAC | 2 |
| 4,537 | 9,658 | 1,814 | 14,195 | 6,351 | | |
| 230 | 718 | NA | 948 | | COLR | 2 |
| 1,813 | 568 | NA | 2,381 | | IAC | 2 |
| 2,043 | 1,286 | | 3,329 | | | |
| 204 | 633 | NA | 837 | | COLR | 2 |
| 2,128 | 741 | NA | 2,869 | | IAC | 2 |
| 2,332 | 1,374 | | 3,706 | | | |
| 2 | 2,052 | NA | 2,054 | | COLR | 1 |
| 4,633 | 3,014 | NA | 4,633 | | IAC | 1 |
| 4,635 | 5,066 | | 6,687 | | | |
| 121 | 83 | 66 | 204 | 187 | COLR | 1 |
| 1,909 | 98 | 85 | 2,007 | 1,994 | IAC | 1 |
| 2,030 | 181 | 151 | 2,211 | 2,181 | | |
| 653 | 289 | NA | 942 | | COLR | 2 |
| 810 | NJ | NJ | 810 | 610 | IAC | 2 |
| 1,263 | 289 | | 1,552 | | | |
| 193 | 616 | 51 | 809 | 244 | COLR | 1 |
| 3,661 | NJ | NJ | 3,661 | 3,661 | IAC | 1 |
| 3,854 | 616 | 51 | 4,470 | 3,905 | | |
| (B) | 311 B | NA | 311 | | COLR | 1 |
| 1,311 | NJ | NJ | 1,311 | 1,311 | IAC | 1 |
| | 311 * | | 1,622 | | | |

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 2002 (continued)

| State/Court name: | TOTAL CASES FILED | | | | | | |
|------------------------------|-----------------------------|-------------------------------------|---|--|-----------------|--|-----------------|
| | Total mandatory cases filed | Total discretionary petitions filed | Total discretionary petitions filed granted | Sum of mandatory cases and discretionary petitions filed | | Sum of mandatory cases and discretionary petitions filed granted | |
| | | | | Number | Filed per judge | Number | Filed per judge |
| NEW JERSEY | | | | | | | |
| Supreme Court | 528 | 2,949 | 149 | 3,477 | 497 | 677 | 97 |
| Appellate Div. of Super. Ct. | 7,069 | 0 | NA | 7,069 | 208 | | |
| State Total | 7,597 | 2,949 | | 10,546 | 257 | | |
| NEW MEXICO | | | | | | | |
| Supreme Court | 59 | 515 | 52 | 574 | 115 | 111 | 22 |
| Court of Appeals | 781 | 85 | NA | 866 | 87 | | |
| State Total | 840 | 600 | | 1,440 | 96 | | |
| NORTH CAROLINA | | | | | | | |
| Supreme Court | 107 | 662 | 37 | 769 | 110 | 144 | 21 |
| Court of Appeals | 1,620 | 768 | 138 | 2,388 | 199 | 1,758 | 147 |
| State Total | 1,727 | 1,430 | 175 | 3,157 | 166 | 1,902 | 100 |
| OHIO | | | | | | | |
| Supreme Court | 678 | 1,529 | 114 | 2,207 | 315 | 792 | 113 |
| Courts of Appeals | 10,745 | NJ | NJ | 10,745 | 158 | 10,745 | 158 |
| State Total | 11,423 | 1,529 | 114 | 12,952 | 173 | 11,537 | 154 |
| OKLAHOMA*** | | | | | | | |
| Supreme Court | 1,339 | 502 | NA | 1,841 | 205 | | |
| Court of Criminal Appeals | 1,462 | NJ | NJ | 1,462 | 292 | 1,462 | 292 |
| Court of Appeals | 499 | NJ | NJ | 499 | 42 | 499 | 42 |
| State Total | 3,300 | 502 | | 3,802 | 146 | | |
| OREGON | | | | | | | |
| Supreme Court | 231 | 701 | 57 | 932 | 133 | 288 | 41 |
| Court of Appeals | 3,277 | NJ | NJ | 3,277 | 328 | 3,277 | 328 |
| State Total | 3,508 | 701 | 57 | 4,209 | 248 | 3,567 | 210 |
| PUERTO RICO | | | | | | | |
| Supreme Court | 125 | 1,029 | NA | 1,154 | 165 | | |
| Circuit Court of Appeals | 1,576 | 2,349 | NA | 3,925 | 119 | | |
| State Total | 1,701 | 3,378 | | 5,079 | 127 | | |
| SOUTH CAROLINA | | | | | | | |
| Supreme Court | 213 | 1,185 | NA | 1,398 | 280 | | |
| Court of Appeals | 1,458 | NJ | NJ | 1,458 | 162 | 1,458 | 162 |
| State Total | 1,671 | 1,185 | | 2,856 | 204 | | |
| TEXAS | | | | | | | |
| Supreme Court | 6 | 1,295 | 112 | 1,301 | 144 | 118 | 13 |
| Court of Criminal Appeals | 7,177 | 1,951 | 146 | 9,128 | 1,014 | 7,323 | 814 |
| Courts of Appeals | 11,984 | NJ | NJ | 11,984 | 150 | 11,984 | 150 |
| State Total | 19,167 | 3,246 | 258 | 22,413 | 229 | 19,425 | 198 |
| UTAH | | | | | | | |
| Supreme Court | 529 B | (B) | NA | 529 | 106 | | |
| Court of Appeals | 735 B | (B) | NA | 735 | 105 | | |
| State Total | 1,264 * | | | | | | |
| VIRGINIA | | | | | | | |
| Supreme Court | 0 | 3,028 | 294 | 3,026 | 432 | 294 | 42 |
| Court of Appeals | 737 | 2,677 | 385 | 3,414 | 310 | 1,122 | 102 |
| State Total | 737 | 5,703 | 679 | 6,440 | 358 | 1,416 | 79 |

