

Court of Appeals

2002 Annual Caseload

Report

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Court of Appeals Highlights

Filings

- Washington's Court of Appeals received 4,323 new cases in 2002. These were distributed between the three divisions of the court. Division I (Seattle), which serves Northwestern Washington, received 1,830 cases (42.3%). Division II (Tacoma), which serves Southwestern Washington, received 1,569 cases (36.3%). Division III (Spokane), serving Eastern Washington, received 924 cases (21.4%).
- The majority (72.3%) of the new statewide appellate caseload was notices of appeal. Approximately a fifth (18.6%) of the 2002 filings were personal restraint petitions, and the remaining 9.2% were discretionary reviews. These proportions are comparable across divisions.
- A little more than half (53.5%) of the notices of appeal are criminal in nature, with the remaining 46.5% civil. This pattern is most closely mirrored in Division III, in which 54.5% of notices of appeal are criminal. Division II has a slightly heavier (57.2%) criminal appeal caseload relative to civil, and Division I experienced the most even criminal/civil split (49.7% / 50.3%).
- Statewide caseload is up 2.6% over 2001 filings. The increase is directly attributable to Division II's 10.0% jump to 1,569 cases - making 2002 the largest filings-year ever for that Division. Division I and Division III filings remained fairly level with the prior year.
- Increases in statewide criminal and civil notices of appeal in 2002 (up 6.4% and 3.5% respectively), were largely offset by an 11.6% decline in notices of discretionary review. Personal restraint petitions remained level, with a negligible 12-case (1.5%) increase to 802 in 2002. Viewed individually, it is Division II which departs most markedly from that pattern: criminal and civil notices of appeal and personal restraint petitions all rose notably (11.1%, 12.2%, and 13.4%, respectively), and were only negligibly offset by a 12-case drop in notices of discretionary review. These trends combined to continue Division II's steady climb in filings over the last three years.

Dispositions

- Washington's Court of Appeals disposed 4,306 cases in 2002, a figure roughly equivalent to the prior year's 4,324 dispositions. This figure also keeps pace with the 4,323 filings received by the Court this year. This suggests the Court is not accumulating additional backlog statewide.
- The same holds true for divisions I and III. While Division II's 1,410 dispositions slightly exceeded year-2001 dispositions (up 0.9%), they fell 159 cases short of keeping pace with the notable (10.0%) increase in filings. Division II's gap between disposition rate and filing rate was experienced across all case types except notices of discretionary review, for which 114 were filed in 2002 and 121 disposed.
- Statewide, 42.9% of dispositions were by opinion, a quarter of which were published. Dismissals made up 37.0% of dispositions. Commissioners rulings accounted for 12.7%, and the remaining 7.4% were either transferred/certified to the Supreme Court or another division, not accepted, or terminated for some other reason (such as petitioner's withdrawal). These proportions are comparable with the prior year.

Pending

- Consistent with a statewide disposition rate on par with the filing rate, the Court of Appeals' pending caseload remained fairly stable in 2002.
- The divisions ranged from a flat pending-caseload trend relative to last year (Division III) to a

7.5% decline in Division I (down 128 cases). Division I's drop is its second in two years, and brings their pending caseload to its lowest level since 1987.

- The majority of statewide cases pending at the end of 2002 were awaiting parties' briefs (60.3%). This pattern is approximated in all three divisions.

Time In Process

- All divisions decreased filing-to-opinion time for all notices of appeal disposed in 2002 relative to 2001 by 7.3% to 9.2%.
- Statewide, 75% of criminal appeals received an opinion within 573 days or less - a 110-day decrease since 1998, when the Court substantially revised the reporting model and redoubled efforts to promote timeliness.
- Similarly, 75% of civil appeals received an opinion in 532 days or less - a 113-day decrease since 1998.

Note:

Due to time lag between filing a notice of appeal in trial court and appellate court receipt of the case, current year filings are slightly under-counted (roughly 2 percent). Previous year filings will be recalculated annually to include all cases received late. Although this will provide more accurate statistical reporting, it may cause current year filing totals to vary in future court reports.

Court of Appeals

This glossary is included to assist in understanding the statistical tables.

Filings

Notice Of Appeal - The filing of an appeal of a trial court final judgment that is reviewable as a matter of right. Notices of appeal must be filed within 30 days of the trial court judgment. Unless otherwise prohibited by statute or court rule, a party may appeal from only trial court decisions as specified in Rules of Appellate Procedure (RAP) 2.2. Notices of appeal are categorized into criminal and civil appeals.

Personal Restraint Petition - The filing of a review to seek relief from limitations on a person's freedom due to current or imminent confinement, or other restrictions imposed by a criminal or civil trial court decision (RAP 16.4).

Discretionary Review - The filing of a review of interlocutory orders of a trial court, made prior to a final determination of the case, concerning whether errors or substantial departure from accepted and usual courses of proceedings occurred in the case. Unless otherwise prohibited by statute or court rule, a party may seek discretionary review of any act of superior court not appealable as a matter of right (RAP 2.3). **Dispositions**

The appellate court may reverse, affirm, or modify the decision being reviewed and take any other action as the merits of the case and the interest of justice may require (RAP 12.2). Each review is counted as being disposed as soon as a decision terminating review is filed with the appellate clerk.

Opinions - The statement by the court of the decision reached in regard to a cause argued before it, expounding the law as applied to the case, and detailing the reasons upon which the judgment is based.

Opinions Published - The published written opinion terminating the review.

Opinions Unpublished - The unpublished written opinion terminating the review.

Commissioners' Rulings - Rulings by commissioners which terminate review.

Motion On The Merits - Termination of a review due to the granting of a motion on the merits (RAP 18.14).

Other Rulings - Other rulings by commissioners, such as rulings on accelerated review of adult sentences or juvenile offender proceedings or granting a motion to dismiss--Anders (RAP 15.2(h)).

Dismissed - An order issued by the court dismissing the review prior to the point where case merit is determined. The commissioner or clerk may dismiss a review for failure to comply with procedures. The court, on motion of a party, may dismiss a review for want of prosecution, if the review is frivolous, moot or solely for the purpose of delay, or for failure to comply with procedures (RAP 18.9).

Transferred/Certified - The Supreme Court, to promote orderly administration of justice may, on its own initiative or on motion of a party, transfer a case from the Court of Appeals to the Supreme Court ("certified"). A case may be transferred from one division to another within the Court of Appeals (RAP 4.1, 4.2, 4.3, RCW 2.06.030).

Review Not Accepted - Reviews may not be accepted if they do not meet the conditions governing

the acceptance of review (RAP 2.2, 2.3, and 16.4).

Other Terminations - An order issued by the court terminating the review before an opinion is rendered. An order to terminate a review would result if, for example, a petitioner decided to withdraw the review. **Pending Cases**

Case Stayed - Those cases temporarily arrested or removed from judicial processing by order of the court.

Brief Not Filed - Those cases within the stages of perfection in which no briefs have yet been filed.

Appellant Brief Filed - Those cases within the stages of perfection in which appellant's brief has been filed, but respondent's brief is still awaited.

Respondent Brief Filed - Those cases within the stages of perfection in which both appellant's brief and respondent's brief have been filed, but case has yet to be set on the court calendar for review.

Remanded To Trial Court - Those cases whose jurisdiction have been temporarily returned to the trial court of origination.

Set For Motion On The Merits - Those cases which have progressed to the point at which all briefs were filed and served, and now qualify for setting. Because a motion on the merits has been made, these cases have been set on the Motion On The Merits calendar (RAP 18.14).

Ruling Referred To Panel - Cases which were initially assigned to a commissioner, who has ruled that they should be referred to a panel of judges for a decision.

Set For Oral Argument - Those cases which have progressed to the point at which all briefs were filed and served and have been set for a review.

Opinion/Order In Process - Those cases which have been reviewed by the court but have yet to receive a decision.

Mandated

A review is mandated by the clerk of the Court of Appeals when a written notification, when required, is sent to the trial court and all parties. The notification informs all parties of an appellate court decision terminating the review.

Time In Process Statistics --Notice Of Appeals

Filing - The date the appeal is filed in the trial court.

Statement Of Arrangements - The date of the first occurrence when the Statement Of Arrangements has either been "Received" or "Filed" in the appellate court.

Report Of Proceedings - The date of the first occurrence when the Report Of Proceedings has either been "Filed" or "Received." The latter is recorded when the report is returned from the printer. Note: For statistical purposes "Received" is only employed when "Filed" is omitted.

