

Supreme Court

2009 Annual Caseload

Report

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The Supreme Court
Court Activity by Source of Review, 2009

	Trial Courts	Court of Appeals	Original Actions	WSBA ⁴ /CJC	Certified Issues
TOTAL					
FILINGS					
Total Filings 1,561	125	1,192	152	90	2
RESOLUTIONS¹					
Total Opinions 133	12	109	2	9	1
Decided on Merits 0	0	0	0	0	0
Dismissed 4	0	3	1	0	0
Transferred/Certified 26	26	0	0	0	0
Review Not Accepted 4	0	3	1	0	0
Other 671	3	651	17	0	0
Total Orders 705	29	657	19	0	0
Decided on Merits 0	0	0	0	0	0
Dismissed 52	17	29	4	0	2
Transferred/Certified 1	0	0	1	0	0
Review Not Accepted 93	6	66	21	0	0
Other 56	5	40	11	0	0
Total Rulings 202	28	135	37	0	2
Other Decisions Term. Rvw ² 378	0	0	0	378	0
Total Resolved 1,418	69	901	58	387	3
PENDING AT YEAR END³					
Cases Stayed 83	4	67	12	N/A	0
Cases Ready 50	5	43	2	N/A	0
Cases Not Ready 526	32	439	55	N/A	0
Set for Motion on Merits 0	0	0	0	N/A	0
Set for Motion Calendar 9	0	7	2	N/A	0
Set for Oral Argument 40	5	32	2	N/A	1
Total Awaiting Hearing 708	46	588	73	N/A	1
Opinion/Order in Process 69	0	65	2	N/A	2
Total Pending Decision 777	46	653	75	N/A	3
MANDATED					
Opinions 118	9	95	4	8	2
Other 1,794	131	1,114	168	378	3
Total Mandated 1,912	140	1,209	172	386	5

¹ As a result of changes in resolution coding procedures in 2005, resolutions are now categorized

by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.

² Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of

procedures for closing those cases (see footnote 4). As time permits, Court staff are now reviewing

those old cases and recording the disposed status as appropriate. Those dispositions are included in

"Other Decisions Terminating Review."

³ As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II),

measurement of the various stages of pending caseload are not comparable to measurements for prior

years. Extreme caution should be used in interpreting 2003 and future activity relative to that

shown for prior years.

⁴ Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington

State Bar Association and the Commission on Judicial Conduct. Recording of this information began

for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: (1) pending information is not available for WSBA and CJC cases, and (2) resolution

and mandate information is available only for 2003 and beyond.

The Supreme Court
Court Activity, Cases from Trial Courts, 2009

Exp Public Funds ¹	TOTAL	-----Appeals-----			-----Discr. Review-----			Death Penalty Review
		Criminal	Civil	Total	Criminal	Civil	Total	
FILINGS								
Total Filings		4	40	44	4	21	25	1
55	125							
RESOLUTIONS²								
Total Opinions		0	6	6	5	1	6	0
0	12							
Decided on Merits		0	0	0	0	0	0	0
0	0							
Dismissed		0	0	0	0	0	0	0
0	0							
Transferred/Certified		1	25	26	0	0	0	0
0	26							
Review Not Accepted		0	0	0	0	0	0	0
0	0							
Other		0	1	1	2	0	2	0
0	3							
Total Orders		1	26	27	2	0	2	0
0	29							
Decided on Merits		0	0	0	0	0	0	0
0	0							
Dismissed		2	13	15	0	2	2	0
0	17							
Transferred/Certified		0	0	0	0	0	0	0
0	0							
Review Not Accepted		0	0	0	1	5	6	0
0	6							
Other		0	1	1	1	3	4	0
0	5							
Total Rulings		2	14	16	2	10	12	0
0	28							
Other Decisions Term. Rvw		0	0	0	0	0	0	0
0	0							
Total Resolved		3	46	49	9	11	20	0
0	69							
PENDING AT YEAR END³								
Cases Stayed		2	2	4	0	0	0	0
0	4							
Cases Ready		1	3	4	0	1	1	0
0	5							
Cases Not Ready		2	18	20	1	7	8	1
3	32							
Set for Motion on Merits		0	0	0	0	0	0	0
0	0							
Set for Motion Calendar		0	0	0	0	0	0	0
0	0							
Set for Oral Argument		0	5	5	0	0	0	0
0	5							
Total Awaiting Hearing		5	28	33	1	8	9	1
3	46							
Opinion/Order in Process		0	0	0	0	0	0	0
0	0							
Total Pending Decision		5	28	33	1	8	9	1
3	46							
MANDATED								
Opinions		0	5	5	3	1	4	0
0	9							
Other		6	42	48	5	13	18	0
65	131							

¹ Expenditure of Public Funds.

² As a result of changes in resolution coding procedures in 2005, resolutions are now categorized

by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories

are reported for the first time in 2005.

