

# *Court of Appeals*

## *2008 Annual Caseload*

### *Report*

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# Court of Appeals Glossary

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**Opinions Unpublished** - The unpublished written opinion terminating the review.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 Activity, All Divisions, 2008

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings	1,410	1,282	2,692	1,069	400	1,469	4,161
<b>RESOLUTIONS</b>							
Opinions Published	151	210	361	5	27	32	393
Opinions Unpublished	727	445	1,172	24	23	47	1,219
Opinions	878	655	1,533	29	50	79	1,612
Dismissed	12	8	20	832	1	833	853
Transferred/Certified	10	8	18	7	7	14	32
Review Not Accepted	2	4	6	24	1	25	31
Other Terminations	5	14	19	64	2	66	85
Orders	29	34	63	927	11	938	1,001
Decided on the Merits	248	183	431	12	1	13	444
Dismissed	206	420	626	72	184	256	882
Transferred/Certified	0	0	0	1	0	1	1
Review Not Accepted	14	40	54	7	203	210	264
Other Terminations	24	17	41	10	2	12	53
Rulings	492	660	1,152	102	390	492	1,644
Total Resolved	1,399	1,349	2,748	1,058	451	1,509	4,257
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed	51	53	104	83	9	92	196
Brief Not Filed	711	523	1,234	266	92	358	1,592
Appellant Brief Filed	253	122	375	18	5	23	398
Respondent Brief Filed	241	198	439	125	10	135	574
Remanded to Trial Court	8	4	12	2	3	5	17
Set for Commissioners' Calendar	69	54	123	2	36	38	161
Ruling Referred to Panel	23	0	23	3	0	3	26
Set for Oral Argument <sup>2</sup>	147	102	249	2	9	11	260
Total Awaiting Hearing	1,503	1,056	2,559	501	164	665	3,224
Opinion/Order in Process	124	103	227	11	7	18	245
Total Pending Decision	1,627	1,159	2,786	512	171	683	3,469
<b>MANDATED</b>							
Opinions	1,081	826	1,907	57	60	117	2,024
Orders	24	21	45	934	11	945	990
Rulings	534	728	1,262	96	388	484	1,746
Other Decisions Term. Review <sup>3</sup>	1	5	6	7	5	12	18
Total Mandated	1,640	1,580	3,220	1,094	464	1,558	4,778

<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, 2008

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings	493	578	1,071	472	177	649	1,720
<b>RESOLUTIONS</b>							
Opinions Published	44	80	124	3	10	13	137
Opinions Unpublished	341	256	597	16	12	28	625
Opinions	385	336	721	19	22	41	762
Dismissed	2	5	7	346	0	346	353
Transferred/Certified	0	1	1	1	1	2	3
Review Not Accepted	1	0	1	0	0	0	1
Other Terminations	2	4	6	15	2	17	23
Orders	5	10	15	362	3	365	380
Decided on the Merits	70	59	129	0	1	1	130
Dismissed	102	195	297	39	55	94	391
Transferred/Certified	0	0	0	0	0	0	0
Review Not Accepted	5	16	21	0	100	100	121
Other Terminations	4	4	8	2	0	2	10
Rulings	181	274	455	41	156	197	652
Total Resolved	571	620	1,191	422	181	603	1,794
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed	16	20	36	57	2	59	95
Brief Not Filed	270	251	521	115	54	169	690
Appellant Brief Filed	100	63	163	9	2	11	174
Respondent Brief Filed	79	85	164	19	4	23	187
Remanded to Trial Court	0	0	0	0	0	0	0
Set for Commissioners' Calendar	8	9	17	0	3	3	20
Ruling Referred to Panel	0	0	0	1	0	1	1
Set for Oral Argument <sup>2</sup>	64	36	100	0	3	3	103
Total Awaiting Hearing	537	464	1,001	201	68	269	1,270
Opinion/Order in Process	12	22	34	2	1	3	37
Total Pending Decision	549	486	1,035	203	69	272	1,307
<b>MANDATED</b>							
Opinions	446	442	888	14	31	45	933
Orders	4	6	10	364	3	367	377
Rulings	188	314	502	52	163	215	717
Other Decisions Term. Review <sup>3</sup>	1	4	5	5	3	8	13
Total Mandated	639	766	1,405	435	200	635	2,040

<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, 2008

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings	614	411	1,025	347	106	453	1,478
<b>RESOLUTIONS</b>							
Opinions Published	51	74	125	1	11	12	137
Opinions Unpublished	258	101	359	3	5	8	367
Opinions	309	175	484	4	16	20	504
Dismissed	10	3	13	286	1	287	300
Transferred/Certified	8	4	12	4	0	4	16
Review Not Accepted	1	4	5	21	0	21	26
Other Terminations	3	9	12	36	0	36	48
Orders	22	20	42	347	1	348	390
Decided on the Merits	95	83	178	1	0	1	179
Dismissed	65	134	199	13	25	38	237
Transferred/Certified	0	0	0	1	0	1	1
Review Not Accepted	2	13	15	7	55	62	77
Other Terminations	4	9	13	7	1	8	21
Rulings	166	239	405	29	81	110	515
Total Resolved	497	434	931	380	98	478	1,409
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed	11	12	23	15	1	16	39
Brief Not Filed	319	165	484	86	24	110	594
Appellant Brief Filed	102	32	134	5	1	6	140
Respondent Brief Filed	132	85	217	69	2	71	288
Remanded to Trial Court	1	1	2	2	0	2	4
Set for Commissioners' Calendar	6	4	10	0	2	2	12
Ruling Referred to Panel	23	0	23	2	0	2	25
Set for Oral Argument <sup>2</sup>	57	47	104	2	6	8	112
Total Awaiting Hearing	651	346	997	181	36	217	1,214
Opinion/Order in Process	88	54	142	8	5	13	155
Total Pending Decision	739	400	1,139	189	41	230	1,369
<b>MANDATED</b>							
Opinions	388	218	606	30	15	45	651
Orders	18	11	29	367	1	368	397
Rulings	191	263	454	19	88	107	561
Other Decisions Term. Review <sup>3</sup>	0	0	0	2	1	3	3
Total Mandated	597	492	1,089	418	105	523	1,612