Appellant's Brief - The date of the last occurrence for the Appellant's Brief to either be "Filed" or "Received." The latter is recorded when the report is returned from the printer. Note: For statistical purposes "Received" is only employed when "Filed" is omitted.

Respondent's Brief - The date of the last occurrence for the Respondent's Brief to either be "Filed" or

"Received." The latter is recorded when the report is returned from the printer. Note: For statistical purposes "Received" is only employed when "Filed" is omitted.

Oral Argument - The date of the first occurrence that the oral argument received a status of "Heard."

Opinion - The date of the first occurrence of the opinion being filed.

Mandate - A written notification by the clerk of the appellate court to the trial court and to the parties of an appellate court decision terminating review.

Note that the time-in-process tables have been changed in 1997 to reflect the 75th percentile rather than the median number of days between events. The change was made for consistency with national standards.

The Court Of Appeals
Court Activity¹, All Divisions, 2002

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
FILINGS							
New Filings	1,668	1,421	3,089	719	394	1,113	4,202
Transfers	3	33	36	83	2	85	121
Total Filings	1,671	1,454	3,125	802	396	1,198	4,323
DISPOSITIONS							
Opinions Published	159	237	396	8	39	47	443
Opinions Unpublished	899	455	1,354	30	19	49	1,403
Opinions	1,058	692	1,750	38	58	96	1,846
Motion on the Merits	313	167	480	0	0	0	480
Other Rulings	51	17	68	0	0	0	68
Commissioners' Rulings	364	184	548	0	0	0	548
Dismissed	258	544	802	680	111	791	1,593
Transferred/Certified ²	3	4	7	2	2	4	11
Review Not Accepted	8	21	29	0	235	235	264
Other Terminations	10	16	26	11	7	18	44
Total Disposed	1,701	1,461	3,162	731	413	1,144	4,306
PENDING AT YEAR END							
Cases Stayed	53	67	120	77	23	100	220
Brief Not Filed	789	593	1,382	275	99	374	1,756
Appellant Brief Filed	347	143	490	6	13	19	509
Respondent Brief Filed	489	212	701	2	13	15	716
Remanded to Trial Court	16	2	18	0	4	4	22
Set for Motion on the Merits	2	1	3	0	0	0	3
Ruling Referred to Panel	14	10	24	6	5	11	35
Set for Oral Argument ³	50	83	133	9	19	28	161
Total Awaiting Hearing	1,760	1,111	2,871	375	176	551	3,422
Opinion/Order in Process	150	160	310	12	11	23	333
Total Pending Decision	1,910	1,271	3,181	387	187	574	3,755
MANDATED							
Opinions	1,114	742	1,856	41	71	112	1,968
Commissioners' Rulings	373	212	585	2	0	2	587
Other	288	587	875	800	434	1,234	2,109
Total Mandated	1,775	1,541	3,316	843	505	1,348	4,664

1 On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). Divisions I and III will implement ACORDS-II in early 2003. To maintain statewide comparability, "Pending at Year End" figures reflect the status of Division II cases on 11/17/2002. All Division II cumulative counts (filings, dispositions, opinions and rulings, and mandates) reflect the full 12 months' caseload (through 12/31/2002), just as for all Division I and Division III figures.

2 Includes both matters transferred to other divisions and those certified to the Supreme Court.

3 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.

The Court Of Appeals
 Court Activity, Division I, 2002

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
FILINGS							
New Filings	644	636	1,280	292	195	487	1,767
Transfers	1	18	19	44	0	44	63
Total Filings	645	654	1,299	336	195	531	1,830
DISPOSITIONS							
Opinions Published	49	97	146	5	21	26	172
Opinions Unpublished	422	225	647	18	7	25	672
Opinions	471	322	793	23	28	51	844
Motion on the Merits	135	30	165	0	0	0	165
Other Rulings	10	17	27	0	0	0	27
Commissioners' Rulings	145	47	192	0	0	0	192
Dismissed	127	284	411	318	54	372	783
Transferred/Certified ¹	0	1	1	0	1	1	2
Review Not Accepted	7	13	20	0	110	110	130
Other Terminations	2	5	7	2	6	8	15
Total Disposed	752	672	1,424	343	199	542	1,966
PENDING AT YEAR END							
Cases Stayed	36	37	73	55	19	74	147
Brief Not Filed	287	281	568	97	63	160	728
Appellant Brief Filed	141	63	204	6	6	12	216
Respondent Brief Filed	210	90	300	2	2	4	304
Remanded to Trial Court	0	0	0	0	0	0	0
Set for Motion on the Merits	0	0	0	0	0	0	0
Ruling Referred to Panel	9	10	19	6	5	11	30
Set for Oral Argument	16	34	50	3	5	8	58
Total Awaiting Hearing	699	515	1,214	169	100	269	1,483
Opinion/Order in Process	29	61	90	4	3	7	97
Total Pending Decision	728	576	1,304	173	103	276	1,580
MANDATED							
Opinions	538	376	914	28	40	68	982
Commissioners' Rulings	159	93	252	0	0	0	252
Other	145	331	476	376	237	613	1,089
Total Mandated	842	800	1,642	404	277	681	2,323

¹ Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court Of Appeals
Court Activity¹, Division II, 2002

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
FILINGS							
New Filings	651	480	1,131	281	113	394	1,525
Transfers	2	9	11	32	1	33	44
Total Filings	653	489	1,142	313	114	427	1,569
DISPOSITIONS							
Opinions Published	48	79	127	0	13	13	140
Opinions Unpublished	331	127	458	4	9	13	471
Opinions	379	206	585	4	22	26	611
Motion on the Merits	90	78	168	0	0	0	168
Other Rulings	41	0	41	0	0	0	41
Commissioners' Rulings	131	78	209	0	0	0	209
Dismissed	74	163	237	222	36	258	495
Transferred/Certified ²	3	0	3	0	1	1	4
Review Not Accepted	0	4	4	0	61	61	65
Other Terminations	8	9	17	8	1	9	26
Total Disposed	595	460	1,055	234	121	355	1,410
PENDING AT YEAR END							
Cases Stayed	13	13	26	12	4	16	42
Brief Not Filed	326	161	487	119	23	142	629
Appellant Brief Filed	129	48	177	0	2	2	179
Respondent Brief Filed	178	79	257	0	8	8	265
Remanded to Trial Court	12	1	13	0	3	3	16
Set for Motion on the Merits	0	0	0	0	0	0	0
Ruling Referred to Panel	5	0	5	0	0	0	5
Set for Oral Argument	25	31	56	3	0	3	59
Total Awaiting Hearing	688	333	1,021	134	40	174	1,195
Opinion/Order in Process	98	65	163	7	6	13	176
Total Pending Decision	786	398	1,184	141	46	187	1,371
MANDATED							
Opinions	362	210	572	6	21	27	599
Commissioners' Rulings	127	75	202	1	0	1	203
Other	92	166	258	272	118	390	648
Total Mandated	581	451	1,032	279	139	418	1,450

1 On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). Divisions I and III will implement ACORDS-II in early 2003. To maintain statewide comparability, "Pending at Year End" figures reflect the status of Division II cases on 11/17/2002. All Division II cumulative counts (filings, dispositions, opinions and rulings, and mandates) reflect the full 12 months' caseload (through 12/31/2002), just as for all Division I and Division III figures.

2 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court Of Appeals
Court Activity, Division III, 2002

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
FILINGS							
New Filings	373	305	678	146	86	232	910
Transfers	0	6	6	7	1	8	14
Total Filings	373	311	684	153	87	240	924
DISPOSITIONS							
Opinions Published	62	61	123	3	5	8	131
Opinions Unpublished	146	103	249	8	3	11	260
Opinions	208	164	372	11	8	19	391
Motion on the Merits	88	59	147	0	0	0	147
Other Rulings	0	0	0	0	0	0	0
Commissioners' Rulings	88	59	147	0	0	0	147
Dismissed	57	97	154	140	21	161	315
Transferred/Certified ¹	0	3	3	2	0	2	5
Review Not Accepted	1	4	5	0	64	64	69
Other Terminations	0	2	2	1	0	1	3
Total Disposed	354	329	683	154	93	247	930
PENDING AT YEAR END							
Cases Stayed	4	17	21	10	0	10	31
Brief Not Filed	176	151	327	59	13	72	399
Appellant Brief Filed	77	32	109	0	5	5	114
Respondent Brief Filed	101	43	144	0	3	3	147
Remanded to Trial Court	4	1	5	0	1	1	6
Set for Motion on the Merits	2	1	3	0	0	0	3
Ruling Referred to Panel	0	0	0	0	0	0	0
Set for Oral Argument ²	9	18	27	3	14	17	44
Total Awaiting Hearing	373	263	636	72	36	108	744
Opinion/Order in Process	23	34	57	1	2	3	60
Total Pending Decision	396	297	693	73	38	111	804
MANDATED							
Opinions	214	156	370	7	10	17	387
Commissioners' Rulings	87	44	131	1	0	1	132
Other	51	90	141	152	79	231	372
Total Mandated	352	290	642	160	89	249	891

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 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.