³ As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II),

measurement of the various stages of pending caseload are not comparable to measurements for prior

years. Extreme caution should be used in interpreting 2003 and future activity relative to that

shown for prior years.

The Supreme Court
Court Activity, Cases from Court of Appeals, 2009

Transfers			--Petition for Review--			-- Motions for --			Discr.
Certifi- (party			Criminal	Civil	Total	Criminal	Civil	Total	Review
cations	motions)	TOTAL							PRP
FILINGS									
Total Filings			457	280	737	39	78	117	330
0	8	1,192							
RESOLUTIONS¹									
Total Opinions			41	51	92	2	0	2	5
2	8	109							
Decided on Merits			0	0	0	0	0	0	0
0	0	0							
Dismissed			0	1	1	0	0	0	1
1	0	3							
Transferred/Certified			0	0	0	0	0	0	0
0	0	0							
Review Not Accepted			0	0	0	1	2	3	0
0	0	3							
Other			406	237	643	4	4	8	0
0	0	651							
Total Orders			406	238	644	5	6	11	1
1	0	657							
Decided on Merits			0	0	0	0	0	0	0
0	0	0							
Dismissed			12	9	21	0	3	3	5
0	0	29							
Transferred/Certified			0	0	0	0	0	0	0
0	0	0							
Review Not Accepted			0	0	0	22	40	62	4
0	0	66							
Other			3	1	4	12	19	31	1
0	4	40							
Total Rulings			15	10	25	34	62	96	10
0	4	135							
Other Decisions Term. Rvw			0	0	0	0	0	0	0
0	0	0							
Total Resolved			462	299	761	41	68	109	16
3	12	901							
PENDING AT YEAR END²									
Cases Stayed			37	9	46	2	0	2	19
0	0	67							
Cases Ready			17	21	38	0	1	1	2
2	0	43							
Cases Not Ready			190	113	303	8	16	24	107
1	4	439							
Set for Motion on Merits			0	0	0	0	0	0	0
0	0	0							
Set for Motion Calendar			3	1	4	0	0	0	3
0	0	7							
Set for Oral Argument			17	15	32	0	0	0	0
0	0	32							
Total Awaiting Hearing			264	159	423	10	17	27	131
3	4	588							
Opinion/Order in Process			24	28	52	0	3	3	2
1	7	65							
Total Pending Decision			288	187	475	10	20	30	133
4	11	653							
MANDATED									
Opinions			37	42	79	1	0	1	5
1	9	95							
Other			422	248	670	43	65	108	330
1	5	1,114							

Total Mandated
2 14 1,209

459

290

749

44

65

109

335

¹ As a result of changes in resolution coding procedures in 2005, resolutions are now categorized

by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.

² As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II),

measurement of the various stages of pending caseload are not comparable to measurements for prior

years. Extreme caution should be used in interpreting 2003 and future activity relative to that

shown for prior years.

The Supreme Court
Court Activity, Original Actions and Federal Court, 2009

Certified	Actions				TOTAL	from Federal Court
	Against State Officers	Personal Restraints	Death Penalty PRP	Misc. Reviews		
FILINGS						
Total Filings	13	115	4	20	152	2
RESOLUTIONS¹						
Total Opinions	2	0	0	0	2	1
Decided on Merits	0	0	0	0	0	0
Dismissed	1	0	0	0	1	0
Transferred/Certified	0	0	0	0	0	0
Review Not Accepted	0	1	0	0	1	0
Other	0	0	0	17	17	0
Total Orders	1	1	0	17	19	0
Decided on Merits	0	0	0	0	0	0
Dismissed	1	3	0	0	4	2
Transferred/Certified	1	0	0	0	1	0
Review Not Accepted	0	21	0	0	21	0
Other	8	3	0	0	11	0
Total Rulings	10	27	0	0	37	2
Other Decisions Term. Rvw	0	0	0	0	0	0
Total Resolved	13	28	0	17	58	3
PENDING AT YEAR END²						
Cases Stayed	0	12	0	0	12	0
Cases Ready	2	0	0	0	2	0
Cases Not Ready	0	46	3	6	55	0
Set for Motion on Merits	0	0	0	0	0	0
Set for Motion Calendar	0	2	0	0	2	0
Set for Oral Argument	0	2	0	0	2	1
Total Awaiting Hearing	2	62	3	6	73	1
Opinion/Order in Process	1	0	1	0	2	2
Total Pending Decision	3	62	4	6	75	3
MANDATED						
Opinions	2	2	0	0	4	2
Other	12	134	1	21	168	3
Total Mandated	14	136	1	21	172	5

¹ As a result of changes in resolution coding procedures in 2005, resolutions are now categorized by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.

² As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of the various stages of pending caseload are not comparable to measurements for prior years. Extreme caution should be used in interpreting 2003 and future activity relative to that shown for prior years.