TOTAL CASES DISPOSED

| Total mandatory cases disposed | Total discretionary petitions disposed | Total discretionary petitions granted disposed | Sum of mandatory cases and discretionary petitions disposed | Sum of mandatory cases and discretionary petitions granted disposed | Court type | Point at which cases are counted |
|--------------------------------|--|--|---|---|------------|----------------------------------|
| 536 | 3,009 | NA | 3,545 | | COLR | 1 |
| 7,280 | 0 | NA | 7,280 | | IAC | 1 |
| 7,816 | 3,009 | | 10,825 | | | |
| 45 | 457 | 52 | 502 | 97 | COLR | 5 |
| 855 B | (B) | NA | 855 | | IAC | 5 |
| 900 * | | | 1,357 | | | |
| 131 | 601 | 43 | 732 | 174 | COLR | 2 |
| 1,726 | 715 | NA | 2,441 | | IAC | 2 |
| 1,857 | 1,318 | | 3,173 | | | |
| 752 | 1,365 | NA | 2,117 | | COLR | 1 |
| 10,627 | NJ | NJ | 10,627 | 10,627 | IAC | 1 |
| 11,379 | 1,365 | | 12,744 | | | |
| 1,625 | 502 | NA | 2,127 | | COLR | 1 |
| 1,424 | NJ | NJ | 1,424 | 1,424 | COLR | 2 |
| 737 | NJ | NJ | 737 | 737 | IAC | 4 |
| 3,766 | 502 | | 4,268 | | | |
| 276 | 808 | NA | 1,084 | | COLR | 1 |
| 3,844 | NJ | NJ | 3,844 | 3,844 | IAC | 1 |
| 4,120 | 808 | | 4,928 | | | |
| 156 | 1,084 | NA | 1,240 | | COLR | 1 |
| 1,538 | 2,344 | NA | 3,882 | | IAC | 1 |
| 1,694 | 3,428 | | 5,122 | | | |
| 249 | 1,322 | NA | 1,562 | | COLR | 2 |
| 1,438 | NJ | NJ | 1,438 | 1,438 | IAC | 4 |
| 1,678 | 1,322 | | 3,000 | | | |
| 6 | 1,306 | 106 | 1,312 | 112 | COLR | 1 |
| 6,965 | 2,017 | 143 | 8,982 | 7,108 | COLR | 5 |
| 12,399 | NJ | NJ | 12,399 | 12,399 | IAC | 1 |
| 19,370 | 3,323 | 249 | 22,693 | 19,619 | | |
| NA | NA | NA | | | COLR | 1 |
| NA | NA | NA | | | IAC | 1 |
| 0 | 2,992 | 0 | 2,992 | 0 | COLR | 1 |
| 768 | 2,691 | NA | 3,459 | | IAC | 1 |
| 768 | 5,683 | | 6,451 | | | |