**The Court of Appeals
History of Filings, 1998-2002**

	1998	1999	% Chg	2000	% Chg	2001	% Chg	2002	% Chg
DIVISION I									
Criminal Appeals	821	749	-8.8%	704	-6.0%	627	-10.9%	645	2.9%
Civil Appeals	739	697	-5.7%	784	12.5%	642	-18.1%	654	1.9%
Total Appeals	1,560	1,446	-7.3%	1,488	2.9%	1,269	-14.7%	1,299	2.4%
Personal Restraint Petitions	249	297	19.3%	355	19.5%	361	1.7%	336	-6.9%
Notices of Discretionary Review	214	168	-21.5%	159	-5.4%	227	42.8%	195	-14.1%
Total Filings, Division I	2,023	1,911	-5.5%	2,002	4.8%	1,857	-7.2%	1,830	-1.5%
DIVISION II									
Criminal Appeals	598	525	-12.2%	547	4.2%	588	7.5%	653	11.1%
Civil Appeals	482	412	-14.5%	446	8.3%	436	-2.2%	489	12.2%
Total Appeals	1,080	937	-13.2%	993	6.0%	1,024	3.1%	1,142	11.5%
Personal Restraint Petitions	205	205	0.0%	241	17.6%	276	14.5%	313	13.4%
Notices of Discretionary Review	128	106	-17.2%	140	32.1%	126	-10.0%	114	-9.5%
Total Filings, Division II	1,413	1,248	-11.7%	1,374	10.1%	1,426	3.8%	1,569	10.0%
DIVISION III									
Criminal Appeals	404	313	-22.5%	278	-11.2%	356	28.1%	373	4.8%
Civil Appeals	331	306	-7.6%	329	7.5%	327	-0.6%	311	-4.9%
Total Appeals	735	619	-15.8%	607	-1.9%	683	12.5%	684	0.1%
Personal Restraint Petitions	150	155	3.3%	120	-22.6%	153	27.5%	153	0.0%
Notices of Discretionary Review	100	97	-3.0%	93	-4.1%	95	2.2%	87	-8.4%
Total Filings, Division III	985	871	-11.6%	820	-5.9%	931	13.5%	924	-0.8%
COURT OF APPEALS, TOTAL									
Criminal Appeals	1,823	1,587	-12.9%	1,529	-3.7%	1,571	2.7%	1,671	6.4%
Civil Appeals	1,552	1,415	-8.8%	1,559	10.2%	1,405	-9.9%	1,454	3.5%
Total Appeals	3,375	3,002	-11.1%	3,088	2.9%	2,976	-3.6%	3,125	5.0%
Personal Restraint Petitions	604	657	8.8%	716	9.0%	790	10.3%	802	1.5%
Notices of Discretionary Review	442	371	-16.1%	392	5.7%	448	14.3%	396	-11.6%
Total Filings, Court Of Appeals	4,421	4,030	-8.8%	4,196	4.1%	4,214	0.4%	4,323	2.6%

**The Court of Appeals
History of Dispositions, 1998-2002**

	1998	1999	% Chg	2000	% Chg	2001	% Chg	2002	% Chg
DIVISION I									
Criminal Appeals	860	834	-3.0%	766	-8.2%	669	-12.7%	752	12.4%
Civil Appeals	717	776	8.2%	718	-7.5%	792	10.3%	672	-15.2%
Total Appeals	1,577	1,610	2.1%	1,484	-7.8%	1,461	-1.5%	1,424	-2.5%
Personal Restraint Petitions	208	253	21.6%	360	42.3%	339	-5.8%	343	1.2%
Notices of Discretionary Review	218	165	-24.3%	159	-3.6%	203	27.7%	199	-2.0%
Total Dispositions, Division I	2,003	2,028	1.2%	2,003	-1.2%	2,003	0.0%	1,966	-1.8%
DIVISION II									
Criminal Appeals	496	592	19.4%	538	-9.1%	584	8.6%	595	1.9%
Civil Appeals	482	474	-1.7%	436	-8.0%	438	0.5%	460	5.0%
Total Appeals	978	1,066	9.0%	974	-8.6%	1,022	4.9%	1,055	3.2%
Personal Restraint Petitions	180	201	11.7%	257	27.9%	234	-8.9%	234	0.0%
Notices of Discretionary Review	127	114	-10.2%	104	-8.8%	142	36.5%	121	-14.8%
Total Dispositions, Division II	1,285	1,381	7.5%	1,335	-3.3%	1,398	4.7%	1,410	0.9%
DIVISION III									
Criminal Appeals	344	458	33.1%	355	-22.5%	325	-8.5%	354	8.9%
Civil Appeals	268	346	29.1%	325	-6.1%	341	4.9%	329	-3.5%
Total Appeals	612	804	31.4%	680	-15.4%	666	-2.1%	683	2.6%
Personal Restraint Petitions	126	146	15.9%	131	-10.3%	142	8.4%	154	8.5%
Notices of Discretionary Review	118	106	-10.2%	83	-21.7%	115	38.6%	93	-19.1%
Total Dispositions, Division III	856	1,056	23.4%	894	-15.3%	923	3.2%	930	0.8%
COURT OF APPEALS, TOTAL									
Criminal Appeals	1,700	1,884	10.8%	1,659	-11.9%	1,578	-4.9%	1,701	7.8%
Civil Appeals	1,467	1,596	8.8%	1,479	-7.3%	1,571	6.2%	1,461	-7.0%
Total Appeals	3,167	3,480	9.9%	3,138	-9.8%	3,149	0.4%	3,162	0.4%
Personal Restraint Petitions	514	600	16.7%	748	24.7%	715	-4.4%	731	2.2%
Notices of Discretionary Review	463	385	-16.8%	346	-10.1%	460	32.9%	413	-10.2%
Total Dispositions, Court of Appeals	4,144	4,465	7.7%	4,232	-5.2%	4,324	2.2%	4,306	-0.4%

The Court of Appeals
History of Pending Cases¹, 1998-2002

	1998	1999 % Chg	2000 % Chg	2001 % Chg	2002 % Chg
DIVISION I					
Criminal Appeals	1,032	912 -11.6%	875 -4.1%	826 -5.6%	728 -11.9%
Civil Appeals	764	667 -12.7%	747 12.0%	588 -21.3%	576 -2.0%
Total Appeals	1,796	1,579 -12.1%	1,622 2.7%	1,414 -12.8%	1,304 -7.8%
Personal Restraint Petitions	127	168 32.3%	163 -3.0%	186 14.1%	173 -7.0%
Notices of Discretionary Review	78	71 -9.0%	78 9.9%	108 38.5%	103 -4.6%
Total Pending, Division I	2,001	1,818 -9.1%	1,863 2.5%	1,708 -8.3%	1,580 -7.5%
DIVISION II					
Criminal Appeals	831	746 -10.2%	774 3.8%	779 0.6%	786 0.9%
Civil Appeals	493	431 -12.6%	447 3.7%	444 -0.7%	398 -10.4%
Total Appeals	1,324	1,177 -11.1%	1,221 3.7%	1,223 0.2%	1,184 -3.2%
Personal Restraint Petitions	86	79 -8.1%	69 -12.7%	125 81.2%	141 12.8%
Notices of Discretionary Review	63	46 -27.0%	91 97.8%	71 -22.0%	46 -35.2%
Total Pending, Division II	1,473	1,302 -11.6%	1,381 6.1%	1,419 2.8%	1,371 -3.4%
DIVISION III					
Criminal Appeals	566	417 -26.3%	347 -16.8%	378 8.9%	396 4.8%
Civil Appeals	366	310 -15.3%	327 5.5%	314 -4.0%	297 -5.4%
Total Appeals	932	727 -22.0%	674 -7.3%	692 2.7%	693 0.1%
Personal Restraint Petitions	62	68 9.7%	60 -11.8%	70 16.7%	73 4.3%
Notices of Discretionary Review	63	50 -20.6%	64 28.0%	42 -34.4%	38 -9.5%
Total Pending, Division III	1,057	845 -20.1%	798 -5.6%	804 0.8%	804 0.0%
COURT OF APPEALS, TOTAL					
Criminal Appeals	2,429	2,075 -14.6%	1,996 -3.8%	1,983 -0.7%	1,910 -3.7%
Civil Appeals	1,623	1,408 -13.2%	1,521 8.0%	1,346 -11.5%	1,271 -5.6%
Total Appeals	4,052	3,483 -14.0%	3,517 1.0%	3,329 -5.3%	3,181 -4.4%
Personal Restraint Petitions	275	315 14.5%	292 -7.3%	381 30.5%	387 1.6%
Notices of Discretionary Review	204	167 -18.1%	233 39.5%	221 -5.2%	187 -15.4%
Total Pending, Court of Appeals	4,531	3,965 -12.5%	4,042 1.9%	3,931 -2.7%	3,755 -4.5%

¹ On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). Divisions I and III will implement ACORDS-II in early 2003. To maintain statewide comparability, "Pending at Year End" figures reflect the status of Division II cases on 11/17/2002. All Division II cumulative counts (filings, dispositions, opinions and rulings, and mandates) reflect the full 12 months' caseload (through 12/31/2002), just as for all Division I and Division III figures.