<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 III, 2008

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr. Review	Total	
<b>FILINGS</b>							
Total Filings	303	293	596	250	117	367	963
<b>RESOLUTIONS</b>							
Opinions Published	56	56	112	1	6	7	119
Opinions Unpublished	128	88	216	5	6	11	227
Opinions	184	144	328	6	12	18	346
Dismissed	0	0	0	200	0	200	200
Transferred/Certified	2	3	5	2	6	8	13
Review Not Accepted	0	0	0	3	1	4	4
Other Terminations	0	1	1	13	0	13	14
Orders	2	4	6	218	7	225	231
Decided on the Merits	83	41	124	11	0	11	135
Dismissed	39	91	130	20	104	124	254
Transferred/Certified	0	0	0	0	0	0	0
Review Not Accepted	7	11	18	0	48	48	66
Other Terminations	16	4	20	1	1	2	22
Rulings	145	147	292	32	153	185	477
Total Resolved	331	295	626	256	172	428	1,054
<b>PENDING AT YEAR END<sup>1</sup></b>							
Cases Stayed	24	21	45	11	6	17	62
Brief Not Filed	122	107	229	65	14	79	308
Appellant Brief Filed	51	27	78	4	2	6	84
Respondent Brief Filed	30	28	58	37	4	41	99
Remanded to Trial Court	7	3	10	0	3	3	13
Set for Commissioners' Calendar	55	41	96	2	31	33	129
Ruling Referred to Panel	0	0	0	0	0	0	0
Set for Oral Argument <sup>2</sup>	26	19	45	0	0	0	45
Total Awaiting Hearing	315	246	561	119	60	179	740
Opinion/Order in Process	24	27	51	1	1	2	53
Total Pending Decision	339	273	612	120	61	181	793
<b>MANDATED</b>							
Opinions	247	166	413	13	14	27	440
Orders	2	4	6	203	7	210	216
Rulings	155	151	306	25	137	162	468
Other Decisions Term. Review <sup>3</sup>	0	1	1	0	1	1	2
Total Mandated	404	322	726	241	159	400	1,126

<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  
History of Filings, 2004-2008

	2004	2005	% Chg	2006	% Chg	2007	% Chg	2008	% Chg
<b>DIVISION I</b>									
Criminal Appeals	539	573	6.3%	543	-5.2%	562	3.5%	493	-12.3%
Civil Appeals	687	766	11.5%	644	-15.9%	599	-7.0%	578	-3.5%
Total Appeals	1,226	1,339	9.2%	1,187	-11.4%	1,161	-2.2%	1,071	-7.8%
Personal Restraint Petitions	470	464	-1.3%	437	-5.8%	394	-9.8%	472	19.8%
Notices of Discretionary Review	207	201	-2.9%	191	-5.0%	180	-5.8%	177	-1.7%
Total Filings, Division I	1,903	2,004	5.3%	1,815	-9.4%	1,735	-4.4%	1,720	-0.9%
<b>DIVISION II</b>									
Criminal Appeals	555	547	-1.4%	586	7.1%	563	-3.9%	614	9.1%
Civil Appeals	411	419	1.9%	440	5.0%	477	8.4%	411	-13.8%
Total Appeals	966	966	0.0%	1,026	6.2%	1,040	1.4%	1,025	-1.4%
Personal Restraint Petitions	432	445	3.0%	351	-21.1%	298	-15.1%	347	16.4%
Notices of Discretionary Review	100	88	-12.0%	98	11.4%	110	12.2%	106	-3.6%
Total Filings, Division II	1,498	1,499	0.1%	1,475	-1.6%	1,448	-1.8%	1,478	2.1%
<b>DIVISION III</b>									
Criminal Appeals	401	372	-7.2%	340	-8.6%	303	-10.9%	303	0.0%
Civil Appeals	291	338	16.2%	267	-21.0%	296	10.9%	293	-1.0%
Total Appeals	692	710	2.6%	607	-14.5%	599	-1.3%	596	-0.5%
Personal Restraint Petitions	232	300	29.3%	216	-28.0%	206	-4.6%	250	21.4%
Notices of Discretionary Review	120	107	-10.8%	117	9.3%	118	0.9%	117	-0.8%
Total Filings, Division III	1,044	1,117	7.0%	940	-15.8%	923	-1.8%	963	4.3%
<b>COURT OF APPEALS, TOTAL</b>									
Criminal Appeals	1,495	1,492	-0.2%	1,469	-1.5%	1,428	-2.8%	1,410	-1.3%
Civil Appeals	1,389	1,523	9.6%	1,351	-11.3%	1,372	1.6%	1,282	-6.6%
Total Appeals	2,884	3,015	4.5%	2,820	-6.5%	2,800	-0.7%	2,692	-3.9%
Personal Restraint Petitions	1,134	1,209	6.6%	1,004	-17.0%	898	-10.6%	1,069	19.0%
Notices of Discretionary Review	427	396	-7.3%	406	2.5%	408	0.5%	400	-2.0%
Total Filings, Court of Appeals	4,445	4,620	3.9%	4,230	-8.4%	4,106	-2.9%	4,161	1.3%