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 2002 (continued)

| State/Court name: | TOTAL CASES FILED | | | | | | |
|---|-----------------------------|-------------------------------------|---|--|-----------------|--|-----------------|
| | Total mandatory cases filed | Total discretionary petitions filed | Total discretionary petitions filed granted | Sum of mandatory cases and discretionary petitions filed | | Sum of mandatory cases and discretionary petitions filed granted | |
| | | | | Number | Filed per judge | Number | Filed per judge |
| WASHINGTON | | | | | | | |
| Supreme Court | 72 B | 1,297 A | NA | 1,369 | 152 | | |
| Court of Appeals | 3,927 | 396 | NA | 4,323 | 197 | | |
| State Total | 3,999 * | 1,693 * | | 5,692 | 184 | | |
| WISCONSIN | | | | | | | |
| Supreme Court | 54 | 1,126 | 0 | 1,180 | 169 | | |
| Court of Appeals | 3,342 B | (B) | NA | 3,342 | 209 | | |
| State Total | 3,396 * | | | 4,522 | 197 | | |
| States with no intermediate appellate court | | | | | | | |
| DELAWARE | | | | | | | |
| Supreme Court | 715 | 0 | NA | 715 | 143 | | |
| DISTRICT OF COLUMBIA | | | | | | | |
| Court of Appeals | 1,466 | 54 | 2 | 1,520 | 169 | 1,468 | 163 |
| MAINE | | | | | | | |
| Supreme Judicial Court | 560 | 178 | NA | 738 | 105 | | |
| MONTANA | | | | | | | |
| Supreme Court | 584 | 214 | NA | 798 | 114 | | |
| NEVADA | | | | | | | |
| Supreme Court | 1,723 | NJ | NJ | 1,723 | 246 | 1,723 | 246 |
| NEW HAMPSHIRE | | | | | | | |
| Supreme Court | NJ | 813 | NA | 813 | 163 | | |
| NORTH DAKOTA | | | | | | | |
| Supreme Court | 340 | 23 | NA | 363 | 73 | | |
| RHODE ISLAND | | | | | | | |
| Supreme Court | 339 | 415 | 146 | 754 | 151 | 485 | 97 |
| SOUTH DAKOTA | | | | | | | |
| Supreme Court | 383 B | 74 A | NA | 457 | 91 | | |
| VERMONT | | | | | | | |
| Supreme Court | 514 | 16 | NA | 530 | 106 | | |
| WEST VIRGINIA | | | | | | | |
| Supreme Court of Appeals | NJ | 2,653 | 757 | 2,653 | 531 | 757 | 151 |
| WYOMING**** | | | | | | | |
| Supreme Court | 283 | NJ | NJ | 283 | 57 | 283 | 57 |