The Supreme Court
 Court Activity, Cases from WSBA and Commission on Judicial Conduct¹, 2009

on Judicial Conduct-			----- Washington State Bar Association -----						-Comm.	
Discpl/			Admissn		Discpl		Discpl		Discpl/	
Disblty			Appeals	Petition	Appeals	Discr. Review	Show Cause	Total	Disblty	
Discr.R	CJC	TOTAL	Appeals	Petition	Appeals	Review	Cause	Other ³	WSBA	Appeals
FILINGS										
Total Filings			2	7	6	1	18	55	89	1
0	1	90								
RESOLUTIONS										
Total Opinions			0	0	9	0	0	0	9	0
0	0	9								
Decided on Merits			0	0	0	0	0	0	0	0
0	0	0								
Dismissed			0	0	0	0	0	0	0	0
0	0	0								
Transferred/Certified			0	0	0	0	0	0	0	0
0	0	0								
Review Not Accepted			0	0	0	0	0	0	0	0
0	0	0								
Other			0	0	0	0	0	0	0	0
0	0	0								
Total Orders			0	0	0	0	0	0	0	0
0	0	0								
Decided on Merits			0	0	0	0	0	0	0	0
0	0	0								
Dismissed			0	0	0	0	0	0	0	0
0	0	0								
Transferred/Certified			0	0	0	0	0	0	0	0
0	0	0								
Review Not Accepted			0	0	0	0	0	0	0	0
0	0	0								
Other			0	0	0	0	0	0	0	0
0	0	0								
Total Rulings			0	0	0	0	0	0	0	0
0	0	0								
Other Decisions Term. Rvw ²			2	8	285	15	18	49	377	0
1	1	378								
Total Resolved			2	8	294	15	18	49	386	0
1	1	387								
PENDING AT YEAR END										
Cases Stayed			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Cases Ready			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Cases Not Ready			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Set for Motion on Merits			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Set for Motion Calendar			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Set for Oral Argument			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Total Awaiting Hearing			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Opinion/Order in Process			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
Total Pending Decision			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A								
MANDATED										
Opinions			0	0	8	0	0	0	8	0
0	0	8								
Other			2	8	285	15	18	49	377	0

1	1	378								
Total Mandated			2	8	293	15	18	49	385	0
1	1	386								

¹ As a result of recent transition to the new Appellate Court Records and Data System(ACORDS-II) and changes in

resolution coding procedures in 2005, the following revisions and observations were made:

(a) resolutions are now categorized by Opinions, Orders, and Rulings Terminating Review. Figures for these

categories are reported for the first time in 2005.

(b) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington

State Bar Association and the Commission on Judicial Conduct. Recording of this information began for

resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: (1) pending

information is not available for WSBA and CJC cases, and (2) resolution and mandate information is available

only for 2003 and beyond.

² Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for

closing those cases (see footnote 1(b)). As time permits, Court staff are now reviewing those old cases and recording

the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

³ Includes Notice of Discipline, Stipulation and Reciprocal Discipline, Disability Inactive Status Appeal, Transfer to

Disability Inactive Status, Financial and Miscellaneous Non-Discipline.

The Supreme Court
History of Filings, 2005-2009¹

Chg ³	2009	% Chg ³	2005	2006	% Chg ³	2007	% Chg ³	2008	%
<u>TRIAL COURTS</u>									
Criminal Appeals	1		11	. %	4	. %	6	.	
%	4	. %							
Civil Appeals	51		43	-15.7%	39	-9.3%	42		
7.7%	40	-4.8%							
Total Appeals	52		54	3.8%	43	-20.4%	48		
11.6%	44	-8.3%							
Direct Discretionary Review	17		16	. %	11	. %	23	.	
%	25	. %							
Death Penalty Review	0		0	. %	1	. %	0	.	
%	1	. %							
Exp. Public Funds	63		55	-12.7%	43	-21.8%	49		
14.0%	55	12.2%							
TOTAL--TRIAL COURTS	132		125	-5.3%	98	-21.6%	120		
22.4%	125	4.2%							
<u>COURT OF APPEALS</u>									
Criminal	456		438	-3.9%	454	3.7%	449	-	
1.1%	457	1.8%							
Civil	324		272	-16.0%	292	7.4%	290	-	
0.7%	280	-3.4%							
Total Petition for Review	780		710	-9.0%	746	5.1%	739	-	
0.9%	737	-0.3%							
Motion for Discr. Review	126		118	-6.3%	111	-5.9%	113		
1.8%	117	3.5%							
Motion for Discr. Rvw of PRP ²	458		358	-21.8%	248	-30.7%	318		
28.2%	330	3.8%							
Certifications/Transfers	11		28	. %	25	. %	10	.	
%	8	. %							
TOTAL--COURT OF APPEALS	1,375		1,214	-11.7%	1,130	-6.9%	1,180		
4.4%	1,192	1.0%							
<u>ORIGINAL ACTIONS AND CERTIFIED FROM FEDERAL COURT</u>									
TOTAL--ORIG. ACTIONS & FED COURT	166		136	-18.1%	131	-3.7%	194		
48.1%	154	-20.6%							
<u>WSBA/CJC</u>									
TOTAL--WSBA/CJC	117		117	0.0%	109	-6.8%	112		
2.8%	90	-19.6%							
TOTAL FILED	1,790		1,592	-11.1%	1,468	-7.8%	1,606		
9.4%	1,561	-2.8%							

