

# *Court of Appeals*

## *2009 Annual Caseload*

### *Report*

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The Court Of Appeals  
Court Activity, All Divisions, 2009

Reviews	-----Appeals-----			-----Other Reviews-----			All
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings 4,303	1,408	1,441	2,849	1,039	415	1,454	
<b>RESOLUTIONS</b>							
Opinions Published 393	153	201	354	14	25	39	
Opinions Unpublished 1,332	867	413	1,280	39	13	52	
Opinions 1,725	1,020	614	1,634	53	38	91	
Dismissed 828	9	8	17	810	1	811	
Transferred/Certified 73	26	32	58	13	2	15	
Review Not Accepted 25	1	1	2	22	1	23	
Other Terminations 71	10	19	29	40	2	42	
Orders 997	46	60	106	885	6	891	
Decided on the Merits 339	114	210	324	6	9	15	
Dismissed 872	206	429	635	106	131	237	
Transferred/Certified 3	0	1	1	0	2	2	
Review Not Accepted 271	10	34	44	1	226	227	
Other Terminations 54	23	25	48	2	4	6	
Rulings 1,539	353	699	1,052	115	372	487	
Total Resolved 4,261	1,419	1,373	2,792	1,053	416	1,469	
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed 176	49	50	99	67	10	77	
Brief Not Filed 1,594	688	547	1,235	260	99	359	
Appellant Brief Filed 411	245	140	385	17	9	26	
Respondent Brief Filed 793	369	266	635	136	22	158	
Remanded to Trial Court 11	3	3	6	1	4	5	
Set for Commissioners' Calendar 126	42	59	101	4	21	25	
Ruling Referred to Panel 10	10	0	10	0	0	0	
Set for Oral Argument <sup>2</sup> 247	123	109	232	8	7	15	
Total Awaiting Hearing 3,368	1,529	1,174	2,703	493	172	665	
Opinion/Order in Process 210	103	93	196	7	7	14	
Total Pending Decision 3,578	1,632	1,267	2,899	500	179	679	
<b>MANDATED</b>							
Opinions 1,878	1,077	698	1,775	58	45	103	
Orders	33	39	72	911	5	916	

988						
Rulings	387	638	1,025	110	361	471
1,496						
Other Decisions Term. Review <sup>3</sup>	3	7	10	9	3	12
22						
Total Mandated	1,500	1,382	2,882	1,088	414	1,502
4,384						

<sup>1</sup> As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of resolution types and 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.

<sup>2</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases.

Division III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

<sup>3</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by mandate/certificate of finality entered in the primary case.

The Court Of Appeals  
Court Activity, Division I, 2009

Reviews	-----Appeals-----			-----Other Reviews-----			All
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings 1,858	544	688	1,232	437	189	626	
<b>RESOLUTIONS</b>							
Opinions Published 152	55	80	135	7	10	17	
Opinions Unpublished 585	341	213	554	28	3	31	
Opinions 737	396	293	689	35	13	48	
Dismissed 319	3	3	6	312	1	313	
Transferred/Certified 4	0	0	0	2	2	4	
Review Not Accepted 1	1	0	1	0	0	0	
Other Terminations 30	4	8	12	18	0	18	
Orders 354	8	11	19	332	3	335	
Decided on the Merits 86	10	75	85	0	1	1	
Dismissed 449	106	213	319	70	60	130	
Transferred/Certified 0	0	0	0	0	0	0	
Review Not Accepted 109	2	10	12	0	97	97	
Other Terminations 14	4	9	13	1	0	1	
Rulings 658	122	307	429	71	158	229	
Total Resolved 1,749	526	611	1,137	438	174	612	
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed 70	10	21	31	37	2	39	
Brief Not Filed 727	275	271	546	120	61	181	
Appellant Brief Filed 165	85	70	155	5	5	10	
Respondent Brief Filed 335	163	133	296	31	8	39	
Remanded to Trial Court 0	0	0	0	0	0	0	
Set for Commissioners' Calendar 17	0	14	14	0	3	3	
Ruling Referred to Panel 0	0	0	0	0	0	0	
Set for Oral Argument <sup>2</sup> 105	37	58	95	5	5	10	
Total Awaiting Hearing 1,419	570	567	1,137	198	84	282	
Opinion/Order in Process 47	15	29	44	0	3	3	
Total Pending Decision 1,466	585	596	1,181	198	87	285	
<b>MANDATED</b>							
Opinions 850	450	354	804	31	15	46	
Orders	5	1	6	359	3	362	

368						
Rulings	140	282	422	63	158	221
643						
Other Decisions Term. Review <sup>3</sup>	1	5	6	8	1	9
15						
Total Mandated	596	642	1,238	461	177	638
1,876						

<sup>1</sup> As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of resolution types and 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.

<sup>2</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases.

Division III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

<sup>3</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by mandate/certificate of finality entered in the primary case.

The Court Of Appeals  
 Court Activity, Division II, 2009

Reviews	-----Appeals-----			-----Other Reviews-----			All
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings 1,447	539	437	976	336	135	471	
<b>RESOLUTIONS</b>							
Opinions Published 149	71	63	134	5	10	15	
Opinions Unpublished 497	376	110	486	5	6	11	
Opinions 646	447	173	620	10	16	26	
Dismissed 313	6	5	11	302	0	302	
Transferred/Certified 61	22	30	52	9	0	9	
Review Not Accepted 18	0	0	0	17	1	18	
Other Terminations 36	5	11	16	18	2	20	
Orders 428	33	46	79	346	3	349	
Decided on the Merits 104	29	75	104	0	0	0	
Dismissed 248	55	132	187	18	43	61	
Transferred/Certified 0	0	0	0	0	0	0	
Review Not Accepted 82	4	13	17	1	64	65	
Other Terminations 4	2	0	2	0	2	2	
Rulings 438	90	220	310	19	109	128	
Total Resolved 1,512	570	439	1,009	375	128	503	
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed 39	9	8	17	18	4	22	
Brief Not Filed 537	254	173	427	82	28	110	
Appellant Brief Filed 145	100	35	135	8	2	10	
Respondent Brief Filed 320	174	99	273	42	5	47	
Remanded to Trial Court 2	2	0	2	0	0	0	
Set for Commissioners' Calendar 20	13	2	15	0	5	5	
Ruling Referred to Panel 10	10	0	10	0	0	0	
Set for Oral Argument <sup>2</sup> 100	64	33	97	1	2	3	
Total Awaiting Hearing 1,173	626	350	976	151	46	197	
Opinion/Order in Process 136	78	50	128	5	3	8	
Total Pending Decision 1,309	704	400	1,104	156	49	205	
<b>MANDATED</b>							
Opinions 653	438	178	616	19	18	37	
Orders	24	34	58	338	2	340	