The Court of Appeals

History of Activity, All Reviews¹, All Divisions, 1998-2002

	1998	1999	% Chg ⁴	2000	% Chg ⁴	2001	% Chg ⁴	2002	% Chg ⁴
FILINGS									
New Filings	4,338	3,937	-9.2%	4,118	4.6%	4,107	-0.3%	4,202	2.3%
Transfers	83	93	12.0%	78	-16.1%	107	37.2%	121	13.1%
Total Filings	4,421	4,030	-8.8%	4,196	4.1%	4,214	0.4%	4,323	2.6%
DISPOSITIONS									
Opinions Published	411	560	36.3%	467	-16.6%	532	13.9%	443	-16.7%
Opinions Unpublished	1,343	1,663	23.8%	1,402	-15.7%	1,432	2.1%	1,403	-2.0%
Opinions	1,754	2,223	26.7%	1,869	-15.9%	1,964	5.1%	1,846	-6.0%
Motion on the Merits	502	449	-10.6%	543	20.9%	439	-19.2%	480	9.3%
Other Rulings	199	144	-27.6%	100	-30.6%	115	15.0%	68	-40.9%
Commissioners' Rulings	701	593	-15.4%	643	8.4%	554	-13.8%	548	-1.1%
Dismissed	1,346	1,360	1.0%	1,462	7.5%	1,476	1.0%	1,593	7.9%
Transferred/Certified ²	20	11	. %	15	. %	21	. %	11	. %
Review Not Accepted	277	238	-14.1%	211	-11.3%	284	34.6%	264	-7.0%
Other Terminations	46	40	-13.0%	32	-20.0%	25	. %	44	. %
Total Disposed	4,144	4,465	7.7%	4,232	-5.2%	4,324	2.2%	4,306	-0.4%
PENDING AT YEAR END									
Case Stayed	62	118	90.3%	177	50.0%	233	31.6%	220	-5.6%
Brief Not Filed	2,110	1,779	-15.7%	1,932	8.6%	1,915	-0.9%	1,756	-8.3%
Appellant Brief Filed	594	508	-14.5%	512	0.8%	539	5.3%	509	-5.6%
Respondent Brief Filed	955	984	3.0%	872	-11.4%	790	-9.4%	716	-9.4%
Remanded to Trial Court	15	13	. %	12	. %	10	. %	22	. %
Set for Motion on the Merits	49	115	134.7%	30	-73.9%	4	. %	3	. %
Ruling Referred to Panel	43	13	. %	34	. %	19	. %	35	. %
Set for Oral Argument ³	253	169	-33.2%	204	20.7%	195	-4.4%	161	-17.4%
Total Awaiting Hearing	4,081	3,699	-9.4%	3,773	2.0%	3,705	-1.8%	3,422	-7.6%
Opinion/Order in Process	450	266	-40.9%	269	1.1%	226	-16.0%	333	47.3%
Total Pending Decision	4,531	3,965	-12.5%	4,042	1.9%	3,931	-2.7%	3,755	-4.5%
MANDATED									
Opinions	1,887	2,103	11.4%	2,070	-1.6%	1,704	-17.7%	1,968	15.5%
Commissioners' Rulings	758	619	-18.3%	634	2.4%	529	-16.6%	587	11.0%
Other	1,637	1,615	-1.3%	1,546	-4.3%	1,778	15.0%	2,109	18.6%
Total Mandated	4,282	4,337	1.3%	4,250	-2.0%	4,011	-5.6%	4,664	16.3%

1 On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). Divisions I and III will implement ACORDS-II in early 2003. To maintain statewide comparability, "Pending at Year End" figures reflect the status of Division II cases on 11/17/2002. All Division II cumulative counts (filings, dispositions, opinions and rulings, and mandates) reflect the full 12 months' caseload (through 12/31/2002), just as for all Division I and Division III figures.

2 Includes both matters transferred to other divisions and those certified to the Supreme Court.

3 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.

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

The Court of Appeals
History of Activity, All Reviews, Division I, 1998-2002

	1998	1999	% Chg2	2000	% Chg2	2001	% Chg2	2002	% Chg2
FILINGS									
New Filings	1,979	1,865	-5.8%	1,958	5.0%	1,807	-7.7%	1,767	-2.2%
Transfers	44	46	4.5%	44	-4.3%	50	13.6%	63	26.0%
Total Filings	2,023	1,911	-5.5%	2,002	4.8%	1,857	-7.2%	1,830	-1.5%
DISPOSITIONS									
Opinions Published	189	276	46.0%	207	-25.0%	247	19.3%	172	-30.4%
Opinions Unpublished	737	841	14.1%	708	-15.8%	716	1.1%	672	-6.1%
Opinions	926	1,117	20.6%	915	-18.1%	963	5.2%	844	-12.4%
Motion on the Merits	217	131	-39.6%	213	62.6%	138	-35.2%	165	19.6%
Other Rulings	55	22	. %	32	. %	45	40.6%	27	. %
Commissioners' Rulings	272	153	-43.8%	245	60.1%	183	-25.3%	192	4.9%
Dismissed	631	628	-0.5%	723	15.1%	718	-0.7%	783	9.1%
Transferred/Certified ¹	9	7	. %	6	. %	12	. %	2	. %
Review Not Accepted	126	100	-20.6%	89	-11.0%	112	25.8%	130	16.1%
Other Terminations	39	23	. %	25	. %	15	. %	15	. %
Total Disposed	2,003	2,028	1.2%	2,003	-1.2%	2,003	0.0%	1,966	-1.8%
PENDING AT YEAR END									
Case Stayed	37	83	124.3%	122	47.0%	169	38.5%	147	-13.0%
Brief Not Filed	912	834	-8.6%	895	7.3%	819	-8.5%	728	-11.1%
Appellant Brief Filed	257	218	-15.2%	233	6.9%	224	-3.9%	216	-3.6%
Respondent Brief Filed	397	419	5.5%	420	0.2%	381	-9.3%	304	-20.2%
Remanded to Trial Court	4	0	. %	0	. %	0	. %	0	. %
Set for Motion on the Merits	7	49	. %	0	. %	0	. %	0	. %
Ruling Referred to Panel	32	13	. %	30	. %	14	. %	30	. %
Set for Oral Argument	125	59	-52.8%	52	-11.9%	41	-21.2%	58	41.5%
Total Awaiting Hearing	1,771	1,675	-5.4%	1,752	4.6%	1,648	-5.9%	1,483	-10.0%
Opinion/Order in Process	230	143	-37.8%	111	-22.4%	60	-45.9%	97	61.7%
Total Pending Decision	2,001	1,818	-9.1%	1,863	2.5%	1,708	-8.3%	1,580	-7.5%
MANDATED									
Opinions	983	1,047	6.5%	1,047	0.0%	765	-26.9%	982	28.4%
Commissioners' Rulings	328	181	-44.8%	210	16.0%	145	-31.0%	252	73.8%
Other	794	748	-5.8%	663	-11.4%	877	32.3%	1,089	24.2%
Total Mandated	2,105	1,976	-6.1%	1,920	-2.8%	1,787	-6.9%	2,323	30.0%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 Percentages are not provided when numbers are small (less than 30).