The Court of Appeals  
History of Resolutions, 2004-2008

	2004	2005	% Chg	2006	% Chg	2007	% Chg	2008	% Chg
<b>DIVISION I</b>									
Criminal Appeals	507	497	-2.0%	475	-4.4%	605	27.4%	571	-5.6%
Civil Appeals	643	659	2.5%	632	-4.1%	642	1.6%	620	-3.4%
Total Appeals	1,150	1,156	0.5%	1,107	-4.2%	1,247	12.6%	1,191	-4.5%
Personal Restraint Petitions	407	524	28.7%	442	-15.6%	381	-13.8%	422	10.8%
Notices of Discretionary Review	160	169	5.6%	185	9.5%	183	-1.1%	181	-1.1%
Total Resolutions, Division I	1,717	1,849	7.7%	1,734	-6.2%	1,811	4.4%	1,794	-0.9%
<b>DIVISION II</b>									
Criminal Appeals	512	552	7.8%	528	-4.3%	564	6.8%	497	-11.9%
Civil Appeals	402	388	-3.5%	432	11.3%	430	-0.5%	434	0.9%
Total Appeals	914	940	2.8%	960	2.1%	994	3.5%	931	-6.3%
Personal Restraint Petitions	365	408	11.8%	383	-6.1%	236	-38.4%	380	61.0%
Notices of Discretionary Review	80	88	10.0%	97	10.2%	107	10.3%	98	-8.4%
Total Resolutions, Division II	1,359	1,436	5.7%	1,440	0.3%	1,337	-7.2%	1,409	5.4%
<b>DIVISION III</b>									
Criminal Appeals	347	344	-0.9%	338	-1.7%	368	8.9%	331	-10.1%
Civil Appeals	285	300	5.3%	280	-6.7%	285	1.8%	295	3.5%
Total Appeals	632	644	1.9%	618	-4.0%	653	5.7%	626	-4.1%
Personal Restraint Petitions	194	272	40.2%	240	-11.8%	170	-29.2%	256	50.6%
Notices of Discretionary Review	96	113	17.7%	94	-16.8%	82	-12.8%	172	109.8%
Total Resolutions, Division III	922	1,029	11.6%	952	-7.5%	905	-4.9%	1,054	16.5%
<b>COURT OF APPEALS, TOTAL</b>									
Criminal Appeals	1,366	1,393	2.0%	1,341	-3.7%	1,537	14.6%	1,399	-9.0%
Civil Appeals	1,330	1,347	1.3%	1,344	-0.2%	1,357	1.0%	1,349	-0.6%
Total Appeals	2,696	2,740	1.6%	2,685	-2.0%	2,894	7.8%	2,748	-5.0%
Personal Restraint Petitions	966	1,204	24.6%	1,065	-11.5%	787	-26.1%	1,058	34.4%
Notices of Discretionary Review	336	370	10.1%	376	1.6%	372	-1.1%	451	21.2%
Total Resolutions, Court of Appeals	3,998	4,314	7.9%	4,126	-4.4%	4,053	-1.8%	4,257	5.0%

The Court of Appeals  
History of Pending Cases, 2004-2008

	2004	2005	% Chg	2006	% Chg	2007	% Chg	2008	% Chg
<b>DIVISION I</b>									
Criminal Appeals	609	657	7.9%	699	6.4%	629	-10.0%	549	-12.7%
Civil Appeals	625	659	5.4%	623	-5.5%	550	-11.7%	486	-11.6%
Total Appeals	1,234	1,316	6.6%	1,322	0.5%	1,179	-10.8%	1,035	-12.2%
Personal Restraint Petitions	275	174	-36.7%	163	-6.3%	151	-7.4%	203	34.4%
Notices of Discretionary Review	97	94	-3.1%	92	-2.1%	85	-7.6%	69	-18.8%
Total Pending, Division I	1,606	1,584	-1.4%	1,577	-0.4%	1,415	-10.3%	1,307	-7.6%
<b>DIVISION II</b>									
Criminal Appeals	676	637	-5.8%	671	5.3%	644	-4.0%	739	14.8%
Civil Appeals	388	384	-1.0%	375	-2.3%	414	10.4%	400	-3.4%
Total Appeals	1,064	1,021	-4.0%	1,046	2.4%	1,058	1.1%	1,139	7.7%
Personal Restraint Petitions	231	239	3.5%	203	-15.1%	232	14.3%	189	-18.5%
Notices of Discretionary Review	52	46	-11.5%	40	-13.0%	36	-10.0%	41	13.9%
Total Pending, Division II	1,347	1,306	-3.0%	1,289	-1.3%	1,326	2.9%	1,369	3.2%
<b>DIVISION III</b>									
Criminal Appeals	441	473	7.3%	445	-5.9%	366	-17.8%	339	-7.4%
Civil Appeals	281	311	10.7%	290	-6.8%	298	2.8%	273	-8.4%
Total Appeals	722	784	8.6%	735	-6.3%	664	-9.7%	612	-7.8%
Personal Restraint Petitions	105	116	10.5%	95	-18.1%	126	32.6%	120	-4.8%
Notices of Discretionary Review	77	62	-19.5%	82	32.3%	119	45.1%	61	-48.7%
Total Pending, Division III	904	962	6.4%	912	-5.2%	909	-0.3%	793	-12.8%
<b>COURT OF APPEALS, TOTAL</b>									
Criminal Appeals	1,726	1,767	2.4%	1,815	2.7%	1,639	-9.7%	1,627	-0.7%
Civil Appeals	1,294	1,354	4.6%	1,288	-4.9%	1,262	-2.0%	1,159	-8.2%
Total Appeals	3,020	3,121	3.3%	3,103	-0.6%	2,901	-6.5%	2,786	-4.0%
Personal Restraint Petitions	611	529	-13.4%	461	-12.9%	509	10.4%	512	0.6%
Notices of Discretionary Review	226	202	-10.6%	214	5.9%	240	12.1%	171	-28.8%
Total Pending, Court of Appeals	3,857	3,852	-0.1%	3,778	-1.9%	3,650	-3.4%	3,469	-5.0%