398						
Rulings	98	198	296	20	97	117
413						
Other Decisions Term. Review <sup>3</sup>	1	2	3	1	1	2
5						
Total Mandated	561	412	973	378	118	496
1,469						

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The Court Of Appeals  
Court Activity, Division III, 2009

Reviews	-----Appeals-----			-----Other Reviews-----			All
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings 998	325	316	641	266	91	357	
<b>RESOLUTIONS</b>							
Opinions Published 92	27	58	85	2	5	7	
Opinions Unpublished 250	150	90	240	6	4	10	
Opinions 342	177	148	325	8	9	17	
Dismissed 196	0	0	0	196	0	196	
Transferred/Certified 8	4	2	6	2	0	2	
Review Not Accepted 6	0	1	1	5	0	5	
Other Terminations 5	1	0	1	4	0	4	
Orders 215	5	3	8	207	0	207	
Decided on the Merits 149	75	60	135	6	8	14	
Dismissed 175	45	84	129	18	28	46	
Transferred/Certified 3	0	1	1	0	2	2	
Review Not Accepted 80	4	11	15	0	65	65	
Other Terminations 36	17	16	33	1	2	3	
Rulings 443	141	172	313	25	105	130	
Total Resolved 1,000	323	323	646	240	114	354	
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed 67	30	21	51	12	4	16	
Brief Not Filed 330	159	103	262	58	10	68	
Appellant Brief Filed 101	60	35	95	4	2	6	
Respondent Brief Filed 138	32	34	66	63	9	72	
Remanded to Trial Court 9	1	3	4	1	4	5	
Set for Commissioners' Calendar 89	29	43	72	4	13	17	
Ruling Referred to Panel 0	0	0	0	0	0	0	
Set for Oral Argument <sup>2</sup> 42	22	18	40	2	0	2	
Total Awaiting Hearing 776	333	257	590	144	42	186	
Opinion/Order in Process 27	10	14	24	2	1	3	
Total Pending Decision 803	343	271	614	146	43	189	
<b>MANDATED</b>							
Opinions 375	189	166	355	8	12	20	
Orders	4	4	8	214	0	214	



222						
Rulings	149	158	307	27	106	133
440						
Other Decisions Term. Review <sup>3</sup>	1	0	1	0	1	1
2						
Total Mandated	343	328	671	249	119	368
1,039						

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**The Court of Appeals  
History of Filings, 2005-2009**

<b>Chg</b>	<b>2009</b>	<b>% Chg</b>	<b>2005</b>	<b>2006</b>	<b>% Chg</b>	<b>2007</b>	<b>% Chg</b>	<b>2008</b>	<b>%</b>
<b>DIVISION I</b>									
Criminal Appeals			573	543	-5.2%	565	4.1%	521	-
7.8%	544	4.4%							
Civil Appeals			766	645	-15.8%	600	-7.0%	620	
3.3%	688	11.0%							
Total Appeals			1,339	1,188	-11.3%	1,165	-1.9%	1,141	-
2.1%	1,232	8.0%							
Personal Restraint Petitions			464	437	-5.8%	394	-9.8%	479	
21.6%	437	-8.8%							
Notices of Discretionary Review			202	191	-5.4%	180	-5.8%	178	-
1.1%	189	6.2%							
Total Filings, Division I			2,005	1,816	-9.4%	1,739	-4.2%	1,798	
3.4%	1,858	3.3%							
<b>DIVISION II</b>									
Criminal Appeals			547	587	7.3%	563	-4.1%	617	
9.6%	539	-12.6%							
Civil Appeals			419	441	5.3%	476	7.9%	415	-
12.8%	437	5.3%							
Total Appeals			966	1,028	6.4%	1,039	1.1%	1,032	-
0.7%	976	-5.4%							
Personal Restraint Petitions			445	351	-21.1%	299	-14.8%	350	
17.1%	336	-4.0%							
Notices of Discretionary Review			88	98	11.4%	111	13.3%	105	-
5.4%	135	28.6%							
Total Filings, Division II			1,499	1,477	-1.5%	1,449	-1.9%	1,487	
2.6%	1,447	-2.7%							
<b>DIVISION III</b>									
Criminal Appeals			372	340	-8.6%	304	-10.6%	303	-
0.3%	325	7.3%							
Civil Appeals			338	267	-21.0%	296	10.9%	296	
0.0%	316	6.8%							
Total Appeals			710	607	-14.5%	600	-1.2%	599	-
0.2%	641	7.0%							
Personal Restraint Petitions			300	216	-28.0%	205	-5.1%	252	
22.9%	266	5.6%							
Notices of Discretionary Review			107	117	9.3%	118	0.9%	117	-
0.8%	91	-22.2%							
Total Filings, Division III			1,117	940	-15.8%	923	-1.8%	968	
4.9%	998	3.1%							
<b>COURT OF APPEALS, TOTAL</b>									
Criminal Appeals			1,492	1,470	-1.5%	1,432	-2.6%	1,441	
0.6%	1,408	-2.3%							
Civil Appeals			1,523	1,353	-11.2%	1,372	1.4%	1,331	-
3.0%	1,441	8.3%							
Total Appeals			3,015	2,823	-6.4%	2,804	-0.7%	2,772	-
1.1%	2,849	2.8%							
Personal Restraint Petitions			1,209	1,004	-17.0%	898	-10.6%	1,081	
20.4%	1,039	-3.9%							
Notices of Discretionary Review			397	406	2.3%	409	0.7%	400	-
2.2%	415	3.8%							
Total Filings, Court of Appeals			4,621	4,233	-8.4%	4,111	-2.9%	4,253	
3.5%	4,303	1.2%							