¹ Implementation of the new Appellate Court Records and Data System (ACORDS-II) in the Supreme Court on 6/09/2003 has enabled improved reporting categories and inclusion of review types that were not published in previous annual reports (death penalty reviews, attorney admission and discipline matters, and miscellaneous motions for review). Figures for all years have been recomputed accordingly for presentation in the 2003 and future publications.

² Improved coding in late 2000 now allows distinct reporting of (1) Motions for Discretionary Review and (2) Motions for Discretionary Review of PRP. Prior to 2001, both are included in Motions for Discretionary Review.

³ Percentages are not reported when numbers are small (less than 30).

**The Supreme Court
History of Resolutions, 2005-2009¹**

Chg ⁴	2009	% Chg ⁴	2005	2006	% Chg ⁴	2007	% Chg ⁴	2008	%
<u>TRIAL COURTS</u>									
Criminal Appeals	5		5	6	. %	9	. %	5	.
%	3	. %							
Civil Appeals	44		44	38	-13.6%	51	34.2%	35	-
31.4%	46	31.4%							
Total Appeals	49		49	44	-10.2%	60	36.4%	40	-
33.3%	49	22.5%							
Direct Discretionary Review	14		14	19	. %	16	. %	18	.
%	20	. %							
Death Penalty Review	0		0	2	. %	1	. %	0	.
%	0	. %							
Exp. Public Funds	56		56	66	17.9%	13	. %	1	.
%	0	. %							
TOTAL--TRIAL COURTS	119		119	131	10.1%	90	-31.3%	59	-
34.4%	69	16.9%							
<u>COURT OF APPEALS</u>									
Criminal	418		418	367	-12.2%	447	21.8%	569	
27.3%	462	-18.8%							
Civil	295		295	271	-8.1%	278	2.6%	330	
18.7%	299	-9.4%							
Total Petition for Review	713		713	638	-10.5%	725	13.6%	899	
24.0%	761	-15.4%							
Motion for Discr. Review	142		142	119	-16.2%	102	-14.3%	108	
5.9%	109	0.9%							
Motion for Discr. Rvw of PRP ²	417		417	286	-31.4%	10	. %	13	.
%	16	. %							
Certifications/Transfers	10		10	7	. %	23	. %	22	.
%	15	. %							
TOTAL--COURT OF APPEALS	1,282		1,282	1,050	-18.1%	860	-18.1%	1,042	
21.2%	901	-13.5%							
<u>ORIGINAL ACTIONS AND CERTIFIED FROM FEDERAL COURT</u>									
TOTAL--ORIG. ACTIONS & FED COURT	195		195	127	-34.9%	35	-72.4%	41	
17.1%	61	48.8%							
<u>WSBA/CJC</u>									
TOTAL--WSBA/CJC ³	195		195	129	-33.8%	124	-3.9%	112	-
9.7%	387	245.5%							
TOTAL RESOLVED	1,791		1,791	1,437	-19.8%	1,109	-22.8%	1,254	
13.1%	1,418	13.1%							

¹ Implementation of the new Appellate Court Records and Data System (ACORDS-II) in the Supreme Court on 6/09/2003

has enabled improved reporting categories and inclusion of review types that were not published in previous annual reports (death penalty reviews, attorney admission and discipline matters, and miscellaneous motions for review). Figures for all years have been recomputed accordingly for presentation in the 2003 and future publications.

² Improved coding in late 2000 now allows distinct reporting of (1) Motions for Discretionary Review and (2) Motions for Discretionary Review of PRP. Prior to 2001, both are included in Motions for Discretionary Review.

³ Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: (1) pending

information is not available for WSBA and CJC cases, and (2) resolution and mandate information is available only for 2003 and beyond. In addition, resolution information for years 2004 forward includes some old cases for which the disposed status has been retroactively determined and recorded.

⁴ Percentages are not reported when numbers are small (less than 30).