TOTAL CASES DISPOSED

| Total mandatory cases disposed | Total discretionary petitions disposed | Total discretionary petitions granted disposed | Sum of mandatory cases and discretionary petitions disposed | Sum of mandatory cases and discretionary petitions granted disposed | Court type | Point at which cases are counted |
|--------------------------------|--|--|---|---|------------|----------------------------------|
| 75 B | 1,253 A | NA | 1,328 | | COLR | 6 |
| 3,893 | 413 | NA | 4,306 | | IAC | 6 |
| 3,968 * | 1,666 * | | 5,634 | | | |
| 39 | 1,148 | 100 | 1,187 | 136 | COLR | 6 |
| 3,466 B | (B) | NA | 3,466 | | IAC | 6 |
| 3,525 * | | | 4,673 | | | |
| 713 | 0 | NA | 713 | | COLR | 1 |
| 1,779 | 57 | NA | 1,836 | | COLR | 1 |
| 600 | 259 | NA | 859 | | COLR | 1 |
| 594 | 198 | 23 | 792 | 617 | COLR | 1 |
| 1,866 | NJ | NJ | 1,866 | 1,866 | COLR | 2 |
| NJ | 939 | NA | 939 | | COLR | 1 |
| 319 | 26 | NA | 345 | | COLR | 1 |
| 396 | 422 | NA | 818 | | COLR | 1 |
| 428 B | (B) | NA | 428 | | COLR | 2 |
| 590 | 13 | NA | 603 | | COLR | 1 |
| NJ | 2,686 | 1,165 | 2,686 | 1,165 | COLR | 1 |
| 271 | NJ | NJ | 271 | 271 | COLR | 1 |

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 2002 (continued)

| State/Court name: | TOTAL CASES FILED | | | | | | |
|---|-----------------------------|-------------------------------------|---|--|-----------------|--|-----------------|
| | Total mandatory cases filed | Total discretionary petitions filed | Total discretionary petitions filed granted | Sum of mandatory cases and discretionary petitions filed | | Sum of mandatory cases and discretionary petitions filed granted | |
| | | | | Number | Filed per judge | Number | Filed per judge |
| States with one court of last resort and two intermediate appellate courts | | | | | | | |
| ALABAMA | | | | | | | |
| Supreme Court | 1,254 | 1,130 | NA | 2,384 | 265 | | |
| Court of Civil Appeals | 1,293 | NJ | NJ | 1,293 | 259 | 1,293 | 259 |
| Court of Criminal Appeals | 2,648 | NJ | NJ | 2,648 | 530 | 2,648 | 530 |
| State Total | 5,195 | 1,130 | | 6,325 | 333 | | |
| INDIANA | | | | | | | |
| Supreme Court | 241 | 748 | NA | 989 | 198 | | |
| Court of Appeals | 2,055 | NA | 261 | | | 2,316 | 154 |
| Tax Court | 141 | NJ | NJ | 141 | 9 | 141 | 9 |
| State Total | 2,437 | | | | | | |
| NEW YORK | | | | | | | |
| Court of Appeals | 292 | 3,986 | NA | 4,278 | 611 | | |
| Appellate Div. of Sup. Ct. | 10,019 B | (B) | NA | 10,019 | 179 | | |
| Appellate Terms of Sup. Ct. | 2,089 B | (B) | NA | 2,089 | 139 | | |
| State Total | 12,400 * | | | 16,386 | 210 | | |
| PENNSYLVANIA | | | | | | | |
| Supreme Court | 532 | 2,701 | NA | 3,233 | 462 | | |
| Superior Court | 8,160 | NJ | NJ | 8,160 | 544 | 8,160 | 544 |
| Commonwealth Court | 4,722 A | 63 | NA | 4,785 | 532 | | |
| State Total | 13,414 * | | | 16,178 | 522 | | |
| TENNESSEE | | | | | | | |
| Supreme Court | 173 | 1,056 | 79 | 1,229 | 246 | 252 | 50 |
| Court of Criminal Appeals | 1,111 | 133 | 24 | 1,244 | 104 | 1,135 | 95 |
| Court of Appeals | 1,042 | 269 | 51 | 1,311 | 109 | 1,093 | 91 |
| State Total | 2,326 | 1,458 | 154 | 3,784 | 130 | 2,480 | 86 |

COURT TYPE:

- COLR = Court of last resort
- IAC = Intermediate appellate court

POINTS AT WHICH CASES ARE COUNTED:

- 1 = At the notice of appeal
- 2 = At the filing of trial record
- 3 = At the filing of trial record and complete briefs
- 4 = At transfer
- 5 = Other
- 6 = Varies