**The Court of Appeals  
History of Resolutions, 2005-2009**

Chg	2009	% Chg	2005	2006	% Chg	2007	% Chg	2008	%
<b>DIVISION I</b>									
Criminal Appeals			496	475	-4.2%	604	27.2%	565	-
6.5%	526	-6.9%							
Civil Appeals			659	632	-4.1%	640	1.3%	612	-
4.4%	611	-0.2%							
Total Appeals			1,155	1,107	-4.2%	1,244	12.4%	1,177	-
5.4%	1,137	-3.4%							
Personal Restraint Petitions			524	441	-15.8%	380	-13.8%	422	
11.1%	438	3.8%							
Notices of Discretionary Review			169	185	9.5%	183	-1.1%	179	-
2.2%	174	-2.8%							
Total Resolutions, Division I			1,848	1,733	-6.2%	1,807	4.3%	1,778	-
1.6%	1,749	-1.6%							
<b>DIVISION II</b>									
Criminal Appeals			552	528	-4.3%	560	6.1%	493	-
12.0%	570	15.6%							
Civil Appeals			388	431	11.1%	430	-0.2%	422	-
1.9%	439	4.0%							
Total Appeals			940	959	2.0%	990	3.2%	915	-
7.6%	1,009	10.3%							
Personal Restraint Petitions			408	383	-6.1%	236	-38.4%	377	
59.7%	375	-0.5%							
Notices of Discretionary Review			88	97	10.2%	106	9.3%	98	-
7.5%	128	30.6%							
Total Resolutions, Division II			1,436	1,439	0.2%	1,332	-7.4%	1,390	
4.4%	1,512	8.8%							
<b>DIVISION III</b>									
Criminal Appeals			344	338	-1.7%	365	8.0%	329	-
9.9%	323	-1.8%							
Civil Appeals			300	280	-6.7%	282	0.7%	292	
3.5%	323	10.6%							
Total Appeals			644	618	-4.0%	647	4.7%	621	-
4.0%	646	4.0%							
Personal Restraint Petitions			271	240	-11.4%	170	-29.2%	256	
50.6%	240	-6.3%							
Notices of Discretionary Review			113	94	-16.8%	82	-12.8%	169	
106.1%	114	-32.5%							
Total Resolutions, Division III			1,028	952	-7.4%	899	-5.6%	1,046	
16.4%	1,000	-4.4%							
<b>COURT OF APPEALS, TOTAL</b>									
Criminal Appeals			1,392	1,341	-3.7%	1,529	14.0%	1,387	-
9.3%	1,419	2.3%							
Civil Appeals			1,347	1,343	-0.3%	1,352	0.7%	1,326	-
1.9%	1,373	3.5%							
Total Appeals			2,739	2,684	-2.0%	2,881	7.3%	2,713	-
5.8%	2,792	2.9%							
Personal Restraint Petitions			1,203	1,064	-11.6%	786	-26.1%	1,055	
34.2%	1,053	-0.2%							
Notices of Discretionary Review			370	376	1.6%	371	-1.3%	446	
20.2%	416	-6.7%							
Total Resolutions, Court of Appeals			4,312	4,124	-4.4%	4,038	-2.1%	4,214	
4.4%	4,261	1.1%							

**The Court of Appeals  
History of Pending Cases, 2005-2009**

			2005	2006	% Chg	2007	% Chg	2008	%
Chg	2009	% Chg							
<b>DIVISION I</b>									
Criminal Appeals			657	699	6.4%	629	-10.0%	549	-
12.7%	585	6.6%							
Civil Appeals			659	623	-5.5%	550	-11.7%	486	-
11.6%	596	22.6%							
Total Appeals			1,316	1,322	0.5%	1,179	-10.8%	1,035	-
12.2%	1,181	14.1%							
Personal Restraint Petitions			174	163	-6.3%	151	-7.4%	203	
34.4%	198	-2.5%							
Notices of Discretionary Review			94	92	-2.1%	85	-7.6%	69	-
18.8%	87	26.1%							
Total Pending, Division I			1,584	1,577	-0.4%	1,415	-10.3%	1,307	-
7.6%	1,466	12.2%							
<b>DIVISION II</b>									
Criminal Appeals			637	671	5.3%	644	-4.0%	739	
14.8%	704	-4.7%							
Civil Appeals			384	375	-2.3%	414	10.4%	400	-
3.4%	400	0.0%							
Total Appeals			1,021	1,046	2.4%	1,058	1.1%	1,139	
7.7%	1,104	-3.1%							
Personal Restraint Petitions			239	203	-15.1%	232	14.3%	189	-
18.5%	156	-17.5%							
Notices of Discretionary Review			46	40	-13.0%	36	-10.0%	41	
13.9%	49	19.5%							
Total Pending, Division II			1,306	1,289	-1.3%	1,326	2.9%	1,369	
3.2%	1,309	-4.4%							
<b>DIVISION III</b>									
Criminal Appeals			473	445	-5.9%	366	-17.8%	339	-
7.4%	343	1.2%							
Civil Appeals			311	290	-6.8%	298	2.8%	273	-
8.4%	271	-0.7%							
Total Appeals			784	735	-6.3%	664	-9.7%	612	-
7.8%	614	0.3%							
Personal Restraint Petitions			116	95	-18.1%	126	32.6%	120	-
4.8%	146	21.7%							
Notices of Discretionary Review			62	82	32.3%	119	45.1%	61	-
48.7%	43	-29.5%							
Total Pending, Division III			962	912	-5.2%	909	-0.3%	793	-
12.8%	803	1.3%							
<b>COURT OF APPEALS, TOTAL</b>									
Criminal Appeals			1,767	1,815	2.7%	1,639	-9.7%	1,627	-
0.7%	1,632	0.3%							
Civil Appeals			1,354	1,288	-4.9%	1,262	-2.0%	1,159	-
8.2%	1,267	9.3%							
Total Appeals			3,121	3,103	-0.6%	2,901	-6.5%	2,786	-
4.0%	2,899	4.1%							
Personal Restraint Petitions			529	461	-12.9%	509	10.4%	512	
0.6%	500	-2.3%							
Notices of Discretionary Review			202	214	5.9%	240	12.1%	171	-
28.8%	179	4.7%							
Total Pending, Court of Appeals			3,852	3,778	-1.9%	3,650	-3.4%	3,469	-
5.0%	3,578	3.1%							