**The Supreme Court
History of Pending Cases, 2005-2009¹**

Chg ⁴	2009	% Chg ⁴	2005	2006	% Chg ⁴	2007	% Chg ⁴	2008	%
<u>TRIAL COURTS</u>									
Criminal Appeals	7		7	13	. %	7	. %	7	.
%	5	. %							
Civil Appeals	39		39	42	7.7%	28	. %	36	.
%	28	. %							
Total Appeals	46		46	55	19.6%	35	-36.4%	43	
%	33	-23.3%							
Direct Discretionary Review	14		14	11	. %	6	. %	10	.
%	9	. %							
Death Penalty Review	3		3	1	. %	1	. %	1	.
%	1	. %							
Exp. Public Funds	19		19	6	. %	8	. %	13	.
%	3	. %							
TOTAL--TRIAL COURTS	82		82	73	-11.0%	50	-31.5%	67	
%	46	-31.3%							
<u>COURT OF APPEALS</u>									
Criminal	359		359	412	14.8%	417	1.2%	293	-
%	288	-1.7%							
Civil	250		250	246	-1.6%	258	4.9%	207	-
%	187	-9.7%							
Total Petition for Review	609		609	658	8.0%	675	2.6%	500	-
%	475	-5.0%							
Motion for Discr. Review	17		17	17	. %	23	. %	27	.
%	30	. %							
Motion for Discr. Rvw of PRP ²	103		103	60	-41.7%	134	123.3%	119	-
%	133	11.8%							
Certifications/Transfers	3		3	6	. %	18	. %	20	.
%	15	. %							
TOTAL--COURT OF APPEALS	732		732	741	1.2%	850	14.7%	666	-
%	653	-2.0%							
<u>ORIGINAL ACTIONS AND CERTIFIED FROM FEDERAL COURT</u>									
TOTAL--ORIG. ACTIONS & FED COURT	39		39	34	-12.8%	84	147.1%	95	
%	78	-17.9%							
<u>WSBA/CJC</u>									
TOTAL--WSBA/CJC ³	N/A		N/A	N/A	N/A	N/A	N/A	N/A	N/A
%	N/A								
TOTAL PENDING DECISION	853		853	848	-0.6%	984	16.0%	828	-
%	777	-6.2%							

¹ Implementation of the new Appellate Court Records and Data System (ACORDS-II) in the Supreme Court on 6/09/2003

has enabled improved reporting categories and inclusion of review types that were not published in previous annual reports (death penalty reviews, attorney admission and discipline matters, and miscellaneous motions for review). Figures for all years have been recomputed accordingly for presentation in the 2003 and future publications.

² Improved coding in late 2000 now allows distinct reporting of (1) Motions for Discretionary Review and (2) Motions for Discretionary Review of PRP. Prior to 2001, both are included in Motions for Discretionary Review.

³ Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: (1) pending

information is not available for WSBA and CJC cases, and (2) resolution and mandate information is available only for 2003 and beyond.

⁴ Percentages are not reported when numbers are small (less than 30).

**The Supreme Court
Court Activity Trends, All Reviews, 2005-2009¹**

2009	% Chg	2005	2006	% Chg	2007	% Chg	2008	% Chg
FILINGS								
Total Filings		1,790	1,592	-11.1%	1,468	-7.8%	1,606	9.4%
1,561	-2.8%							
RESOLUTIONS²								
Total Opinions		143	122	-14.7%	153	25.4%	112	-26.8%
133	18.8%							
Decided on Merits		0	0	. %	0	. %	0	. %
0	. %							
Dismissed		6	3	. %	5	. %	9	. %
4	. %							
Transferred/Certified		16	20	. %	30	. %	20	. %
26	. %							
Review Not Accepted		6	9	. %	4	. %	3	. %
4	. %							
Other		683	620	-9.2%	633	2.1%	818	29.2%
671	-18.0%							
Total Orders		711	652	-8.3%	672	3.1%	850	26.5%
705	-17.1%							
Decided on Merits		0	0	. %	0	. %	0	. %
0	. %							
Dismissed		68	37	-45.6%	35	-5.4%	45	28.6%
52	15.6%							
Transferred/Certified		131	68	-48.1%	10	. %	7	. %
1	. %							
Review Not Accepted		86	397	361.6%	80	-79.8%	77	-3.8%
93	20.8%							
Other		468	41	-91.2%	42	2.4%	56	33.3%
56	0.0%							
Total Rulings		753	543	-27.9%	167	-69.2%	185	10.8%
202	9.2%							
Other Decisions Term. Rvw ³		184	120	-34.8%	117	-2.5%	107	-
8.5%		378	253.3%					
Total Orders/Rulings/Other ⁴		1,648	1,315	-20.2%	956	-27.3%	1,142	
19.5%		1,285	12.5%					
Total Resolved		1,791	1,437	-19.8%	1,109	-22.8%	1,254	13.1%
1,418	13.1%							
PENDING AT YEAR END⁵								
Cases Stayed		58	71	22.4%	30	-57.7%	53	76.7%
83	56.6%							
Cases Ready		34	37	8.8%	7	. %	66	. %
50	-24.2%							
Cases Not Ready		696	630	-9.5%	870	38.1%	598	-31.3%
526	-12.0%							
Set for Motion on Merits		0	0	. %	0	. %	0	. %
0	. %							
Set for Motion Calendar		7	32	. %	9	. %	7	. %
9	. %							
Set for Oral Argument		0	0	. %	17	. %	42	. %
40	-4.8%							
Total Awaiting Hearing		795	770	-3.1%	933	21.2%	766	-17.9%
708	-7.6%							
Opinion/Order in Process		58	78	34.5%	51	-34.6%	62	21.6%
69	11.3%							
Total Pending Decision		853	848	-0.6%	984	16.0%	828	-15.9%
777	-6.2%							
MANDATED								
Opinions		151	107	-29.1%	159	48.6%	121	-23.9%
118	-2.5%							
Other		1,643	1,495	-9.0%	1,318	-11.8%	1,584	20.2%
1,794	13.3%							
Total Mandated		1,794	1,602	-10.7%	1,477	-7.8%	1,705	15.4%