The Court of Appeals  
History of Activity, All Reviews, All Divisions, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	4,445	4,620	3.9%	4,230	-8.4%	4,106	-2.9%	4,161	1.3%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	417	459	10.1%	384	-16.3%	413	7.6%	393	-4.8%
Opinions Unpublished	1,331	1,280	-3.8%	1,164	-9.1%	1,330	14.3%	1,219	-8.3%
Opinions	1,748	1,739	-0.5%	1,548	-11.0%	1,743	12.6%	1,612	-7.5%
Dismissed	N/A	1,072	. %	932	-13.1%	658	-29.4%	853	29.6%
Transferred/Certified <sup>2</sup>	N/A	19	. %	21	. %	27	. %	32	. %
Review Not Accepted	N/A	6	. %	10	. %	10	. %	31	. %
Other Terminations	N/A	50	. %	45	-10.0%	63	40.0%	85	34.9%
Orders	N/A	1,147	. %	1,008	-12.1%	758	-24.8%	1,001	32.1%
Decided on the Merits	N/A	315	. %	448	42.2%	495	10.5%	444	-10.3%
Dismissed	N/A	776	. %	836	7.7%	765	-8.5%	882	15.3%
Transferred/Certified <sup>2</sup>	N/A	4	. %	4	. %	14	. %	1	. %
Review Not Accepted	N/A	157	. %	248	58.0%	244	-1.6%	264	8.2%
Other Terminations	N/A	173	. %	34	-80.3%	34	0.0%	53	55.9%
Rulings	N/A	1,425	. %	1,570	10.2%	1,552	-1.1%	1,644	5.9%
Other Decisions Term. Review <sup>3</sup>	N/A	3	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	2,250	2,575	14.4%	2,578	0.1%	2,310	-10.4%	2,645	14.5%
Total Resolved	3,998	4,314	7.9%	4,126	-4.4%	4,053	-1.8%	4,257	5.0%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	244	216	-11.5%	298	38.0%	198	-33.6%	196	-1.0%
Brief Not Filed	1,617	1,669	3.2%	1,559	-6.6%	1,567	0.5%	1,592	1.6%
Appellant Brief Filed	398	443	11.3%	403	-9.0%	384	-4.7%	398	3.6%
Respondent Brief Filed	806	769	-4.6%	745	-3.1%	758	1.7%	574	-24.3%
Remanded to Trial Court	13	10	. %	14	. %	18	. %	17	. %
Set for Commissioners' Calendar	159	162	1.9%	134	-17.3%	186	38.8%	161	-13.4%
Ruling Referred to Panel <sup>6</sup>	4	5	. %	10	. %	15	. %	26	. %
Set for Oral Argument <sup>7</sup>	229	226	-1.3%	260	15.0%	227	-12.7%	260	14.5%
Total Awaiting Hearing	3,470	3,500	0.9%	3,423	-2.2%	3,353	-2.0%	3,224	-3.8%
Opinion/Order in Process	387	352	-9.0%	355	0.9%	297	-16.3%	245	-17.5%
Total Pending Decision	3,857	3,852	-0.1%	3,778	-1.9%	3,650	-3.4%	3,469	-5.0%
<b>MANDATED<sup>1</sup></b>									
Opinions	1,714	1,715	0.1%	1,589	-7.3%	1,822	14.7%	2,024	11.1%
Orders	N/A	772	. %	1,077	39.5%	715	-33.6%	990	38.5%
Rulings	N/A	1,069	. %	1,585	48.3%	1,443	-9.0%	1,746	21.0%
Other Decisions Term. Review <sup>8</sup>	N/A	828	. %	75	-90.9%	45	-40.0%	18	. %
Total Orders/Rulings/Other <sup>4</sup>	2,442	2,669	9.3%	2,737	2.5%	2,203	-19.5%	2,754	25.0%
Total Mandated	4,156	4,384	5.5%	4,326	-1.3%	4,025	-7.0%	4,778	18.7%

<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).

History of Activity, All Reviews, Division I, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	1,903	2,004	5.3%	1,815	-9.4%	1,735	-4.4%	1,720	-0.9%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	169	165	-2.4%	127	-23.0%	136	7.1%	137	0.7%
Opinions Unpublished	638	613	-3.9%	536	-12.6%	652	21.6%	625	-4.1%
Opinions	807	778	-3.6%	663	-14.8%	788	18.9%	762	-3.3%
Dismissed	N/A	468	. %	413	-11.8%	341	-17.4%	353	3.5%
Transferred/Certified <sup>2</sup>	N/A	7	. %	8	. %	4	. %	3	. %
Review Not Accepted	N/A	3	. %	3	. %	6	. %	1	. %
Other Terminations	N/A	20	. %	7	. %	12	. %	23	. %
Orders	N/A	498	. %	431	-13.5%	363	-15.8%	380	4.7%
Decided on the Merits	N/A	69	. %	122	76.8%	135	10.7%	130	-3.7%
Dismissed	N/A	377	. %	386	2.4%	390	1.0%	391	0.3%
Transferred/Certified <sup>2</sup>	N/A	3	. %	2	. %	8	. %	0	. %
Review Not Accepted	N/A	59	. %	115	94.9%	114	-0.9%	121	6.1%
Other Terminations	N/A	63	. %	15	. %	13	. %	10	. %
Rulings	N/A	571	. %	640	12.1%	660	3.1%	652	-1.2%
Other Decisions Term. Review <sup>3</sup>	N/A	2	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	910	1,071	17.7%	1,071	0.0%	1,023	-4.5%	1,032	0.9%
Total Resolved	1,717	1,849	7.7%	1,734	-6.2%	1,811	4.4%	1,794	-0.9%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	153	134	-12.4%	155	15.7%	71	-54.2%	95	33.8%
Brief Not Filed	716	736	2.8%	673	-8.6%	685	1.8%	690	0.7%
Appellant Brief Filed	161	199	23.6%	181	-9.0%	161	-11.0%	174	8.1%
Respondent Brief Filed	335	326	-2.7%	342	4.9%	297	-13.2%	187	-37.0%
Remanded to Trial Court	1	0	. %	1	. %	0	. %	0	. %
Set for Commissioners' Calendar	4	19	. %	29	. %	29	. %	20	. %
Ruling Referred to Panel <sup>6</sup>	4	2	. %	8	. %	4	. %	1	. %
Set for Oral Argument <sup>7</sup>	99	108	9.1%	106	-1.9%	98	-7.5%	103	5.1%
Total Awaiting Hearing	1,473	1,524	3.5%	1,495	-1.9%	1,345	-10.0%	1,270	-5.6%
Opinion/Order in Process	133	60	-54.9%	82	36.7%	70	-14.6%	37	-47.1%
Total Pending Decision	1,606	1,584	-1.4%	1,577	-0.4%	1,415	-10.3%	1,307	-7.6%
<b>MANDATED<sup>1</sup></b>									
Opinions	765	786	2.7%	696	-11.5%	812	16.7%	933	14.9%
Orders	N/A	309	. %	523	69.3%	318	-39.2%	377	18.6%
Rulings	N/A	457	. %	640	40.0%	607	-5.2%	717	18.1%
Other Decisions Term. Review <sup>8</sup>	N/A	301	. %	42	-86.0%	27	. %	13	. %
Total Orders/Rulings/Other <sup>4</sup>	1,009	1,067	5.7%	1,205	12.9%	952	-21.0%	1,107	16.3%
Total Mandated	1,774	1,853	4.5%	1,901	2.6%	1,764	-7.2%	2,040	15.6%