The Court of Appeals  
History of Activity, All Reviews, All Divisions, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			4,621	4,233	-8.4%	4,111	-2.9%	4,253	
3.5%	4,303	1.2%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			459	384	-16.3%	412	7.3%	391	-
5.1%	393	0.5%							
Opinions Unpublished			1,279	1,164	-9.0%	1,328	14.1%	1,214	-
8.6%	1,332	9.7%							
Opinions			1,738	1,548	-10.9%	1,740	12.4%	1,605	-
7.8%	1,725	7.5%							
Dismissed			1,071	932	-13.0%	657	-29.5%	852	
29.7%	828	-2.8%							
Transferred/Certified <sup>2</sup>			19	21	. %	27	. %	30	
. %	73	143.3%							
Review Not Accepted			6	10	. %	10	. %	31	
. %	25	. %							
Other Terminations			50	45	-10.0%	61	35.6%	75	
23.0%	71	-5.3%							
Orders			1,146	1,008	-12.0%	755	-25.1%	988	
30.9%	997	0.9%							
Decided on the Merits			315	447	41.9%	495	10.7%	441	-
10.9%	339	-23.1%							
Dismissed			776	835	7.6%	758	-9.2%	869	
14.6%	872	0.3%							
Transferred/Certified <sup>2</sup>			4	4	. %	14	. %	1	
. %	3	. %							
Review Not Accepted			157	248	58.0%	243	-2.0%	261	
7.4%	271	3.8%							
Other Terminations			173	34	-80.3%	33	-2.9%	49	
48.5%	54	10.2%							
Rulings			1,425	1,568	10.0%	1,543	-1.6%	1,621	
5.1%	1,539	-5.1%							
Other Decisions Term. Review <sup>3</sup>			3	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			2,574	2,576	0.1%	2,298	-10.8%	2,609	
13.5%	2,536	-2.8%							
Total Resolved			4,312	4,124	-4.4%	4,038	-2.1%	4,214	
4.4%	4,261	1.1%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			216	298	38.0%	198	-33.6%	196	-
1.0%	176	-10.2%							
Brief Not Filed			1,669	1,559	-6.6%	1,567	0.5%	1,592	
1.6%	1,594	0.1%							
Appellant Brief Filed			443	403	-9.0%	384	-4.7%	398	
3.6%	411	3.3%							
Respondent Brief Filed			769	745	-3.1%	758	1.7%	574	-
24.3%	793	38.2%							
Remanded to Trial Court			10	14	. %	18	. %	17	
. %	11	. %							
Set for Commissioners' Calendar			162	134	-17.3%	186	38.8%	161	-
13.4%	126	-21.7%							
Ruling Referred to Panel <sup>6</sup>			5	10	. %	15	. %	26	
. %	10	. %							
Set for Oral Argument <sup>7</sup>			226	260	15.0%	227	-12.7%	260	
14.5%	247	-5.0%							
Total Awaiting Hearing			3,500	3,423	-2.2%	3,353	-2.0%	3,224	-
3.8%	3,368	4.5%							
Opinion/Order in Process			352	355	0.9%	297	-16.3%	245	-
17.5%	210	-14.3%							
Total Pending Decision			3,852	3,778	-1.9%	3,650	-3.4%	3,469	-
5.0%	3,578	3.1%							
<b>MANDATED<sup>1</sup></b>									
Opinions			1,682	1,587	-5.6%	1,823	14.9%	2,026	
11.1%	1,878	-7.3%							
Orders			772	1,077	39.5%	715	-33.6%	989	
38.3%	988	-0.1%							

Rulings			1,070		1,585	48.1%	1,441	-9.1%	1,744
21.0%	1,496	-14.2%							
Other Decisions Term. Review <sup>8</sup>			853		76	-91.1%	46	-39.5%	18
. %	22	. %							
Total Orders/Rulings/Other <sup>4</sup>			2,695		2,738	1.6%	2,202	-19.6%	2,751
24.9%	2,506	-8.9%							
Total Mandated			4,377		4,325	-1.2%	4,025	-6.9%	4,777
18.7%	4,384	-8.2%							

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are

not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers

to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).

The Court of Appeals  
History of Activity, All Reviews, Division I, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			2,005	1,816	-9.4%	1,739	-4.2%	1,798	
3.4%	1,858	3.3%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			165	127	-23.0%	135	6.3%	136	
0.7%	152	11.8%							
Opinions Unpublished			612	536	-12.4%	653	21.8%	621	-
4.9%	585	-5.8%							
Opinions			777	663	-14.7%	788	18.9%	757	-
3.9%	737	-2.6%							
Dismissed			468	413	-11.8%	340	-17.7%	353	
3.8%	319	-9.6%							
Transferred/Certified <sup>2</sup>			7	8	. %	4	. %	3	
. %	4	. %							
Review Not Accepted			3	3	. %	6	. %	1	
. %	1	. %							
Other Terminations			20	7	. %	10	. %	18	
. %	30	. %							
Orders			498	431	-13.5%	360	-16.5%	375	
4.2%	354	-5.6%							
Decided on the Merits			69	122	76.8%	135	10.7%	129	-
4.4%	86	-33.3%							
Dismissed			377	386	2.4%	389	0.8%	387	-
0.5%	449	16.0%							
Transferred/Certified <sup>2</sup>			3	2	. %	8	. %	0	
. %	0	. %							
Review Not Accepted			59	115	94.9%	114	-0.9%	121	
6.1%	109	-9.9%							
Other Terminations			63	14	. %	13	. %	9	
. %	14	. %							
Rulings			571	639	11.9%	659	3.1%	646	-
2.0%	658	1.9%							
Other Decisions Term. Review <sup>3</sup>			2	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			1,071	1,070	-0.1%	1,019	-4.8%	1,021	
0.2%	1,012	-0.9%							
Total Resolved			1,848	1,733	-6.2%	1,807	4.3%	1,778	-
1.6%	1,749	-1.6%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			134	155	15.7%	71	-54.2%	95	
33.8%	70	-26.3%							
Brief Not Filed			736	673	-8.6%	685	1.8%	690	
0.7%	727	5.4%							
Appellant Brief Filed			199	181	-9.0%	161	-11.0%	174	
8.1%	165	-5.2%							
Respondent Brief Filed			326	342	4.9%	297	-13.2%	187	-
37.0%	335	79.1%							
Remanded to Trial Court			0	1	. %	0	. %	0	
. %	0	. %							
Set for Commissioners' Calendar			19	29	. %	29	. %	20	
. %	17	. %							
Ruling Referred to Panel <sup>6</sup>			2	8	. %	4	. %	1	
. %	0	. %							
Set for Oral Argument <sup>7</sup>			108	106	-1.9%	98	-7.5%	103	
5.1%	105	1.9%							
Total Awaiting Hearing			1,524	1,495	-1.9%	1,345	-10.0%	1,270	-
5.6%	1,419	11.7%							
Opinion/Order in Process			60	82	36.7%	70	-14.6%	37	-
47.1%	47	27.0%							
Total Pending Decision			1,584	1,577	-0.4%	1,415	-10.3%	1,307	-
7.6%	1,466	12.2%							
<b>MANDATED<sup>1</sup></b>									
Opinions			764	696	-8.9%	812	16.7%	936	
15.3%	850	-9.2%							
Orders			309	523	69.3%	318	-39.2%	377	
18.6%	368	-2.4%							

Rulings		458	640	39.7%	606	-5.3%	717
18.3%	643	-10.3%					
Other Decisions Term. Review <sup>8</sup>		317	42	-86.8%	28	. %	13
. %	15	. %					
Total Orders/Rulings/Other <sup>4</sup>		1,084	1,205	11.2%	952	-21.0%	1,107
16.3%	1,026	-7.3%					
Total Mandated		1,848	1,901	2.9%	1,764	-7.2%	2,043
15.8%	1,876	-8.2%					

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).