The Court of Appeals
History of Activity, All Reviews¹, Division II, 1998-2002

	1998	1999	% Chg3	2000	% Chg3	2001	% Chg3	2002	% Chg3
FILINGS									
New Filings	1,383	1,213	-12.3%	1,352	11.5%	1,386	2.5%	1,525	10.0%
Transfers	30	35	16.7%	22	. %	40	. %	44	10.0%
Total Filings	1,413	1,248	-11.7%	1,374	10.1%	1,426	3.8%	1,569	10.0%
DISPOSITIONS									
Opinions Published	145	160	10.3%	135	-15.6%	145	7.4%	140	-3.4%
Opinions Unpublished	367	435	18.5%	414	-4.8%	478	15.5%	471	-1.5%
Opinions	512	595	16.2%	549	-7.7%	623	13.5%	611	-1.9%
Motion on the Merits	184	150	-18.5%	165	10.0%	149	-9.7%	168	12.8%
Other Rulings	80	94	17.5%	67	-28.7%	69	3.0%	41	-40.6%
Commissioners' Rulings	264	244	-7.6%	232	-4.9%	218	-6.0%	209	-4.1%
Dismissed	418	447	6.9%	471	5.4%	457	-3.0%	495	8.3%
Transferred/Certified ²	5	1	. %	3	. %	6	. %	4	. %
Review Not Accepted	82	84	2.4%	74	-11.9%	89	20.3%	65	-27.0%
Other Terminations	4	10	. %	6	. %	5	. %	26	. %
Total Disposed	1,285	1,381	7.5%	1,335	-3.3%	1,398	4.7%	1,410	0.9%
PENDING AT YEAR END									
Case Stayed	9	12	. %	29	. %	45	. %	42	-6.7%
Brief Not Filed	721	551	-23.6%	645	17.1%	685	6.2%	629	-8.2%
Appellant Brief Filed	185	183	-1.1%	165	-9.8%	193	17.0%	179	-7.3%
Respondent Brief Filed	346	389	12.4%	321	-17.5%	269	-16.2%	265	-1.5%
Remanded to Trial Court	2	7	. %	8	. %	4	. %	16	. %
Set for Motion on the Merits	6	9	. %	3	. %	3	. %	0	. %
Ruling Referred to Panel	11	0	. %	4	. %	5	. %	5	. %
Set for Oral Argument	108	90	-16.7%	104	15.6%	116	11.5%	59	-49.1%
Total Awaiting Hearing	1,388	1,241	-10.6%	1,279	3.1%	1,320	3.2%	1,195	-9.5%
Opinion/Order in Process	85	61	-28.2%	102	67.2%	99	-2.9%	176	77.8%
Total Pending Decision	1,473	1,302	-11.6%	1,381	6.1%	1,419	2.8%	1,371	-3.4%
MANDATED									
Opinions	522	619	18.6%	577	-6.8%	559	-3.1%	599	7.2%
Commissioners' Rulings	279	237	-15.1%	247	4.2%	223	-9.7%	203	-9.0%
Other	501	522	4.2%	522	0.0%	516	-1.1%	648	25.6%
Total Mandated	1,302	1,378	5.8%	1,346	-2.3%	1,298	-3.6%	1,450	11.7%

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² Includes both matters transferred to other divisions and those certified to the Supreme Court.

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

The Court of Appeals
History of Activity, All Reviews, Division III, 1998-2002

	1998	1999 % Chg3	2000 % Chg3	2001 % Chg3	2002 % Chg3
FILINGS					
New Filings	976	859 -12.0%	808 -5.9%	914 13.1%	910 -0.4%
Transfers	9	12 . %	12 . %	17 . %	14 . %
Total Filings	985	871 -11.6%	820 -5.9%	931 13.5%	924 -0.8%
DISPOSITIONS					
Opinions Published	77	124 61.0%	125 0.8%	140 12.0%	131 -6.4%
Opinions Unpublished	239	387 61.9%	280 -27.6%	238 -15.0%	260 9.2%
Opinions	316	511 61.7%	405 -20.7%	378 -6.7%	391 3.4%
Motion on the Merits	101	168 66.3%	165 -1.8%	152 -7.9%	147 -3.3%
Other Rulings	64	28 . %	1 . %	1 . %	0 . %
Commissioners' Rulings	165	196 18.8%	166 -15.3%	153 -7.8%	147 -3.9%
Dismissed	297	285 -4.0%	268 -6.0%	301 12.3%	315 4.7%
Transferred/Certified ¹	6	3 . %	6 . %	3 . %	5 . %
Review Not Accepted	69	54 -21.7%	48 -11.1%	83 72.9%	69 -16.9%
Other Terminations	3	7 . %	1 . %	5 . %	3 . %
Total Disposed	856	1,056 23.4%	894 -15.3%	923 3.2%	930 0.8%
PENDING AT YEAR END					
Case Stayed	16	23 . %	26 . %	19 . %	31 . %
Brief Not Filed	477	394 -17.4%	392 -0.5%	411 4.8%	399 -2.9%
Appellant Brief Filed	152	107 -29.6%	114 6.5%	122 7.0%	114 -6.6%
Respondent Brief Filed	212	176 -17.0%	131 -25.6%	140 6.9%	147 5.0%
Remanded to Trial Court	9	6 . %	4 . %	6 . %	6 . %
Set for Motion on the Merits	36	57 58.3%	27 . %	1 . %	3 . %
Ruling Referred to Panel	0	0 . %	0 . %	0 . %	0 . %
Set for Oral Argument ²	20	20 . %	48 . %	38 -20.8%	44 15.8%
Total Awaiting Hearing	922	783 -15.1%	742 -5.2%	737 -0.7%	744 0.9%
Opinion/Order in Process	135	62 -54.1%	56 -9.7%	67 19.6%	60 -10.4%
Total Pending Decision	1,057	845 -20.1%	798 -5.6%	804 0.8%	804 0.0%
MANDATED					
Opinions	382	437 14.4%	446 2.1%	380 -14.8%	387 1.8%
Commissioners' Rulings	151	201 33.1%	177 -11.9%	161 -9.0%	132 -18.0%
Other	342	345 0.9%	361 4.6%	385 6.6%	372 -3.4%
Total Mandated	875	983 12.3%	984 0.1%	926 -5.9%	891 -3.8%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 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.

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

The Court of Appeals
 Court Activity, All Divisions¹, Criminal Appeals, 1998-2002

	1998	1999	% Chg3	2000	% Chg3	2001	% Chg3	2002	% Chg3
FILINGS									
New Filings	1,817	1,585	-12.8%	1,527	-3.7%	1,569	2.8%	1,668	6.3%
Transfers	6	2	. %	2	. %	2	. %	3	. %
Total Filings	1,823	1,587	-12.9%	1,529	-3.7%	1,571	2.7%	1,671	6.4%
DISPOSITIONS									
Opinions Published	138	221	60.1%	165	-25.3%	192	16.4%	159	-17.2%
Opinions Unpublished	837	1,020	21.9%	848	-16.9%	832	-1.9%	899	8.1%
Opinions	975	1,241	27.3%	1,013	-18.4%	1,024	1.1%	1,058	3.3%
Motion on the Merits	336	306	-8.9%	359	17.3%	254	-29.2%	313	23.2%
Other Rulings	169	126	-25.4%	73	-42.1%	78	6.8%	51	-34.6%
Commissioners' Rulings	505	432	-14.5%	432	0.0%	332	-23.1%	364	9.6%
Dismissed	209	205	-1.9%	206	0.5%	211	2.4%	258	22.3%
Transferred/Certified ²	2	1	. %	3	. %	3	. %	3	. %
Review Not Accepted	2	2	. %	3	. %	3	. %	8	. %
Other Terminations	7	3	. %	2	. %	5	. %	10	. %
Total Disposed	1,700	1,884	10.8%	1,659	-11.9%	1,578	-4.9%	1,701	7.8%
PENDING AT YEAR END									
Case Stayed	17	54	. %	63	16.7%	101	60.3%	53	-47.5%
Brief Not Filed	1,004	768	-23.5%	835	8.7%	806	-3.5%	789	-2.1%
Appellant Brief Filed	397	323	-18.6%	292	-9.6%	357	22.3%	347	-2.8%
Respondent Brief Filed	677	666	-1.6%	592	-11.1%	537	-9.3%	489	-8.9%
Remanded to Trial Court	9	12	. %	8	. %	7	. %	16	. %
Set for Motion on the Merits	42	94	123.8%	24	. %	3	. %	2	. %
Ruling Referred to Panel	27	7	. %	14	. %	12	. %	14	. %
Set for Oral Argument	88	70	-20.5%	60	-14.3%	70	16.7%	50	-28.6%
Total Awaiting Hearing	2,261	1,994	-11.8%	1,888	-5.3%	1,893	0.3%	1,760	-7.0%
Opinion/Order in Process	168	81	-51.8%	108	33.3%	90	-16.7%	150	66.7%
Total Pending Decision	2,429	2,075	-14.6%	1,996	-3.8%	1,983	-0.7%	1,910	-3.7%
MANDATED									
Opinions	1,051	1,154	9.8%	1,162	0.7%	881	-24.2%	1,114	26.4%
Commissioners' Rulings	559	450	-19.5%	435	-3.3%	335	-23.0%	373	11.3%
Other	215	222	3.3%	220	-0.9%	197	-10.5%	288	46.2%
Total Mandated	1,825	1,826	0.1%	1,817	-0.5%	1,413	-22.2%	1,775	25.6%

¹ On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). Divisions I and III will implement ACORDS-II in early 2003. To maintain statewide comparability, "Pending at Year End" figures reflect the status of Division II cases on 11/17/2002. All Division II cumulative counts (filings, dispositions, opinions and rulings, and mandates) reflect the full 12 months' caseload (through 12/31/2002), just as for all Division I and Division III figures.