TOTAL CASES DISPOSED

| Total mandatory cases disposed | Total discretionary petitions disposed | Total discretionary petitions granted disposed | Sum of mandatory cases and discretionary petitions disposed | Sum of mandatory cases and discretionary petitions granted disposed | Court type | Point at which cases are counted |
|--------------------------------|--|--|---|---|------------|----------------------------------|
| 1,334 | 1,193 | NA | 2,527 | | COLR | 1 |
| 1,306 | NJ | NJ | 1,306 | 1,306 | IAC | 1 |
| 2,748 | NJ | NJ | 2,748 | 2,748 | IAC | 1 |
| 5,388 | | | 6,581 | | | |
| 307 | 796 | 95 | 1,103 | 402 | COLR | 6 |
| 1,980 | NA | 261 | | 2,241 | IAC | 6 |
| 132 | NJ | NJ | 132 | 132 | IAC | 6 |
| 2,419 | | 356 | | 2,775 | | |
| 176 | 4,076 | 117 | 4,252 | 293 | COLR | 1 |
| 19,109 B | (B) | NA | 19,109 | | IAC | 2 |
| 1,928 B | (B) | NA | 1,928 | | IAC | 2 |
| 21,213 * | | | 25,289 | | | |
| 742 | 2,763 | NA | 3,505 | | COLR | 6 |
| 8,150 | NJ | NJ | 8,150 | 8,150 | IAC | 1 |
| 4,753 A | NA | NA | | | IAC | 1 |
| 13,645 * | | | | | | |
| 255 | 1,014 | NA | 1,269 | | COLR | 1 |
| 1,178 | 126 | NA | 1,304 | | IAC | 1 |
| 1,265 | 239 | NA | 1,504 | | IAC | 1 |
| 2,698 | 1,379 | | 4,077 | | | |

NOTE:

NA = Indicates that the data are unavailable. Blank spaces indicate that a calculation is inappropriate.

NJ = This case type is not handled in this court.

(B) = Mandatory and discretionary jurisdiction cases cannot be separately identified. Data are reported within the jurisdiction where the court has the majority of its caseload.

(continued on next page)

TABLE 2: Reported Total Caseload for All State Appellate Courts, 2002 (continued)

QUALIFYING FOOTNOTES:

An absence of a qualifying footnote indicates that the data are complete.

* See the qualifying footnote for each court within the state. Each footnote has an effect on the state's total.

** Total mandatory cases filed in the Mississippi Supreme Court represent all mandatory cases filed for the state.

*** Oklahoma Supreme Court and Court of Appeals data were not available for 2002. Data are repeated from 1998.

**** Wyoming appellate data were not available for 2002. Data are repeated from 2001.

A: The following courts' data are incomplete:

Arkansas—Supreme Court—Total mandatory filed and disposed data do not include mandatory attorney disciplinary cases and certified questions from the federal courts.

California—Supreme Court—Total discretionary petitions granted filed data do not include original proceedings.

Colorado—Supreme Court—Total mandatory filed data do not include some reopened cases, some disciplinary matters, and some interlocutory decisions.

Maryland—Court of Appeals—Total mandatory filed data do not include some civil, criminal, and original proceedings.

Pennsylvania—Commonwealth Court—Total mandatory filed and disposed data do not include some administrative agency cases and some original proceedings.

South Dakota—Supreme Court—Total discretionary petitions filed data do not include some advisory opinions, which are reported with mandatory jurisdiction cases.

Washington—Supreme Court—Total discretionary petitions filed and disposed data do not include some civil and criminal discretionary petitions that are reported with mandatory jurisdiction cases.

B: The following courts' data are overinclusive:

Colorado—Supreme Court—Total discretionary petitions disposed data include all mandatory jurisdiction cases.

Connecticut—Supreme Court—Total discretionary petitions disposed data include all mandatory jurisdiction cases.
—Appellate Court—Total mandatory filed and disposed data include discretionary petitions.

Illinois—Appellate Court—Total mandatory filed and disposed data include all discretionary petitions.

Iowa—Supreme Court—Total mandatory filed data include all discretionary petitions.

Kansas—Supreme Court—Total mandatory disposed data include discretionary petitions that were disposed.
—Court of Appeals—Total mandatory filed and disposed data include all discretionary petitions.