The Court of Appeals  
History of Activity, All Reviews, Division II, 2005-2009

	2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>							
<b>2009 % Chg<sup>9</sup></b>							
<b>FILINGS</b>							
Total Filings	1,499	1,477	-1.5%	1,449	-1.9%	1,487	
2.6%	1,447		-2.7%				
<b>RESOLUTIONS<sup>1</sup></b>							
Opinions Published	170	155	-8.8%	159	2.6%	136	-
14.5%	149		9.6%				
Opinions Unpublished	392	354	-9.7%	402	13.6%	367	-
8.7%	497		35.4%				
Opinions	562	509	-9.4%	561	10.2%	503	-
10.3%	646		28.4%				
Dismissed	364	333	-8.5%	181	-45.6%	299	
65.2%	313		4.7%				
Transferred/Certified <sup>2</sup>	5	9	. %	15	. %	14	
. %	61		. %				
Review Not Accepted	3	6	. %	3	. %	26	
. %	18		. %				
Other Terminations	23	27	. %	44	. %	44	
0.0%	36		-18.2%				
Orders	395	375	-5.1%	243	-35.2%	383	
57.6%	428		11.7%				
Decided on the Merits	182	226	24.2%	233	3.1%	177	-
24.0%	104		-41.2%				
Dismissed	209	262	25.4%	227	-13.4%	230	
1.3%	248		7.8%				
Transferred/Certified <sup>2</sup>	0	2	. %	2	. %	1	
. %	0		. %				
Review Not Accepted	49	58	18.4%	62	6.9%	76	
22.6%	82		7.9%				
Other Terminations	38	7	. %	4	. %	20	
. %	4		. %				
Rulings	478	555	16.1%	528	-4.9%	504	-
4.5%	438		-13.1%				
Other Decisions Term. Review <sup>3</sup>	1	0	. %	0	. %	0	
. %	0		. %				
Total Orders/Rulings/Other <sup>4</sup>	874	930	6.4%	771	-17.1%	887	
15.0%	866		-2.4%				
Total Resolved	1,436	1,439	0.2%	1,332	-7.4%	1,390	
4.4%	1,512		8.8%				
<b>PENDING AT YEAR END<sup>5</sup></b>							
Cases Stayed	19	32	. %	18	. %	39	
. %	39		0.0%				
Brief Not Filed	586	573	-2.2%	596	4.0%	594	-
0.3%	537		-9.6%				
Appellant Brief Filed	139	138	-0.7%	148	7.2%	140	-
5.4%	145		3.6%				
Respondent Brief Filed	310	224	-27.7%	292	30.4%	288	-
1.4%	320		11.1%				
Remanded to Trial Court	5	7	. %	5	. %	4	
. %	2		. %				
Set for Commissioners' Calendar	17	21	. %	15	. %	12	
. %	20		. %				
Ruling Referred to Panel <sup>6</sup>	3	1	. %	11	. %	25	
. %	10		. %				
Set for Oral Argument <sup>7</sup>	63	134	112.7%	111	-17.2%	112	
0.9%	100		-10.7%				
Total Awaiting Hearing	1,142	1,130	-1.1%	1,196	5.8%	1,214	
1.5%	1,173		-3.4%				
Opinion/Order in Process	164	159	-3.0%	130	-18.2%	155	
19.2%	136		-12.3%				
Total Pending Decision	1,306	1,289	-1.3%	1,326	2.9%	1,369	
3.2%	1,309		-4.4%				
<b>MANDATED<sup>1</sup></b>							
Opinions	524	533	1.7%	621	16.5%	651	
4.8%	653		0.3%				
Orders	277	353	27.4%	245	-30.6%	398	
62.4%	398		0.0%				

Rulings		312	574	84.0%	520	-9.4%	559
7.5%	413	-26.1%					
Other Decisions Term. Review <sup>8</sup>		377	27	. %	9	. %	3
. %	5	. %					
Total Orders/Rulings/Other <sup>4</sup>		966	954	-1.2%	774	-18.9%	960
24.0%	816	-15.0%					
Total Mandated		1,490	1,487	-0.2%	1,395	-6.2%	1,611
15.5%	1,469	-8.8%					

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are

not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers

to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).

The Court of Appeals  
History of Activity, All Reviews, Division III, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			1,117	940	-15.8%	923	-1.8%	968	
4.9%	998	3.1%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			124	102	-17.7%	118	15.7%	119	
0.8%	92	-22.7%							
Opinions Unpublished			275	274	-0.4%	273	-0.4%	226	-
17.2%	250	10.6%							
Opinions			399	376	-5.8%	391	4.0%	345	-
11.8%	342	-0.9%							
Dismissed			239	186	-22.2%	136	-26.9%	200	
47.1%	196	-2.0%							
Transferred/Certified <sup>2</sup>			7	4	. %	8	. %	13	
. %	8	. %							
Review Not Accepted			0	1	. %	1	. %	4	
. %	6	. %							
Other Terminations			7	11	. %	7	. %	13	
. %	5	. %							
Orders			253	202	-20.2%	152	-24.8%	230	
51.3%	215	-6.5%							
Decided on the Merits			64	99	54.7%	127	28.3%	135	
6.3%	149	10.4%							
Dismissed			190	187	-1.6%	142	-24.1%	252	
77.5%	175	-30.6%							
Transferred/Certified <sup>2</sup>			1	0	. %	4	. %	0	
. %	3	. %							
Review Not Accepted			49	75	53.1%	67	-10.7%	64	-
4.5%	80	25.0%							
Other Terminations			72	13	. %	16	. %	20	
. %	36	. %							
Rulings			376	374	-0.5%	356	-4.8%	471	
32.3%	443	-5.9%							
Other Decisions Term. Review <sup>3</sup>			0	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			629	576	-8.4%	508	-11.8%	701	
38.0%	658	-6.1%							
Total Resolved			1,028	952	-7.4%	899	-5.6%	1,046	
16.4%	1,000	-4.4%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			63	111	76.2%	109	-1.8%	62	-
43.1%	67	8.1%							
Brief Not Filed			347	313	-9.8%	286	-8.6%	308	
7.7%	330	7.1%							
Appellant Brief Filed			105	84	-20.0%	75	-10.7%	84	
12.0%	101	20.2%							
Respondent Brief Filed			133	179	34.6%	169	-5.6%	99	-
41.4%	138	39.4%							
Remanded to Trial Court			5	6	. %	13	. %	13	
. %	9	. %							
Set for Commissioners' Calendar			126	84	-33.3%	142	69.0%	129	-
9.2%	89	-31.0%							
Ruling Referred to Panel <sup>6</sup>			0	1	. %	0	. %	0	
. %	0	. %							
Set for Oral Argument <sup>7</sup>			55	20	. %	18	. %	45	
. %	42	-6.7%							
Total Awaiting Hearing			834	798	-4.3%	812	1.8%	740	-
8.9%	776	4.9%							
Opinion/Order in Process			128	114	-10.9%	97	-14.9%	53	-
45.4%	27	. %							
Total Pending Decision			962	912	-5.2%	909	-0.3%	793	-
12.8%	803	1.3%							
<b>MANDATED<sup>1</sup></b>									
Opinions			394	358	-9.1%	390	8.9%	439	
12.6%	375	-14.6%							
Orders			186	201	8.1%	152	-24.4%	214	
40.8%	222	3.7%							

Rulings			300		371	23.7%		315	-15.1%	468
48.6%	440	-6.0%								
Other Decisions Term. Review <sup>8</sup>			159		7	. %		9	. %	2
. %	2	. %								
Total Orders/Rulings/Other <sup>4</sup>			645		579	-10.2%		476	-17.8%	684
43.7%	664	-2.9%								
Total Mandated			1,039		937	-9.8%		866	-7.6%	1,123
29.7%	1,039	-7.5%								

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are

not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers

to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).