¹ Implementation of the new Appellate Court Records and Data System (ACORDS-II) in the Supreme Court on 6/09/2003

has enabled improved reporting categories and inclusion of review types that were not published in previous annual reports (death penalty reviews, attorney admission and discipline matters, and miscellaneous motions for review). Figures for all years have been recomputed accordingly for presentation in the 2003 and future publications.

² As a result of changes in resolution coding procedures in 2005, resolutions are now categorized by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.

³ Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for closing those cases. As time permits, Court staff are now reviewing those old cases and recording the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

⁴ For years prior to 2005, it is not possible to distinguish the different types of resolution. Figures are broadly aggregated and shown as the sum of these resolution types.

⁵ As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of the various stages of pending caseload are not comparable to measurements for prior years. Extreme caution should be used in interpreting 2003 and future activity relative to that shown for prior years.

The Supreme Court
Court Activity Trends, Cases from Trial Courts, 2005-2009

	2005	2006	% Chg ⁴	2007	% Chg ⁴	2008	%
FILINGS							
Total Filings	132	125	-5.3%	98	-21.6%	120	22.4%
125 4.2%							
RESOLUTIONS¹							
Total Opinions	20	16	. %	22	. %	12	. %
12 . %							
Decided on Merits	0	0	. %	0	. %	0	. %
0 . %							
Dismissed	0	2	. %	2	. %	2	. %
0 . %							
Transferred/Certified	11	19	. %	30	. %	20	. %
26 . %							
Review Not Accepted	2	0	. %	0	. %	0	. %
0 . %							
Other	66	69	4.5%	14	. %	1	. %
3 . %							
Total Orders	79	90	13.9%	46	-48.9%	23	. %
29 . %							
Decided on Merits	0	0	. %	0	. %	0	. %
0 . %							
Dismissed	9	8	. %	16	. %	13	. %
17 . %							
Transferred/Certified	0	3	. %	0	. %	0	. %
0 . %							
Review Not Accepted	1	7	. %	2	. %	5	. %
6 . %							
Other	10	7	. %	4	. %	6	. %
5 . %							
Total Rulings	20	25	. %	22	. %	24	. %
28 . %							
Other Decisions Term. Rvw	0	0	. %	0	. %	0	. %
0 . %							
Total Orders/Rulings/Other ²	99	115	16.2%	68	-40.9%	47	-
30.9% 57 21.3%							
Total Resolved	119	131	10.1%	90	-31.3%	59	-34.4%
69 16.9%							
PENDING AT YEAR END³							
Cases Stayed	7	4	. %	4	. %	5	. %
4 . %							
Cases Ready	5	6	. %	3	. %	3	. %
5 . %							
Cases Not Ready	58	48	-17.2%	36	-25.0%	52	44.4%
32 -38.5%							
Set for Motion on Merits	0	0	. %	0	. %	0	. %
0 . %							
Set for Motion Calendar	0	0	. %	0	. %	0	. %
0 . %							
Set for Oral Argument	0	0	. %	0	. %	2	. %
5 . %							
Total Awaiting Hearing	70	58	-17.1%	43	-25.9%	62	44.2%
46 -25.8%							
Opinion/Order in Process	12	15	. %	7	. %	5	. %
0 . %							
Total Pending Decision	82	73	-11.0%	50	-31.5%	67	34.0%
46 -31.3%							
MANDATED							
Opinions	22	15	. %	24	. %	14	. %
9 . %							
Other	97	119	22.7%	98	-17.6%	90	-8.2%
131 45.6%							
Total Mandated	119	134	12.6%	122	-9.0%	104	-14.8%
140 34.6%							

- ¹ As a result of changes in resolution coding procedures in 2005, resolutions are now categorized by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.
- ² For years prior to 2005, it is not possible to distinguish the different types of resolution. Figures are broadly aggregated and shown as the sum of these resolution types.
- ³ As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of the various stages of pending caseload are not comparable to measurements for prior years. Extreme caution should be used in interpreting 2003 and future activity relative to that shown for prior years.
- ⁴ Percentages are not reported when numbers are small(less than 30).