<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 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, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	1,498	1,499	0.1%	1,475	-1.6%	1,448	-1.8%	1,478	2.1%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	125	170	36.0%	155	-8.8%	159	2.6%	137	-13.8%
Opinions Unpublished	421	392	-6.9%	354	-9.7%	403	13.8%	367	-8.9%
Opinions	546	562	2.9%	509	-9.4%	562	10.4%	504	-10.3%
Dismissed	N/A	364	. %	333	-8.5%	181	-45.6%	300	65.7%
Transferred/Certified <sup>2</sup>	N/A	5	. %	9	. %	15	. %	16	. %
Review Not Accepted	N/A	3	. %	6	. %	3	. %	26	. %
Other Terminations	N/A	23	. %	27	. %	44	. %	48	9.1%
Orders	N/A	395	. %	375	-5.1%	243	-35.2%	390	60.5%
Decided on the Merits	N/A	182	. %	227	24.7%	233	2.6%	179	-23.2%
Dismissed	N/A	209	. %	262	25.4%	230	-12.2%	237	3.0%
Transferred/Certified <sup>2</sup>	N/A	0	. %	2	. %	2	. %	1	. %
Review Not Accepted	N/A	49	. %	58	18.4%	62	6.9%	77	24.2%
Other Terminations	N/A	38	. %	7	. %	5	. %	21	. %
Rulings	N/A	478	. %	556	16.3%	532	-4.3%	515	-3.2%
Other Decisions Term. Review <sup>3</sup>	N/A	1	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	813	874	7.5%	931	6.5%	775	-16.8%	905	16.8%
Total Resolved	1,359	1,436	5.7%	1,440	0.3%	1,337	-7.2%	1,409	5.4%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	19	19	. %	32	. %	18	. %	39	. %
Brief Not Filed	576	586	1.7%	573	-2.2%	596	4.0%	594	-0.3%
Appellant Brief Filed	153	139	-9.2%	138	-0.7%	148	7.2%	140	-5.4%
Respondent Brief Filed	337	310	-8.0%	224	-27.7%	292	30.4%	288	-1.4%
Remanded to Trial Court	6	5	. %	7	. %	5	. %	4	. %
Set for Commissioners' Calendar	30	17	. %	21	. %	15	. %	12	. %
Ruling Referred to Panel <sup>6</sup>	0	3	. %	1	. %	11	. %	25	. %
Set for Oral Argument <sup>7</sup>	68	63	-7.4%	134	112.7%	111	-17.2%	112	0.9%
Total Awaiting Hearing	1,189	1,142	-4.0%	1,130	-1.1%	1,196	5.8%	1,214	1.5%
Opinion/Order in Process	158	164	3.8%	159	-3.0%	130	-18.2%	155	19.2%
Total Pending Decision	1,347	1,306	-3.0%	1,289	-1.3%	1,326	2.9%	1,369	3.2%
<b>MANDATED<sup>1</sup></b>									
Opinions	564	533	-5.5%	534	0.2%	621	16.3%	651	4.8%
Orders	N/A	277	. %	353	27.4%	245	-30.6%	397	62.0%
Rulings	N/A	312	. %	574	84.0%	521	-9.2%	561	7.7%
Other Decisions Term. Review <sup>8</sup>	N/A	370	. %	26	. %	9	. %	3	. %
Total Orders/Rulings/Other <sup>4</sup>	930	959	3.1%	953	-0.6%	775	-18.7%	961	24.0%
Total Mandated	1,494	1,492	-0.1%	1,487	-0.3%	1,396	-6.1%	1,612	15.5%

<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  
History of Activity, All Reviews, Division III, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	1,044	1,117	7.0%	940	-15.8%	923	-1.8%	963	4.3%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	123	124	0.8%	102	-17.7%	118	15.7%	119	0.8%
Opinions Unpublished	272	275	1.1%	274	-0.4%	275	0.4%	227	-17.5%
Opinions	395	399	1.0%	376	-5.8%	393	4.5%	346	-12.0%
Dismissed	N/A	240	. %	186	-22.5%	136	-26.9%	200	47.1%
Transferred/Certified <sup>2</sup>	N/A	7	. %	4	. %	8	. %	13	. %
Review Not Accepted	N/A	0	. %	1	. %	1	. %	4	. %
Other Terminations	N/A	7	. %	11	. %	7	. %	14	. %
Orders	N/A	254	. %	202	-20.5%	152	-24.8%	231	52.0%
Decided on the Merits	N/A	64	. %	99	54.7%	127	28.3%	135	6.3%
Dismissed	N/A	190	. %	188	-1.1%	145	-22.9%	254	75.2%
Transferred/Certified <sup>2</sup>	N/A	1	. %	0	. %	4	. %	0	. %
Review Not Accepted	N/A	49	. %	75	53.1%	68	-9.3%	66	-2.9%
Other Terminations	N/A	72	. %	12	. %	16	. %	22	. %
Rulings	N/A	376	. %	374	-0.5%	360	-3.7%	477	32.5%
Other Decisions Term. Review <sup>3</sup>	N/A	0	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	527	630	19.5%	576	-8.6%	512	-11.1%	708	38.3%
Total Resolved	922	1,029	11.6%	952	-7.5%	905	-4.9%	1,054	16.5%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	72	63	-12.5%	111	76.2%	109	-1.8%	62	-43.1%
Brief Not Filed	325	347	6.8%	313	-9.8%	286	-8.6%	308	7.7%
Appellant Brief Filed	84	105	25.0%	84	-20.0%	75	-10.7%	84	12.0%
Respondent Brief Filed	134	133	-0.7%	179	34.6%	169	-5.6%	99	-41.4%
Remanded to Trial Court	6	5	. %	6	. %	13	. %	13	. %
Set for Commissioners' Calendar	125	126	0.8%	84	-33.3%	142	69.0%	129	-9.2%
Ruling Referred to Panel <sup>6</sup>	0	0	. %	1	. %	0	. %	0	. %
Set for Oral Argument <sup>7</sup>	62	55	-11.3%	20	. %	18	. %	45	. %
Total Awaiting Hearing	808	834	3.2%	798	-4.3%	812	1.8%	740	-8.9%
Opinion/Order in Process	96	128	33.3%	114	-10.9%	97	-14.9%	53	-45.4%
Total Pending Decision	904	962	6.4%	912	-5.2%	909	-0.3%	793	-12.8%
<b>MANDATED<sup>1</sup></b>									
Opinions	385	396	2.9%	359	-9.3%	389	8.4%	440	13.1%
Orders	N/A	186	. %	201	8.1%	152	-24.4%	216	42.1%
Rulings	N/A	300	. %	371	23.7%	315	-15.1%	468	48.6%
Other Decisions Term. Review <sup>8</sup>	N/A	157	. %	7	. %	9	. %	2	. %
Total Orders/Rulings/Other <sup>4</sup>	503	643	27.8%	579	-10.0%	476	-17.8%	686	44.1%
Total Mandated	888	1,039	17.0%	938	-9.7%	865	-7.8%	1,126	30.2%