The Court of Appeals  
Court Activity, All Divisions, Criminal Appeals, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			1,492	1,470	-1.5%	1,432	-2.6%	1,441	
0.6%	1,408	-2.3%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			175	127	-27.4%	147	15.7%	149	
1.4%	153	2.7%							
Opinions Unpublished			749	700	-6.5%	879	25.6%	724	-
17.6%	867	19.8%							
Opinions			924	827	-10.5%	1,026	24.1%	873	-
14.9%	1,020	16.8%							
Dismissed			7	5	. %	7	. %	13	
. %	9	. %							
Transferred/Certified <sup>2</sup>			2	3	. %	3	. %	9	
. %	26	. %							
Review Not Accepted			2	1	. %	0	. %	2	
. %	1	. %							
Other Terminations			5	0	. %	1	. %	4	
. %	10	. %							
Orders			16	9	. %	11	. %	28	
. %	46	. %							
Decided on the Merits			192	247	28.6%	257	4.0%	248	-
3.5%	114	-54.0%							
Dismissed			198	233	17.7%	207	-11.2%	204	-
1.4%	206	1.0%							
Transferred/Certified <sup>2</sup>			1	2	. %	6	. %	0	
. %	0	. %							
Review Not Accepted			5	11	. %	13	. %	14	
. %	10	. %							
Other Terminations			55	12	. %	9	. %	20	
. %	23	. %							
Rulings			451	505	12.0%	492	-2.6%	486	-
1.2%	353	-27.4%							
Other Decisions Term. Review <sup>3</sup>			1	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			468	514	9.8%	503	-2.1%	514	
2.2%	399	-22.4%							
Total Resolved			1,392	1,341	-3.7%	1,529	14.0%	1,387	-
9.3%	1,419	2.3%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			55	127	130.9%	13	. %	51	
. %	49	-3.9%							
Brief Not Filed			759	662	-12.8%	702	6.0%	711	
1.3%	688	-3.2%							
Appellant Brief Filed			288	270	-6.3%	275	1.9%	253	-
8.0%	245	-3.2%							
Respondent Brief Filed			303	371	22.4%	296	-20.2%	241	-
18.6%	369	53.1%							
Remanded to Trial Court			7	12	. %	8	. %	8	
. %	3	. %							
Set for Commissioners' Calendar			48	57	18.8%	83	45.6%	69	-
16.9%	42	-39.1%							
Ruling Referred to Panel <sup>6</sup>			2	4	. %	8	. %	23	
. %	10	. %							
Set for Oral Argument <sup>7</sup>			104	132	26.9%	123	-6.8%	147	
19.5%	123	-16.3%							
Total Awaiting Hearing			1,566	1,635	4.4%	1,508	-7.8%	1,503	-
0.3%	1,529	1.7%							
Opinion/Order in Process			201	180	-10.4%	131	-27.2%	124	-
5.3%	103	-16.9%							
Total Pending Decision			1,767	1,815	2.7%	1,639	-9.7%	1,627	-
0.7%	1,632	0.3%							
<b>MANDATED<sup>1</sup></b>									
Opinions			900	826	-8.2%	1,073	29.9%	1,077	
0.4%	1,077	0.0%							
Orders			11	13	. %	10	. %	23	
. %	33	. %							

Rulings	318	488	53.5%	479	-1.8%	533
11.3%	387	-27.4%				
Other Decisions Term. Review <sup>8</sup>	150	17	. %	22	. %	1
. %	3	. %				
Total Orders/Rulings/Other <sup>4</sup>	479	518	8.1%	511	-1.4%	557
9.0%	423	-24.1%				
Total Mandated	1,379	1,344	-2.5%	1,584	17.9%	1,634
3.2%	1,500	-8.2%				

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers

to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).

The Court of Appeals  
Court Activity, All Divisions, Civil Appeals, 2005-2009

	2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>							
<b>2009 % Chg<sup>9</sup></b>							
<b>FILINGS</b>							
Total Filings	1,523	1,353	-11.2%	1,372	1.4%	1,331	-
3.0%	1,441		8.3%				
<b>RESOLUTIONS<sup>1</sup></b>							
Opinions Published	241	227	-5.8%	236	4.0%	210	-
11.0%	201		-4.3%				
Opinions Unpublished	490	424	-13.5%	410	-3.3%	443	
8.0%	413		-6.8%				
Opinions	731	651	-10.9%	646	-0.8%	653	
1.1%	614		-6.0%				
Dismissed	6	9	. %	9	. %	8	
. %	8		. %				
Transferred/Certified <sup>2</sup>	5	5	. %	13	. %	7	
. %	32		. %				
Review Not Accepted	2	0	. %	1	. %	4	
. %	1		. %				
Other Terminations	0	6	. %	4	. %	5	
. %	19		. %				
Orders	13	20	. %	27	. %	24	
. %	60		. %				
Decided on the Merits	119	190	59.7%	231	21.6%	180	-
22.1%	210		16.7%				
Dismissed	413	440	6.5%	396	-10.0%	413	
4.3%	429		3.9%				
Transferred/Certified <sup>2</sup>	2	1	. %	5	. %	0	
. %	1		. %				
Review Not Accepted	21	32	. %	27	. %	39	
. %	34		-12.8%				
Other Terminations	47	9	. %	20	. %	17	
. %	25		. %				
Rulings	602	672	11.6%	679	1.0%	649	-
4.4%	699		7.7%				
Other Decisions Term. Review <sup>3</sup>	1	0	. %	0	. %	0	
. %	0		. %				
Total Orders/Rulings/Other <sup>4</sup>	616	692	12.3%	706	2.0%	673	-
4.7%	759		12.8%				
Total Resolved	1,347	1,343	-0.3%	1,352	0.7%	1,326	-
1.9%	1,373		3.5%				
<b>PENDING AT YEAR END<sup>5</sup></b>							
Cases Stayed	44	42	-4.5%	47	11.9%	53	
12.8%	50		-5.7%				
Brief Not Filed	574	553	-3.7%	523	-5.4%	523	
0.0%	547		4.6%				
Appellant Brief Filed	148	124	-16.2%	96	-22.6%	122	
27.1%	140		14.8%				
Respondent Brief Filed	286	252	-11.9%	274	8.7%	198	-
27.7%	266		34.3%				
Remanded to Trial Court	2	2	. %	7	. %	4	
. %	3		. %				
Set for Commissioners' Calendar	72	56	-22.2%	72	28.6%	54	-
25.0%	59		9.3%				
Ruling Referred to Panel <sup>6</sup>	2	3	. %	1	. %	0	
. %	0		. %				
Set for Oral Argument <sup>7</sup>	97	110	13.4%	95	-13.6%	102	
7.4%	109		6.9%				
Total Awaiting Hearing	1,225	1,142	-6.8%	1,115	-2.4%	1,056	-
5.3%	1,174		11.2%				
Opinion/Order in Process	129	146	13.2%	147	0.7%	103	-
29.9%	93		-9.7%				
Total Pending Decision	1,354	1,288	-4.9%	1,262	-2.0%	1,159	-
8.2%	1,267		9.3%				
<b>MANDATED<sup>1</sup></b>							
Opinions	697	675	-3.2%	661	-2.1%	829	
25.4%	698		-15.8%				
Orders	11	19	. %	25	. %	20	
. %	39		. %				