The Supreme Court
Court Activity Trends, Cases from Court of Appeals, 2005-2009

	2005	2006	% Chg ⁴	2007	% Chg ⁴	2008	%
FILINGS							
Total Filings	1,375	1,214	-11.7%	1,130	-6.9%	1,180	4.4%
1,192 1.0%							
RESOLUTIONS¹							
Total Opinions	105	93	-11.4%	121	30.1%	88	-27.3%
109 23.9%							
Decided on Merits	0	0	. %	0	. %	0	. %
0 . %							
Dismissed	5	0	. %	3	. %	7	. %
3 . %							
Transferred/Certified	4	0	. %	0	. %	0	. %
0 . %							
Review Not Accepted	3	9	. %	4	. %	3	. %
3 . %							
Other	600	541	-9.8%	609	12.6%	802	31.7%
651 -18.8%							
Total Orders	612	550	-10.1%	616	12.0%	812	31.8%
657 -19.1%							
Decided on Merits	0	0	. %	0	. %	0	. %
0 . %							
Dismissed	38	22	. %	18	. %	30	. %
29 . %							
Transferred/Certified	5	0	. %	0	. %	0	. %
0 . %							
Review Not Accepted	79	360	355.7%	69	-80.8%	68	-1.4%
66 -2.9%							
Other	443	25	. %	36	. %	44	22.2%
40 -9.1%							
Total Rulings	565	407	-28.0%	123	-69.8%	142	15.4%
135 -4.9%							
Other Decisions Term. Rvw	0	0	. %	0	. %	0	. %
0 . %							
Total Orders/Rulings/Other ²	1,177	957	-18.7%	739	-22.8%	954	
29.1% 792 -17.0%							
Total Resolved	1,282	1,050	-18.1%	860	-18.1%	1,042	21.2%
901 -13.5%							
PENDING AT YEAR END³							
Cases Stayed	51	66	29.4%	26	. %	39	. %
67 71.8%							
Cases Ready	27	29	. %	4	. %	60	. %
43 -28.3%							
Cases Not Ready	602	552	-8.3%	756	37.0%	469	-38.0%
439 -6.4%							
Set for Motion on Merits	0	0	. %	0	. %	0	. %
0 . %							
Set for Motion Calendar	7	32	. %	7	. %	5	. %
7 . %							
Set for Oral Argument	0	0	. %	17	. %	39	. %
32 -17.9%							
Total Awaiting Hearing	687	679	-1.2%	810	19.3%	612	-24.4%
588 -3.9%							
Opinion/Order in Process	45	62	37.8%	40	-35.5%	54	35.0%
65 20.4%							
Total Pending Decision	732	741	1.2%	850	14.7%	666	-21.6%
653 -2.0%							
MANDATED							
Opinions	109	78	-28.4%	126	61.5%	95	-24.6%
95 0.0%							
Other	1,159	1,111	-4.1%	995	-10.4%	1,213	21.9%
1,114 -8.2%							
Total Mandated	1,268	1,189	-6.2%	1,121	-5.7%	1,308	16.7%
1,209 -7.6%							

- ¹ As a result of changes in resolution coding procedures in 2005, resolutions are now categorized by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.
- ² For years prior to 2005, it is not possible to distinguish the different types of resolution. Figures are broadly aggregated and shown as the sum of these resolution types.
- ³ As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of the various stages of pending caseload are not comparable to measurements for prior years. Extreme caution should be used in interpreting 2003 and future activity relative to that shown for prior years.
- ⁴ Percentages are not reported when numbers are small(less than 30).

The Supreme Court
Court Activity Trends, Original Actions, 2005-2009

	2005	2006	% Chg ⁴	2007	% Chg ⁴	2008	% Chg ⁴
2009 % Chg⁴							
FILINGS							
Total Filings	164	133	-18.9%	129	-3.0%	188	45.7%
152 -19.1%							
RESOLUTIONS¹							
Total Opinions	9	5	. %	2	. %	4	. %
2 . %							
Decided on Merits	0	0	. %	0	. %	0	. %
0 . %							
Dismissed	1	1	. %	0	. %	0	. %
1 . %							
Transferred/Certified	1	1	. %	0	. %	0	. %
0 . %							
Review Not Accepted	1	0	. %	0	. %	0	. %
1 . %							
Other	14	9	. %	10	. %	15	. %
17 . %							
Total Orders	17	11	. %	10	. %	15	. %
19 . %							
Decided on Merits	0	0	. %	0	. %	0	. %
0 . %							
Dismissed	19	6	. %	1	. %	2	. %
4 . %							
Transferred/Certified	126	65	-48.4%	10	. %	7	. %
1 . %							
Review Not Accepted	6	30	. %	9	. %	4	. %
21 . %							
Other	15	8	. %	2	. %	6	. %
11 . %							
Total Rulings	166	109	-34.3%	22	. %	19	. %
37 . %							
Other Decisions Term. Rvw	0	0	. %	0	. %	0	. %
0 . %							
Total Orders/Rulings/Other ²	183	120	-34.4%	32	-73.3%	34	
6.3% 56 64.7%							
Total Resolved	192	125	-34.9%	34	-72.8%	38	
11.8% 58 52.6%							
PENDING AT YEAR END³							
Cases Stayed	0	1	. %	0	. %	9	. %
12 . %							
Cases Ready	2	2	. %	0	. %	0	. %
2 . %							
Cases Not Ready	36	30	-16.7%	77	156.7%	76	-1.3%
55 -27.6%							
Set for Motion on Merits	0	0	. %	0	. %	0	. %
0 . %							
Set for Motion Calendar	0	0	. %	2	. %	2	. %
2 . %							
Set for Oral Argument	0	0	. %	0	. %	0	. %
2 . %							
Total Awaiting Hearing	38	33	-13.2%	79	139.4%	87	10.1%
73 -16.1%							
Opinion/Order in Process	1	0	. %	3	. %	3	. %
2 . %							
Total Pending Decision	39	33	-15.4%	82	148.5%	90	9.8%
75 -16.7%							
MANDATED							
Opinions	12	5	. %	1	. %	5	. %
4 . %							
Other	202	142	-29.7%	108	-23.9%	174	
61.1% 168 -3.4%							
Total Mandated	214	147	-31.3%	109	-25.9%	179	64.2%
172 -3.9%							