<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, Criminal Appeals, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	1,495	1,492	-0.2%	1,469	-1.5%	1,428	-2.8%	1,410	-1.3%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	149	175	17.4%	127	-27.4%	148	16.5%	151	2.0%
Opinions Unpublished	819	750	-8.4%	700	-6.7%	880	25.7%	727	-17.4%
Opinions	968	925	-4.4%	827	-10.6%	1,028	24.3%	878	-14.6%
Dismissed	N/A	7	. %	5	. %	7	. %	12	. %
Transferred/Certified <sup>2</sup>	N/A	2	. %	3	. %	3	. %	10	. %
Review Not Accepted	N/A	2	. %	1	. %	0	. %	2	. %
Other Terminations	N/A	5	. %	0	. %	2	. %	5	. %
Orders	N/A	16	. %	9	. %	12	. %	29	. %
Decided on the Merits	N/A	192	. %	247	28.6%	257	4.0%	248	-3.5%
Dismissed	N/A	198	. %	234	18.2%	211	-9.8%	206	-2.4%
Transferred/Certified <sup>2</sup>	N/A	1	. %	2	. %	6	. %	0	. %
Review Not Accepted	N/A	5	. %	11	. %	14	. %	14	. %
Other Terminations	N/A	55	. %	11	. %	9	. %	24	. %
Rulings	N/A	451	. %	505	12.0%	497	-1.6%	492	-1.0%
Other Decisions Term. Review <sup>3</sup>	N/A	1	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	398	468	17.6%	514	9.8%	509	-1.0%	521	2.4%
Total Resolved	1,366	1,393	2.0%	1,341	-3.7%	1,537	14.6%	1,399	-9.0%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	47	55	17.0%	127	130.9%	13	. %	51	. %
Brief Not Filed	714	759	6.3%	662	-12.8%	702	6.0%	711	1.3%
Appellant Brief Filed	258	288	11.6%	270	-6.3%	275	1.9%	253	-8.0%
Respondent Brief Filed	346	303	-12.4%	371	22.4%	296	-20.2%	241	-18.6%
Remanded to Trial Court	8	7	. %	12	. %	8	. %	8	. %
Set for Commissioners' Calendar	60	48	-20.0%	57	18.8%	83	45.6%	69	-16.9%
Ruling Referred to Panel <sup>6</sup>	3	2	. %	4	. %	8	. %	23	. %
Set for Oral Argument <sup>7</sup>	107	104	-2.8%	132	26.9%	123	-6.8%	147	19.5%
Total Awaiting Hearing	1,543	1,566	1.5%	1,635	4.4%	1,508	-7.8%	1,503	-0.3%
Opinion/Order in Process	183	201	9.8%	180	-10.4%	131	-27.2%	124	-5.3%
Total Pending Decision	1,726	1,767	2.4%	1,815	2.7%	1,639	-9.7%	1,627	-0.7%
<b>MANDATED<sup>1</sup></b>									
Opinions	958	920	-4.0%	827	-10.1%	1,073	29.7%	1,081	0.7%
Orders	N/A	11	. %	13	. %	10	. %	24	. %
Rulings	N/A	318	. %	488	53.5%	481	-1.4%	534	11.0%
Other Decisions Term. Review <sup>8</sup>	N/A	131	. %	16	. %	21	. %	1	. %
Total Orders/Rulings/Other <sup>4</sup>	504	460	-8.7%	517	12.4%	512	-1.0%	559	9.2%
Total Mandated	1,462	1,380	-5.6%	1,344	-2.6%	1,585	17.9%	1,640	3.5%