Rulings		467	699	49.7%	601	-14.0%	727
21.0%	638	-12.2%					
Other Decisions Term. Review <sup>8</sup>		175	26	. %	11	. %	5
. %	7	. %					
Total Orders/Rulings/Other <sup>4</sup>		653	744	13.9%	637	-14.4%	752
18.1%	684	-9.0%					
Total Mandated		1,350	1,419	5.1%	1,298	-8.5%	1,581
21.8%	1,382	-12.6%					

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

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to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).



The Court of Appeals  
Court Activity, All Divisions, Total Appeals, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			3,015	2,823	-6.4%	2,804	-0.7%	2,772	-
1.1%	2,849	2.8%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			416	354	-14.9%	383	8.2%	359	-
6.3%	354	-1.4%							
Opinions Unpublished			1,239	1,124	-9.3%	1,289	14.7%	1,167	-
9.5%	1,280	9.7%							
Opinions			1,655	1,478	-10.7%	1,672	13.1%	1,526	-
8.7%	1,634	7.1%							
Dismissed			13	14	. %	16	. %	21	
. %	17	. %							
Transferred/Certified <sup>2</sup>			7	8	. %	16	. %	16	
. %	58	. %							
Review Not Accepted			4	1	. %	1	. %	6	
. %	2	. %							
Other Terminations			5	6	. %	5	. %	9	
. %	29	. %							
Orders			29	29	. %	38	. %	52	
36.8%	106	103.8%							
Decided on the Merits			311	437	40.5%	488	11.7%	428	-
12.3%	324	-24.3%							
Dismissed			611	673	10.1%	603	-10.4%	617	
2.3%	635	2.9%							
Transferred/Certified <sup>2</sup>			3	3	. %	11	. %	0	
. %	1	. %							
Review Not Accepted			26	43	. %	40	-7.0%	53	
32.5%	44	-17.0%							
Other Terminations			102	21	. %	29	. %	37	
. %	48	29.7%							
Rulings			1,053	1,177	11.8%	1,171	-0.5%	1,135	-
3.1%	1,052	-7.3%							
Other Decisions Term. Review <sup>3</sup>			2	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			1,084	1,206	11.3%	1,209	0.2%	1,187	-
1.8%	1,158	-2.4%							
Total Resolved			2,739	2,684	-2.0%	2,881	7.3%	2,713	-
5.8%	2,792	2.9%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			99	169	70.7%	60	-64.5%	104	
73.3%	99	-4.8%							
Brief Not Filed			1,333	1,215	-8.9%	1,225	0.8%	1,234	
0.7%	1,235	0.1%							
Appellant Brief Filed			436	394	-9.6%	371	-5.8%	375	
1.1%	385	2.7%							
Respondent Brief Filed			589	623	5.8%	570	-8.5%	439	-
23.0%	635	44.6%							
Remanded to Trial Court			9	14	. %	15	. %	12	
. %	6	. %							
Set for Commissioners' Calendar			120	113	-5.8%	155	37.2%	123	-
20.6%	101	-17.9%							
Ruling Referred to Panel <sup>6</sup>			4	7	. %	9	. %	23	
. %	10	. %							
Set for Oral Argument <sup>7</sup>			201	242	20.4%	218	-9.9%	249	
14.2%	232	-6.8%							
Total Awaiting Hearing			2,791	2,777	-0.5%	2,623	-5.5%	2,559	-
2.4%	2,703	5.6%							
Opinion/Order in Process			330	326	-1.2%	278	-14.7%	227	-
18.3%	196	-13.7%							
Total Pending Decision			3,121	3,103	-0.6%	2,901	-6.5%	2,786	-
4.0%	2,899	4.1%							
<b>MANDATED<sup>1</sup></b>									
Opinions			1,597	1,501	-6.0%	1,734	15.5%	1,906	
9.9%	1,775	-6.9%							
Orders			22	32	. %	35	9.4%	43	
22.9%	72	67.4%							

Rulings		785	1,187	51.2%	1,080	-9.0%	1,260
16.7%	1,025	-18.7%					
Other Decisions Term. Review <sup>8</sup>		325	43	-86.8%	33	-23.3%	6
. %	10	. %					
Total Orders/Rulings/Other <sup>4</sup>		1,132	1,262	11.5%	1,148	-9.0%	1,309
14.0%	1,107	-15.4%					
Total Mandated		2,729	2,763	1.2%	2,882	4.3%	3,215
11.6%	2,882	-10.4%					

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

<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> As a result of the recent transition to the new Appellate Court Records and Data System(ACORDS-II), measurement of

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be used in interpreting 2003 and future activity relative to that shown for prior years.

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to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).