Nebraska—Court of Appeals—Total discretionary petitions disposed data include all mandatory jurisdiction cases.

New Mexico—Court of Appeals—Total mandatory disposed data include all discretionary petitions.

New York—Appellate Divisions of Supreme Court—Total mandatory filed and disposed data include all discretionary petitions.

—Appellate Terms of Supreme Court—Total mandatory filed and disposed data include discretionary petitions.

South Dakota—Supreme Court—Total mandatory filed data include discretionary advisory opinions. Total mandatory disposed data include all discretionary petitions that were disposed.

Utah—Supreme Court—Total mandatory filed data include all discretionary petitions.

—Court of Appeals—Total mandatory filed data include all discretionary petitions.

Washington—Supreme Court—Total mandatory filed and disposed data include some discretionary petitions.

Wisconsin—Court of Appeals—Total mandatory filed and disposed data include all discretionary petitions.

C: The following courts' data are both incomplete and overinclusive:

Idaho—Supreme Court—Total mandatory filed and disposed data include discretionary original proceedings, but do not include mandatory interlocutory decisions or advisory opinions.

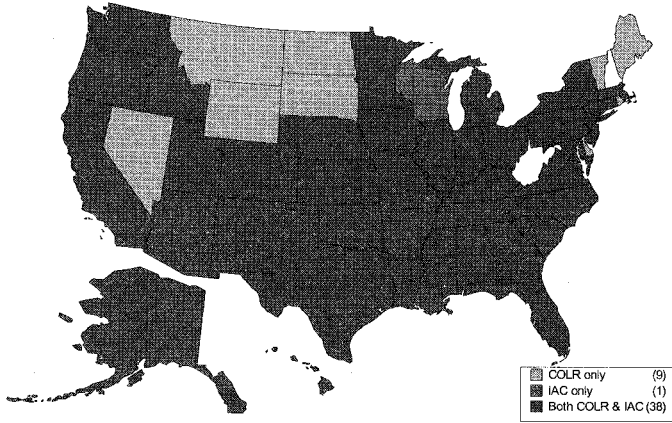
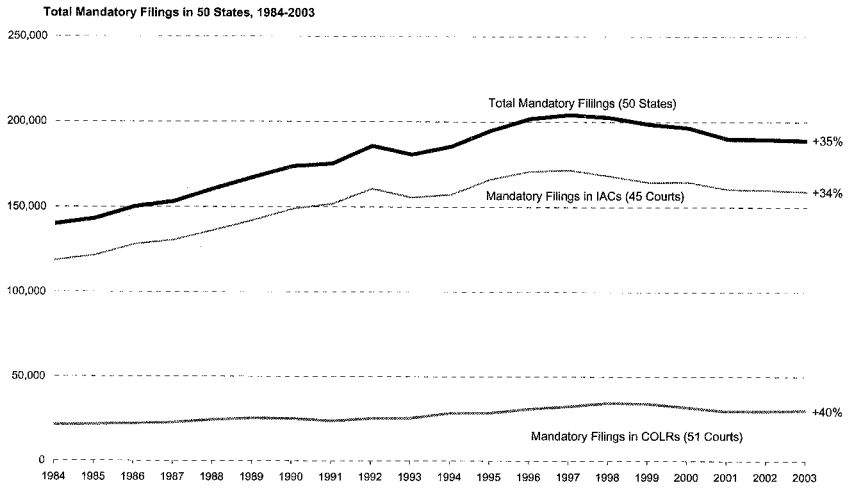


Table C: Discretionary Filings, 1984 - 2003

Table with columns for State/Court and years 1984-2003, plus % Change. Rows include courts such as Alabama Supreme Court, Arizona Supreme Court, California Supreme Court, etc., and a TOTAL COLLEGE row.

Note: Numbers in boldface italics are estimates. At the beginning of trends, these estimates are based upon the first actual filing figure and are straightlined backward to 1984. At the end of trends, the last used filing figure is carried forward to 2003. Zeros in boldface (0) indicate that the court did not have jurisdiction over the type of case (e.g., mandatory jurisdiction) that year.