<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, Civil Appeals, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	1,389	1,523	9.6%	1,351	-11.3%	1,372	1.6%	1,282	-6.6%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	231	241	4.3%	227	-5.8%	236	4.0%	210	-11.0%
Opinions Unpublished	464	490	5.6%	424	-13.5%	411	-3.1%	445	8.3%
Opinions	695	731	5.2%	651	-10.9%	647	-0.6%	655	1.2%
Dismissed	N/A	6	. %	9	. %	9	. %	8	. %
Transferred/Certified <sup>2</sup>	N/A	5	. %	5	. %	13	. %	8	. %
Review Not Accepted	N/A	2	. %	0	. %	1	. %	4	. %
Other Terminations	N/A	0	. %	6	. %	5	. %	14	. %
Orders	N/A	13	. %	20	. %	28	. %	34	. %
Decided on the Merits	N/A	119	. %	191	60.5%	231	20.9%	183	-20.8%
Dismissed	N/A	413	. %	440	6.5%	399	-9.3%	420	5.3%
Transferred/Certified <sup>2</sup>	N/A	2	. %	1	. %	5	. %	0	. %
Review Not Accepted	N/A	21	. %	32	. %	27	. %	40	. %
Other Terminations	N/A	47	. %	9	. %	20	. %	17	. %
Rulings	N/A	602	. %	673	11.8%	682	1.3%	660	-3.2%
Other Decisions Term. Review <sup>3</sup>	N/A	1	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	635	616	-3.0%	693	12.5%	710	2.5%	694	-2.3%
Total Resolved	1,330	1,347	1.3%	1,344	-0.2%	1,357	1.0%	1,349	-0.6%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	51	44	-13.7%	42	-4.5%	47	11.9%	53	12.8%
Brief Not Filed	509	574	12.8%	553	-3.7%	523	-5.4%	523	0.0%
Appellant Brief Filed	119	148	24.4%	124	-16.2%	96	-22.6%	122	27.1%
Respondent Brief Filed	263	286	8.7%	252	-11.9%	274	8.7%	198	-27.7%
Remanded to Trial Court	3	2	. %	2	. %	7	. %	4	. %
Set for Commissioners' Calendar	63	72	14.3%	56	-22.2%	72	28.6%	54	-25.0%
Ruling Referred to Panel <sup>6</sup>	0	2	. %	3	. %	1	. %	0	. %
Set for Oral Argument <sup>7</sup>	112	97	-13.4%	110	13.4%	95	-13.6%	102	7.4%
Total Awaiting Hearing	1,120	1,225	9.4%	1,142	-6.8%	1,115	-2.4%	1,056	-5.3%
Opinion/Order in Process	174	129	-25.9%	146	13.2%	147	0.7%	103	-29.9%
Total Pending Decision	1,294	1,354	4.6%	1,288	-4.9%	1,262	-2.0%	1,159	-8.2%
<b>MANDATED<sup>1</sup></b>									
Opinions	673	709	5.3%	676	-4.7%	660	-2.4%	826	25.2%
Orders	N/A	11	. %	19	. %	25	. %	21	. %
Rulings	N/A	467	. %	699	49.7%	601	-14.0%	728	21.1%
Other Decisions Term. Review <sup>8</sup>	N/A	169	. %	26	. %	11	. %	5	. %
Total Orders/Rulings/Other <sup>4</sup>	726	647	-10.9%	744	15.0%	637	-14.4%	754	18.4%
Total Mandated	1,399	1,356	-3.1%	1,420	4.7%	1,297	-8.7%	1,580	21.8%

<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  
Court Activity, All Divisions, Total Appeals, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	2,884	3,015	4.5%	2,820	-6.5%	2,800	-0.7%	2,692	-3.9%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	380	416	9.5%	354	-14.9%	384	8.5%	361	-6.0%
Opinions Unpublished	1,283	1,240	-3.4%	1,124	-9.4%	1,291	14.9%	1,172	-9.2%
Opinions	1,663	1,656	-0.4%	1,478	-10.7%	1,675	13.3%	1,533	-8.5%
Dismissed	N/A	13	. %	14	. %	16	. %	20	. %
Transferred/Certified <sup>2</sup>	N/A	7	. %	8	. %	16	. %	18	. %
Review Not Accepted	N/A	4	. %	1	. %	1	. %	6	. %
Other Terminations	N/A	5	. %	6	. %	7	. %	19	. %
Orders	N/A	29	. %	29	. %	40	. %	63	57.5%
Decided on the Merits	N/A	311	. %	438	40.8%	488	11.4%	431	-11.7%
Dismissed	N/A	611	. %	674	10.3%	610	-9.5%	626	2.6%
Transferred/Certified <sup>2</sup>	N/A	3	. %	3	. %	11	. %	0	. %
Review Not Accepted	N/A	26	. %	43	. %	41	-4.7%	54	31.7%
Other Terminations	N/A	102	. %	20	. %	29	. %	41	. %
Rulings	N/A	1,053	. %	1,178	11.9%	1,179	0.1%	1,152	-2.3%
Other Decisions Term. Review <sup>3</sup>	N/A	2	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	1,033	1,084	4.9%	1,207	11.3%	1,219	1.0%	1,215	-0.3%
Total Resolved	2,696	2,740	1.6%	2,685	-2.0%	2,894	7.8%	2,748	-5.0%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	98	99	1.0%	169	70.7%	60	-64.5%	104	73.3%
Brief Not Filed	1,223	1,333	9.0%	1,215	-8.9%	1,225	0.8%	1,234	0.7%
Appellant Brief Filed	377	436	15.6%	394	-9.6%	371	-5.8%	375	1.1%
Respondent Brief Filed	609	589	-3.3%	623	5.8%	570	-8.5%	439	-23.0%
Remanded to Trial Court	11	9	. %	14	. %	15	. %	12	. %
Set for Commissioners' Calendar	123	120	-2.4%	113	-5.8%	155	37.2%	123	-20.6%
Ruling Referred to Panel <sup>6</sup>	3	4	. %	7	. %	9	. %	23	. %
Set for Oral Argument <sup>7</sup>	219	201	-8.2%	242	20.4%	218	-9.9%	249	14.2%
Total Awaiting Hearing	2,663	2,791	4.8%	2,777	-0.5%	2,623	-5.5%	2,559	-2.4%
Opinion/Order in Process	357	330	-7.6%	326	-1.2%	278	-14.7%	227	-18.3%
Total Pending Decision	3,020	3,121	3.3%	3,103	-0.6%	2,901	-6.5%	2,786	-4.0%
<b>MANDATED<sup>1</sup></b>									
Opinions	1,631	1,629	-0.1%	1,503	-7.7%	1,733	15.3%	1,907	10.0%
Orders	N/A	22	. %	32	. %	35	9.4%	45	28.6%
Rulings	N/A	785	. %	1,187	51.2%	1,082	-8.8%	1,262	16.6%
Other Decisions Term. Review <sup>8</sup>	N/A	300	. %	42	-86.0%	32	-23.8%	6	. %
Total Orders/Rulings/Other <sup>4</sup>	1,230	1,107	-10.0%	1,261	13.9%	1,149	-8.9%	1,313	14.3%
Total Mandated	2,861	2,736	-4.4%	2,764	1.0%	2,882	4.3%	3,220	11.7%