- ¹ As a result of changes in resolution coding procedures in 2005, resolutions are now categorized by Opinions, Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.
- ² For years prior to 2005, it is not possible to distinguish the different types of resolution. Figures are broadly aggregated and shown as the sum of these resolution types.
- ³ As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of the various stages of pending caseload are not comparable to measurements for prior years. Extreme caution should be used in interpreting 2003 and future activity relative to that shown for prior years.
- ⁴ Percentages are not reported when numbers are small(less than 30).

The Supreme Court

Court Activity Trends, Cases from WSBA and Commission on Judicial Conduct, 2005-2009¹

	2005	2006	% Chg ⁵	2007	% Chg ⁵	2008	%
Chg⁵ 2009 % Chg⁵							
FILINGS							
Total Filings	117	117	0.0%	109	-6.8%	112	2.8%
90 -19.6%							
RESOLUTIONS²							
Total Opinions	7	7		7		5	
9							
Decided on Merits	0	0		0		0	
0							
Dismissed	0	0		0		0	
0							
Transferred/Certified	0	0		0		0	
0							
Review Not Accepted	0	0		0		0	
0							
Other	2	1		0		0	
0							
Total Orders	2	1		0		0	
0							
Decided on Merits	0	0		0		0	
0							
Dismissed	2	0		0		0	
0							
Transferred/Certified	0	0		0		0	
0							
Review Not Accepted	0	0		0		0	
0							
Other	0	1		0		0	
0							
Total Rulings	2	1		0		0	
0							
Other Decisions Term. Rvw ³	184	120	-34.8%	117	-2.5%	107	-
8.5% 378 253.3%							
Total Orders/Rulings/Other ⁴	188	122	-35.1%	117	-4.1%	107	-
8.5% 378 253.3%							
Total Resolved	195	129	-33.8%	124	-3.9%	112	-9.7%
387 245.5%							
PENDING AT YEAR END							
Cases Stayed	N/A	N/A		N/A		N/A	
N/A							
Cases Ready	N/A	N/A		N/A		N/A	
N/A							
Cases Not Ready	N/A	N/A		N/A		N/A	
N/A							
Set for Motion on Merits	N/A	N/A		N/A		N/A	
N/A							
Set for Motion Calendar	N/A	N/A		N/A		N/A	
N/A							
Set for Oral Argument	N/A	N/A		N/A		N/A	
N/A							
Total Awaiting Hearing	N/A	N/A		N/A		N/A	
N/A							
Opinion/Order in Process	N/A	N/A		N/A		N/A	
N/A							
Total Pending Decision	N/A	N/A		N/A		N/A	
N/A							
MANDATED							
Opinions	7	7	. %	7	. %	5	. %
8 . %							
Other	184	122	-33.7%	117	-4.1%	107	-8.5%
378 253.3%							
Total Mandated	191	129	-32.5%	124	-3.9%	112	-9.7%
386 244.6%							

¹ Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring

in 2003 and beyond, but is not available retroactively. As a consequence: (1) pending information is not available for WSBA and CJC cases, and (2) resolution and mandate information is comparable only for 2003 and beyond.

² As a result of changes in resolution coding procedures in 2005, resolutions are now categorized by Opinions,

Orders Terminating Review, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005.

³ Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for

closing those cases (see footnote 1). As time permits, Court staff are now reviewing those old cases and recording

the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

⁴ For years prior to 2005, it is not possible to distinguish the different types of resolution. Figures are broadly

aggregated and shown as the sum of these resolution types.

⁵ Percentages are not reported when numbers are small (less than 30).