The Court of Appeals  
Court Activity, All Divisions, Personal Restraint Petitions, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			1,209	1,004	-17.0%	898	-10.6%	1,081	
20.4%	1,039	-3.9%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			10	11	. %	9	. %	5	
. %	14	. %							
Opinions Unpublished			16	24	. %	19	. %	24	
. %	39	. %							
Opinions			26	35	. %	28	. %	29	
. %	53	. %							
Dismissed			1,057	916	-13.3%	640	-30.1%	830	
29.7%	810	-2.4%							
Transferred/Certified <sup>2</sup>			9	12	. %	11	. %	7	
. %	13	. %							
Review Not Accepted			1	5	. %	3	. %	24	
. %	22	. %							
Other Terminations			41	37	-9.8%	51	37.8%	64	
25.5%	40	-37.5%							
Orders			1,108	970	-12.5%	705	-27.3%	925	
31.2%	885	-4.3%							
Decided on the Merits			2	8	. %	3	. %	12	
. %	6	. %							
Dismissed			60	46	-23.3%	50	8.7%	71	
42.0%	106	49.3%							
Transferred/Certified <sup>2</sup>			0	0	. %	0	. %	1	
. %	0	. %							
Review Not Accepted			0	0	. %	0	. %	7	
. %	1	. %							
Other Terminations			6	5	. %	0	. %	10	
. %	2	. %							
Rulings			68	59	-13.2%	53	-10.2%	101	
90.6%	115	13.9%							
Other Decisions Term. Review <sup>3</sup>			1	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			1,177	1,029	-12.6%	758	-26.3%	1,026	
35.4%	1,000	-2.5%							
Total Resolved			1,203	1,064	-11.6%	786	-26.1%	1,055	
34.2%	1,053	-0.2%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			81	72	-11.1%	56	-22.2%	83	
48.2%	67	-19.3%							
Brief Not Filed			241	251	4.1%	250	-0.4%	266	
6.4%	260	-2.3%							
Appellant Brief Filed			4	3	. %	5	. %	18	
. %	17	. %							
Respondent Brief Filed			171	106	-38.0%	167	57.5%	125	-
25.1%	136	8.8%							
Remanded to Trial Court			1	0	. %	2	. %	2	
. %	1	. %							
Set for Commissioners' Calendar			7	1	. %	9	. %	2	
. %	4	. %							
Ruling Referred to Panel <sup>6</sup>			1	3	. %	6	. %	3	
. %	0	. %							
Set for Oral Argument <sup>7</sup>			12	11	. %	3	. %	2	
. %	8	. %							
Total Awaiting Hearing			518	447	-13.7%	498	11.4%	501	
0.6%	493	-1.6%							
Opinion/Order in Process			11	14	. %	11	. %	11	
. %	7	. %							
Total Pending Decision			529	461	-12.9%	509	10.4%	512	
0.6%	500	-2.3%							
<b>MANDATED<sup>1</sup></b>									
Opinions			41	35	-14.6%	49	40.0%	57	
16.3%	58	1.8%							
Orders			744	1,035	39.1%	666	-35.7%	935	
40.4%	911	-2.6%							

Rulings			54	60	11.1%	51	-15.0%	96
88.2%	110	14.6%						
Other Decisions Term. Review <sup>8</sup>			444	27	. %	8	. %	7
. %	9	. %						
Total Orders/Rulings/Other <sup>4</sup>			1,242	1,122	-9.7%	725	-35.4%	1,038
43.2%	1,030	-0.8%						
Total Mandated			1,283	1,157	-9.8%	774	-33.1%	1,095
41.5%	1,088	-0.6%						

<sup>1</sup> As a result of changes in resolution coding procedures in 2005, resolutions and mandated are now categorized by

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<sup>2</sup> Includes both matters transferred to other divisions and those certified to the Supreme Court.

<sup>3</sup> Includes decisions entered prior to more-specific coding (orders/rulings) adopted during 2005.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> Ruling Referred to Panel status was reintroduced to ACORDS in February 2004. As a result, the trend figures are not comparable.

<sup>7</sup> Set for Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division

III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers

to warrant travel, but cases are usually set only six weeks out.

<sup>8</sup> Includes completions for secondary cases, which are those consolidated with a primary case and disposed by

mandate/certificate of finality entered in the primary case.

<sup>9</sup> Percentages are not reported when numbers are small (less than 30).

The Court of Appeals  
 Court Activity, All Divisions, Notices of Discretionary Review, 2005-2009

			2005	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	%
<b>Chg<sup>9</sup></b>	<b>2009</b>	<b>% Chg<sup>9</sup></b>							
<b>FILINGS</b>									
Total Filings			397	406	2.3%	409	0.7%	400	-
2.2%	415	3.8%							
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published			33	19	. %	20	. %	27	
. %	25	. %							
Opinions Unpublished			24	16	. %	20	. %	23	
. %	13	. %							
Opinions			57	35	-38.6%	40	14.3%	50	
25.0%	38	-24.0%							
Dismissed			1	2	. %	1	. %	1	
. %	1	. %							
Transferred/Certified <sup>2</sup>			3	1	. %	0	. %	7	
. %	2	. %							
Review Not Accepted			1	4	. %	6	. %	1	
. %	1	. %							
Other Terminations			4	2	. %	5	. %	2	
. %	2	. %							
Orders			9	9	. %	12	. %	11	
. %	6	. %							
Decided on the Merits			2	2	. %	4	. %	1	
. %	9	. %							
Dismissed			105	116	10.5%	105	-9.5%	181	
72.4%	131	-27.6%							
Transferred/Certified <sup>2</sup>			1	1	. %	3	. %	0	
. %	2	. %							
Review Not Accepted			131	205	56.5%	203	-1.0%	201	-
1.0%	226	12.4%							
Other Terminations			65	8	. %	4	. %	2	
. %	4	. %							
Rulings			304	332	9.2%	319	-3.9%	385	
20.7%	372	-3.4%							
Other Decisions Term. Review <sup>3</sup>			0	0	. %	0	. %	0	
. %	0	. %							
Total Orders/Rulings/Other <sup>4</sup>			313	341	8.9%	331	-2.9%	396	
19.6%	378	-4.5%							
Total Resolved			370	376	1.6%	371	-1.3%	446	
20.2%	416	-6.7%							
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed			36	57	58.3%	82	43.9%	9	
. %	10	. %							
Brief Not Filed			95	93	-2.1%	92	-1.1%	92	
0.0%	99	7.6%							
Appellant Brief Filed			3	6	. %	8	. %	5	
. %	9	. %							
Respondent Brief Filed			9	16	. %	21	. %	10	
. %	22	. %							
Remanded to Trial Court			0	0	. %	1	. %	3	
. %	4	. %							
Set for Commissioners' Calendar			35	20	. %	22	. %	36	
. %	21	. %							
Ruling Referred to Panel <sup>6</sup>			0	0	. %	0	. %	0	
. %	0	. %							
Set for Oral Argument <sup>7</sup>			13	7	. %	6	. %	9	
. %	7	. %							
Total Awaiting Hearing			191	199	4.2%	232	16.6%	164	-
29.3%	172	4.9%							
Opinion/Order in Process			11	15	. %	8	. %	7	
. %	7	. %							
Total Pending Decision			202	214	5.9%	240	12.1%	171	-
28.8%	179	4.7%							
<b>MANDATED<sup>1</sup></b>									
Opinions			44	51	15.9%	40	-21.6%	63	
57.5%	45	-28.6%							
Orders			6	10	. %	14	. %	11	
. %	5	. %							

Rulings			231		338	46.3%		310	-8.3%	388
25.2%	361	-7.0%								
Other Decisions Term. Review <sup>8</sup>			84		6	. %		5	. %	5
. %	3	. %								
Total Orders/Rulings/Other <sup>4</sup>			321		354	10.3%		329	-7.1%	404
22.8%	369	-8.7%								
Total Mandated			365		405	11.0%		369	-8.9%	467
26.6%	414	-11.3%								

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