² Includes both matters transferred to other divisions and those certified to the Supreme Court.

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The Court of Appeals
Court Activity¹, All Divisions, Civil Appeals, 1998-2002

	1998	1999	% Chg ³	2000	% Chg ³	2001	% Chg ³	2002	% Chg ³
FILINGS									
New Filings	1,506	1,386	-8.0%	1,525	10.0%	1,393	-8.7%	1,421	2.0%
Transfers	46	29	. %	34	. %	12	. %	33	. %
Total Filings	1,552	1,415	-8.8%	1,559	10.2%	1,405	-9.9%	1,454	3.5%
DISPOSITIONS									
Opinions Published	231	297	28.6%	261	-12.1%	280	7.3%	237	-15.4%
Opinions Unpublished	448	566	26.3%	491	-13.3%	532	8.4%	455	-14.5%
Opinions	679	863	27.1%	752	-12.9%	812	8.0%	692	-14.8%
Motion on the Merits	165	140	-15.2%	184	31.4%	181	-1.6%	167	-7.7%
Other Rulings	29	17	. %	26	. %	37	. %	17	. %
Commissioners' Rulings	194	157	-19.1%	210	33.8%	218	3.8%	184	-15.6%
Dismissed	563	538	-4.4%	482	-10.4%	512	6.2%	544	6.3%
Transferred/Certified ²	14	10	. %	8	. %	8	. %	4	. %
Review Not Accepted	14	18	. %	20	. %	16	. %	21	. %
Other Terminations	3	10	. %	7	. %	5	. %	16	. %
Total Disposed	1,467	1,596	8.8%	1,479	-7.3%	1,571	6.2%	1,461	-7.0%
PENDING AT YEAR END									
Case Stayed	28	39	. %	56	43.6%	64	14.3%	67	4.7%
Brief Not Filed	730	602	-17.5%	726	20.6%	650	-10.5%	593	-8.8%
Appellant Brief Filed	180	180	0.0%	200	11.1%	161	-19.5%	143	-11.2%
Respondent Brief Filed	264	302	14.4%	258	-14.6%	239	-7.4%	212	-11.3%
Remanded to Trial Court	3	1	. %	2	. %	3	. %	2	. %
Set for Motion on the Merits	6	20	. %	5	. %	1	. %	1	. %
Ruling Referred to Panel	9	4	. %	13	. %	6	. %	10	. %
Set for Oral Argument	153	92	-39.9%	111	20.7%	94	-15.3%	83	-11.7%
Total Awaiting Hearing	1,373	1,240	-9.7%	1,371	10.6%	1,218	-11.2%	1,111	-8.8%
Opinion/Order in Process	250	168	-32.8%	150	-10.7%	128	-14.7%	160	25.0%
Total Pending Decision	1,623	1,408	-13.2%	1,521	8.0%	1,346	-11.5%	1,271	-5.6%
MANDATED									
Opinions	714	837	17.2%	788	-5.9%	728	-7.6%	742	1.9%
Commissioners' Rulings	196	164	-16.3%	199	21.3%	191	-4.0%	212	11.0%
Other	604	571	-5.5%	528	-7.5%	504	-4.5%	587	16.5%
Total Mandated	1,514	1,572	3.8%	1,515	-3.6%	1,423	-6.1%	1,541	8.3%

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2 Includes both matters transferred to other divisions and those certified to the Supreme Court.

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

The Court of Appeals
 Court Activity¹, All Divisions, Total Appeals, 1998-2002

	1998	1999 % Chg ³	2000 % Chg ³	2001 % Chg ³	2002 % Chg ³
FILINGS					
New Filings	3,323	2,971 -10.6%	3,052 2.7%	2,962 -2.9%	3,089 4.3%
Transfers	52	31 -40.4%	36 16.1%	14 . %	36 . %
Total Filings	3,375	3,002 -11.1%	3,088 2.9%	2,976 -3.6%	3,125 5.0%
DISPOSITIONS					
Opinions Published	369	518 40.4%	426 -17.8%	472 10.8%	396 -16.1%
Opinions Unpublished	1,285	1,586 23.4%	1,339 -15.6%	1,364 1.9%	1,354 -0.7%
Opinions	1,654	2,104 27.2%	1,765 -16.1%	1,836 4.0%	1,750 -4.7%
Motion on the Merits	501	446 -11.0%	543 21.7%	435 -19.9%	480 10.3%
Other Rulings	198	143 -27.8%	99 -30.8%	115 16.2%	68 -40.9%
Commissioners' Rulings	699	589 -15.7%	642 9.0%	550 -14.3%	548 -0.4%
Dismissed	772	743 -3.8%	688 -7.4%	723 5.1%	802 10.9%
Transferred/Certified ²	16	11 . %	11 . %	11 . %	7 . %
Review Not Accepted	16	20 . %	23 . %	19 . %	29 . %
Other Terminations	10	13 . %	9 . %	10 . %	26 . %
Total Disposed	3,167	3,480 9.9%	3,138 -9.8%	3,149 0.4%	3,162 0.4%
PENDING AT YEAR END					
Case Stayed	45	93 106.7%	119 28.0%	165 38.7%	120 -27.3%
Brief Not Filed	1,734	1,370 -21.0%	1,561 13.9%	1,456 -6.7%	1,382 -5.1%
Appellant Brief Filed	577	503 -12.8%	492 -2.2%	518 5.3%	490 -5.4%
Respondent Brief Filed	941	968 2.9%	850 -12.2%	776 -8.7%	701 -9.7%
Remanded to Trial Court	12	13 . %	10 . %	10 . %	18 . %
Set for Motion on the Merits	48	114 137.5%	29 . %	4 . %	3 . %
Ruling Referred to Panel	36	11 . %	27 . %	18 . %	24 . %
Set For Oral Argument	241	162 -32.8%	171 5.6%	164 -4.1%	133 -18.9%
Total Awaiting Hearing	3,634	3,234 -11.0%	3,259 0.8%	3,111 -4.5%	2,871 -7.7%
Opinion/Order in Process	418	249 -40.4%	258 3.6%	218 -15.5%	310 42.2%
Total Pending Decision	4,052	3,483 -14.0%	3,517 1.0%	3,329 -5.3%	3,181 -4.4%
MANDATED					
Opinions	1,765	1,991 12.8%	1,950 -2.1%	1,609 -17.5%	1,856 15.4%
Commissioners' Rulings	755	614 -18.7%	634 3.3%	526 -17.0%	585 11.2%
Other	819	793 -3.2%	748 -5.7%	701 -6.3%	875 24.8%
Total Mandated	3,339	3,398 1.8%	3,332 -1.9%	2,836 -14.9%	3,316 16.9%

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The Court of Appeals
 Court Activity¹, All Divisions, Personal Restraint Petitions, 1998-2002

	1998	1999	% Chg ³	2000	% Chg ³	2001	% Chg ³	2002	% Chg ³
FILINGS									
New Filings	576	596	3.5%	677	13.6%	700	3.4%	719	2.7%
Transfers	28	61	. %	39	-36.1%	90	130.8%	83	-7.8%
Total Filings	604	657	8.8%	716	9.0%	790	10.3%	802	1.5%
DISPOSITIONS									
Opinions Published	12	6	. %	9	. %	12	. %	8	. %
Opinions Unpublished	23	38	. %	42	10.5%	36	-14.3%	30	-16.7%
Opinions	35	44	25.7%	51	15.9%	48	-5.9%	38	-20.8%
Motion on the Merits	1	2	. %	0	. %	3	. %	0	. %
Other Rulings	1	1	. %	1	. %	0	. %	0	. %
Commissioners' Rulings	2	3	. %	1	. %	3	. %	0	. %
Dismissed	471	546	15.9%	689	26.2%	656	-4.8%	680	3.7%
Transferred/Certified ²	3	0	. %	2	. %	5	. %	2	. %
Review Not Accepted	0	0	. %	0	. %	0	. %	0	. %
Other Terminations	3	7	. %	5	. %	3	. %	11	. %
Total Disposed	514	600	16.7%	748	24.7%	715	-4.4%	731	2.2%
PENDING AT YEAR END									
Case Stayed	9	20	. %	49	. %	55	12.2%	77	40.0%
Brief Not Filed	244	284	16.4%	226	-20.4%	310	37.2%	275	-11.3%
Appellant Brief Filed	0	1	. %	3	. %	10	. %	6	. %
Respondent Brief Filed	1	0	. %	1	. %	3	. %	2	. %
Remanded to Trial Court	2	0	. %	1	. %	0	. %	0	. %
Set for Motion on the Merits	0	1	. %	0	. %	0	. %	0	. %
Ruling Referred to Panel	2	0	. %	6	. %	0	. %	6	. %
Set for Oral Argument	5	2	. %	2	. %	2	. %	9	. %
Total Awaiting Hearing	263	308	17.1%	288	-6.5%	380	31.9%	375	-1.3%
Opinion/Order in Process	12	7	. %	4	. %	1	. %	12	. %
Total Pending Decision	275	315	14.5%	292	-7.3%	381	30.5%	387	1.6%
MANDATED									
Opinions	46	45	-2.2%	54	20.0%	40	-25.9%	41	2.5%
Commissioners' Rulings	3	4	. %	0	. %	2	. %	2	. %
Other	439	473	7.7%	533	12.7%	738	38.5%	800	8.4%
Total Mandated	488	522	7.0%	587	12.5%	780	32.9%	843	8.1%

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The Court of Appeals
 Court Activity¹, All Divisions, Notices of Discretionary Review, 1998-2002

	1998	1999 % Chg ³	2000 % Chg ³	2001 % Chg ³	2002 % Chg ³
FILINGS					
New Filings	439	370 -15.7%	389 5.1%	445 14.4%	394 -11.5%
Transfers	3	1 . %	3 . %	3 . %	2 . %
Total Filings	442	371 -16.1%	392 5.7%	448 14.3%	396 -11.6%
DISPOSITIONS					
Opinions Published	30	36 20.0%	32 -11.1%	48 50.0%	39 -18.8%
Opinions Unpublished	35	39 11.4%	21 . %	32 . %	19 . %
Opinions	65	75 15.4%	53 -29.3%	80 50.9%	58 -27.5%
Motion on the Merits	0	1 . %	0 . %	1 . %	0 . %
Other Rulings	0	0 . %	0 . %	0 . %	0 . %
Commissioners' Rulings	0	1 . %	0 . %	1 . %	0 . %
Dismissed	103	71 -31.1%	85 19.7%	97 14.1%	111 14.4%
Transferred/Certified ²	1	0 . %	2 . %	5 . %	2 . %
Review Not Accepted	261	218 -16.5%	188 -13.8%	265 41.0%	235 -11.3%
Other Terminations	33	20 . %	18 . %	12 . %	7 . %
Total Disposed	463	385 -16.8%	346 -10.1%	460 32.9%	413 -10.2%
PENDING AT YEAR END					
Case Stayed	8	5 . %	9 . %	13 . %	23 . %
Brief Not Filed	132	125 -5.3%	145 16.0%	149 2.8%	99 -33.6%
Appellant Brief Filed	17	4 . %	17 . %	11 . %	13 . %
Respondent Brief Filed	13	16 . %	21 . %	11 . %	13 . %
Remanded to Trial Court	1	0 . %	1 . %	0 . %	4 . %
Set for Motion on the Merits	1	0 . %	1 . %	0 . %	0 . %
Ruling Referred to Panel	5	2 . %	1 . %	1 . %	5 . %
Set for Oral Argument	7	5 . %	31 . %	29 . %	19 . %
Total Awaiting Hearing	184	157 -14.7%	226 43.9%	214 -5.3%	176 -17.8%
Opinion/Order in Process	20	10 . %	7 . %	7 . %	11 . %
Total Pending Decision	204	167 -18.1%	233 39.5%	221 -5.2%	187 -15.4%
MANDATED					
Opinions	76	67 -11.8%	66 -1.5%	55 -16.7%	71 29.1%
Commissioners' Rulings	0	1 . %	0 . %	1 . %	0 . %
Other	379	349 -7.9%	265 -24.1%	339 27.9%	434 28.0%
Total Mandated	455	417 -8.4%	331 -20.6%	395 19.3%	505 27.8%

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2 Includes both matters transferred to other divisions and those certified to the Supreme Court.

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The Court of Appeals

Days Between Events for Criminal Appeals PENDING OR DISPOSED OF BY OPINION -- 75th Percentile¹, 1998-2002

	1998	1999	% Chg	2000	% Chg	2001	% Chg	2002	% Chg
DIVISION I									
Filing - Comp. of Record	149	163	9.4%	146	-10.4%	157	7.5%	159	1.3%
Filing - Stmt. of Arrgmts.	53	58	8.5%	73	27.0%	77	5.5%	73	-5.2%
Stmt. of Arrgmts. - Comp. of Record	97	105	8.2%	77	-26.7%	84	9.1%	84	0.0%
Comp. of Record - App. Brief	88	94	6.8%	69	-26.6%	75	8.7%	77	2.7%
App. Brief - Ready	133	145	9.0%	100	-31.0%	106	6.0%	106	0.0%
Ready - Opinion	266	259	-2.6%	246	-5.0%	264	7.3%	217	-17.8%
Filing - Opinion, Div. I2	644	632	-1.9%	564	-10.7%	622	10.3%	536	-13.8%
DIVISION II3									
Filing - Comp. of Record	140	151	7.9%	128	-15.2%	135	5.5%	131	-3.0%
Filing - Stmt. of Arrgmts.	67	66	-2.2%	68	3.8%	69	1.5%	63	-8.7%
Stmt. of Arrgmts. - Comp. of Record	86	91	5.8%	69	-24.2%	69	0.0%	69	0.0%
Comp. of Record - App. Brief	165	125	-24.2%	102	-18.4%	108	5.9%	107	-0.9%
App. Brief - Ready	148	194	31.1%	139	-28.4%	144	3.6%	132	-8.3%
Ready - Opinion	403	282	-30.0%	319	13.1%	325	1.9%	277	-14.8%
Filing - Opinion, Div. II2	690	694	0.7%	708	2.0%	703	-0.7%	638	-9.3%
DIVISION III									
Filing - Comp. of Record	127	149	17.3%	122	-18.1%	126	3.3%	129	2.0%
Filing - Stmt. of Arrgmts.	56	55	-1.8%	55	0.0%	56	1.8%	52	-7.1%
Stmt. of Arrgmts. - Comp. of Record	79	102	29.1%	81	-20.6%	78	-3.7%	77	-1.3%
Comp. of Record - App. Brief	97	109	12.4%	91	-16.5%	98	7.7%	98	0.0%
App. Brief - Ready	170	196	15.3%	137	-30.1%	138	0.7%	150	8.7%
Ready - Opinion	300	269	-10.3%	242	-10.0%	213	-12.0%	187	-12.2%
Filing - Opinion, Div. III2	732	703	-4.0%	668	-5.0%	609	-8.8%	524	-14.0%
COURT OF APPEALS, TOTAL									
Filing - Comp. of Record	141	155	9.9%	134	-13.5%	144	7.5%	143	-0.7%
Filing - Stmt. of Arrgmts.	57	60	5.3%	69	15.0%	71	2.9%	67	-5.6%
Stmt. of Arrgmts. - Comp. of Record	88	100	13.6%	75	-25.0%	77	2.7%	77	0.0%
Comp. of Record - App. Brief	114	110	-3.5%	89	-19.1%	96	7.9%	95	-1.0%
App. Brief - Ready	142	172	21.1%	122	-29.4%	129	6.2%	124	-3.9%
Ready - Opinion	308	270	-12.3%	291	7.8%	284	-2.4%	234	-17.6%
Filing - Opinion, Court of Appeals ²	683	668	-2.2%	637	-4.6%	648	1.7%	573	-11.6%

1 Substantial revisions were made to the time-in-process reporting model beginning in 1998. Improvements include changes to both data entry and statistical measurement. The 1998 stages are not comparable to those published in prior years' reports.

2 Days to reach the 75th percentile for the full period (filing to opinion) do not necessarily equal the sum of the days for the event categories within that period.

3 On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). To maintain statewide comparability, Division II 2002 time-in-process measurements reflect case dispositions recorded in the prior system (from 1/01/2002 through 11/17/2002). Division I and III measurements are based on the full calendar year.

The Court of Appeals

Days Between Events for Civil Appeals PENDING OR DISPOSED OF BY OPINION -- 75th Percentile¹, 1998-2002

	1998	1999	% Chg	2000	% Chg	2001	% Chg	2002	% Chg
DIVISION I									
Filing - Comp. of Record	136	135	-0.7%	138	2.2%	139	0.7%	125	-10.1%
Filing - Stmt. of Arrgmts.	67	70	4.5%	71	1.4%	71	0.0%	70	-1.4%
Stmt. of Arrgmts. - Comp. of Record	86	92	7.0%	77	-16.3%	90	16.2%	82	-8.4%
Comp. of Record - App. Brief	88	100	13.6%	88	-12.0%	94	6.8%	99	5.3%
App. Brief - Ready	86	83	-3.5%	77	-7.2%	80	3.9%	83	3.8%
Ready - Opinion	377	351	-7.0%	305	-13.0%	270	-11.6%	259	-3.9%
Filing - Opinion, Div. I2	644	592	-8.1%	553	-6.6%	522	-5.7%	503	-3.5%
DIVISION II3									
Filing - Comp. of Record	121	133	9.9%	113	-15.0%	114	0.9%	114	0.0%
Filing - Stmt. of Arrgmts.	68	77	13.2%	71	-7.8%	73	2.8%	70	-4.1%
Stmt. of Arrgmts. - Comp. of Record	75	81	8.0%	60	-25.9%	60	0.0%	59	-2.5%
Comp. of Record - App. Brief	203	107	-47.3%	94	-12.1%	100	6.4%	100	0.0%
App. Brief - Ready	68	91	33.8%	72	-20.9%	80	11.1%	76	-5.0%
Ready - Opinion	466	331	-29.0%	352	6.3%	339	-3.7%	336	-0.9%
Filing - Opinion, Div. II2	687	605	-11.9%	617	2.0%	586	-5.0%	571	-2.6%
DIVISION III									
Filing - Comp. of Record	128	144	12.5%	120	-16.7%	123	2.5%	115	-6.5%
Filing - Stmt. of Arrgmts.	75	81	8.0%	70	-13.6%	60	-14.3%	60	0.0%
Stmt. of Arrgmts. - Comp. of Record	80	82	2.5%	76	-7.3%	76	0.0%	74	-2.6%
Comp. of Record - App. Brief	83	102	22.9%	91	-10.8%	98	7.7%	99	1.0%
App. Brief - Ready	83	91	9.6%	75	-17.6%	106	41.3%	116	9.0%
Ready - Opinion	292	293	0.3%	239	-18.4%	224	-6.3%	205	-8.5%
Filing - Opinion, Div. III2	542	571	5.4%	523	-8.5%	518	-0.9%	517	-0.2%
COURT OF APPEALS, TOTAL									
Filing - Comp. of Record	127	134	5.5%	122	-9.0%	125	2.5%	118	-5.6%
Filing - Stmt. of Arrgmts.	68	73	7.4%	70	-4.1%	70	0.0%	67	-4.3%
Stmt. of Arrgmts. - Comp. of Record	78	86	10.3%	70	-18.6%	73	4.3%	70	-4.1%
Comp. of Record - App. Brief	133	102	-23.3%	91	-10.8%	98	7.7%	100	1.5%
App. Brief - Ready	83	87	4.8%	76	-12.6%	84	10.5%	90	7.1%
Ready - Opinion	396	325	-17.9%	315	-3.1%	284	-9.8%	266	-6.3%
Filing - Opinion, Court of Appeals ²	645	591	-8.4%	570	-3.6%	546	-4.2%	532	-2.6%

1 Substantial revisions were made to the time-in-process reporting model beginning in 1998. Improvements include changes to both data entry and statistical measurement. The 1998 stages are not comparable to those published in prior years' reports.

2 Days to reach the 75th percentile for the full period (filing to opinion) do not necessarily equal the sum of the days for the event categories within that period.

3 On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). To maintain statewide comparability, Division II 2002 time-in-process measurements reflect case dispositions recorded in the prior system (from 1/01/2002 through 11/17/2002). Division I and III measurements are based on the full calendar year.

The Court of Appeals

Days Between Events for Total Appeals PENDING OR DISPOSED OF BY OPINION -- 75th Percentile¹, 1998-2002

	1998	1999	% Chg	2000	% Chg	2001	% Chg	2002	% Chg
DIVISION I									
Filing - Comp. of Record	148	154	4.4%	143	-7.1%	152	6.3%	149	-2.0%
Filing - Stmt. of Arrgmts.	59	63	6.8%	72	14.3%	76	5.6%	73	-3.9%
Stmt. of Arrgmts. - Comp. of Record	95	101	6.3%	77	-23.8%	85	10.4%	84	-1.2%
Comp. of Record - App. Brief	88	96	9.1%	77	-19.8%	83	7.8%	86	3.6%
App. Brief - Ready	114	116	2.2%	92	-20.7%	97	5.4%	99	2.1%
Ready - Opinion	337	299	-11.3%	287	-4.0%	265	-7.7%	235	-11.3%
Filing - Opinion, Div. I2	644	615	-4.5%	560	-8.9%	572	2.1%	524	-8.3%
DIVISION II3									
Filing - Comp. of Record	134	144	7.5%	125	-13.2%	129	3.2%	126	-2.3%
Filing - Stmt. of Arrgmts.	68	71	4.4%	69	-2.8%	70	1.4%	66	-5.7%
Stmt. of Arrgmts. - Comp. of Record	83	88	6.0%	67	-23.9%	67	0.0%	66	-1.5%
Comp. of Record - App. Brief	189	117	-38.1%	99	-15.4%	106	7.1%	105	-0.9%
App. Brief - Ready	128	161	25.8%	115	-28.6%	124	7.4%	115	-6.9%
Ready - Opinion	449	302	-32.7%	331	9.4%	331	0.2%	298	-10.0%
Filing - Opinion, Div. II2	688	652	-5.2%	665	2.0%	658	-1.1%	610	-7.3%
DIVISION III									
Filing - Comp. of Record	128	146	14.1%	121	-17.1%	126	4.1%	124	-1.6%
Filing - Stmt. of Arrgmts.	60	60	0.0%	58	-3.3%	58	0.0%	56	-4.3%
Stmt. of Arrgmts. - Comp. of Record	79	98	24.1%	78	-20.4%	78	0.0%	77	-1.3%
Comp. of Record - App. Brief	92	106	15.2%	91	-14.2%	98	7.7%	98	0.0%
App. Brief - Ready	137	164	19.7%	111	-32.3%	131	18.0%	136	3.8%
Ready - Opinion	295	281	-4.7%	240	-14.8%	220	-8.1%	194	-11.8%
Filing - Opinion, Div. III2	658	640	-2.7%	593	-7.3%	573	-3.5%	520	-9.2%
COURT OF APPEALS, TOTAL									
Filing - Comp. of Record	138	148	7.2%	132	-10.8%	139	5.3%	136	-2.2%
Filing - Stmt. of Arrgmts.	62	65	4.8%	69	6.2%	71	2.9%	67	-5.6%
Stmt. of Arrgmts. - Comp. of Record	85	97	14.1%	73	-24.7%	76	4.1%	75	-1.3%
Comp. of Record - App. Brief	120	107	-10.8%	90	-15.9%	97	7.8%	96	-1.0%
App. Brief - Ready	121	140	15.7%	101	-27.9%	113	11.9%	112	-0.9%
Ready - Opinion	357	295	-17.4%	301	2.0%	284	-5.6%	249	-12.3%
Filing - Opinion, Court of Appeals ²	663	633	-4.5%	608	-3.9%	608	0.0%	553	-9.0%

1 Substantial revisions were made to the time-in-process reporting model beginning in 1998. Improvements include changes to both data entry and statistical measurement. The 1998 stages are not comparable to those published in prior years' reports.

2 Days to reach the 75th percentile for the full period (filing to opinion) do not necessarily equal the sum of the days for the event categories within that period.

3 On November 18, 2002, Division II became the first division to implement the new Appellate Court Records and Data System (ACORDS-II). To maintain statewide comparability, Division II 2002 time-in-process measurements reflect case dispositions recorded in the prior system (from 1/01/2002 through 11/17/2002). Division I and III measurements are based on the full calendar year.