<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, Personal Restraint Petitions, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	1,134	1,209	6.6%	1,004	-17.0%	898	-10.6%	1,069	19.0%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	10	10	. %	11	. %	9	. %	5	. %
Opinions Unpublished	34	16	. %	24	. %	19	. %	24	. %
Opinions	44	26	. %	35	. %	28	. %	29	. %
Dismissed	N/A	1,058	. %	916	-13.4%	641	-30.0%	832	29.8%
Transferred/Certified <sup>2</sup>	N/A	9	. %	12	. %	11	. %	7	. %
Review Not Accepted	N/A	1	. %	5	. %	3	. %	24	. %
Other Terminations	N/A	41	. %	37	-9.8%	51	37.8%	64	25.5%
Orders	N/A	1,109	. %	970	-12.5%	706	-27.2%	927	31.3%
Decided on the Merits	N/A	2	. %	8	. %	3	. %	12	. %
Dismissed	N/A	60	. %	46	-23.3%	50	8.7%	72	44.0%
Transferred/Certified <sup>2</sup>	N/A	0	. %	0	. %	0	. %	1	. %
Review Not Accepted	N/A	0	. %	0	. %	0	. %	7	. %
Other Terminations	N/A	6	. %	6	. %	0	. %	10	. %
Rulings	N/A	68	. %	60	-11.8%	53	-11.7%	102	92.5%
Other Decisions Term. Review <sup>3</sup>	N/A	1	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	922	1,178	27.8%	1,030	-12.6%	759	-26.3%	1,029	35.6%
Total Resolved	966	1,204	24.6%	1,065	-11.5%	787	-26.1%	1,058	34.4%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	125	81	-35.2%	72	-11.1%	56	-22.2%	83	48.2%
Brief Not Filed	279	241	-13.6%	251	4.1%	250	-0.4%	266	6.4%
Appellant Brief Filed	13	4	. %	3	. %	5	. %	18	. %
Respondent Brief Filed	175	171	-2.3%	106	-38.0%	167	57.5%	125	-25.1%
Remanded to Trial Court	1	1	. %	0	. %	2	. %	2	. %
Set for Commissioners' Calendar	4	7	. %	1	. %	9	. %	2	. %
Ruling Referred to Panel <sup>6</sup>	1	1	. %	3	. %	6	. %	3	. %
Set for Oral Argument <sup>7</sup>	3	12	. %	11	. %	3	. %	2	. %
Total Awaiting Hearing	601	518	-13.8%	447	-13.7%	498	11.4%	501	0.6%
Opinion/Order in Process	10	11	. %	14	. %	11	. %	11	. %
Total Pending Decision	611	529	-13.4%	461	-12.9%	509	10.4%	512	0.6%
<b>MANDATED<sup>1</sup></b>									
Opinions	37	42	13.5%	35	-16.7%	49	40.0%	57	16.3%
Orders	N/A	744	. %	1,035	39.1%	666	-35.7%	934	40.2%
Rulings	N/A	54	. %	60	11.1%	51	-15.0%	96	88.2%
Other Decisions Term. Review <sup>8</sup>	N/A	444	. %	27	. %	8	. %	7	. %
Total Orders/Rulings/Other <sup>4</sup>	891	1,242	39.4%	1,122	-9.7%	725	-35.4%	1,037	43.0%
Total Mandated	928	1,284	38.4%	1,157	-9.9%	774	-33.1%	1,094	41.3%

<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, Notices of Discretionary Review, 2004-2008

	2004	2005	% Chg <sup>9</sup>	2006	% Chg <sup>9</sup>	2007	% Chg <sup>9</sup>	2008	% Chg <sup>9</sup>
<b>FILINGS</b>									
Total Filings	427	396	-7.3%	406	2.5%	408	0.5%	400	-2.0%
<b>RESOLUTIONS<sup>1</sup></b>									
Opinions Published	27	33	. %	19	. %	20	. %	27	. %
Opinions Unpublished	14	24	. %	16	. %	20	. %	23	. %
Opinions	41	57	39.0%	35	-38.6%	40	14.3%	50	25.0%
Dismissed	N/A	1	. %	2	. %	1	. %	1	. %
Transferred/Certified <sup>2</sup>	N/A	3	. %	1	. %	0	. %	7	. %
Review Not Accepted	N/A	1	. %	4	. %	6	. %	1	. %
Other Terminations	N/A	4	. %	2	. %	5	. %	2	. %
Orders	N/A	9	. %	9	. %	12	. %	11	. %
Decided on the Merits	N/A	2	. %	2	. %	4	. %	1	. %
Dismissed	N/A	105	. %	116	10.5%	105	-9.5%	184	75.2%
Transferred/Certified <sup>2</sup>	N/A	1	. %	1	. %	3	. %	0	. %
Review Not Accepted	N/A	131	. %	205	56.5%	203	-1.0%	203	0.0%
Other Terminations	N/A	65	. %	8	. %	5	. %	2	. %
Rulings	N/A	304	. %	332	9.2%	320	-3.6%	390	21.9%
Other Decisions Term. Review <sup>3</sup>	N/A	0	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other <sup>4</sup>	295	313	6.1%	341	8.9%	332	-2.6%	401	20.8%
Total Resolved	336	370	10.1%	376	1.6%	372	-1.1%	451	21.2%
<b>PENDING AT YEAR END<sup>5</sup></b>									
Cases Stayed	21	36	. %	57	58.3%	82	43.9%	9	. %
Brief Not Filed	115	95	-17.4%	93	-2.1%	92	-1.1%	92	0.0%
Appellant Brief Filed	8	3	. %	6	. %	8	. %	5	. %
Respondent Brief Filed	22	9	. %	16	. %	21	. %	10	. %
Remanded to Trial Court	1	0	. %	0	. %	1	. %	3	. %
Set for Commissioners' Calendar	32	35	9.4%	20	. %	22	. %	36	. %
Ruling Referred to Panel <sup>6</sup>	0	0	. %	0	. %	0	. %	0	. %
Set for Oral Argument <sup>7</sup>	7	13	. %	7	. %	6	. %	9	. %
Total Awaiting Hearing	206	191	-7.3%	199	4.2%	232	16.6%	164	-29.3%
Opinion/Order in Process	20	11	. %	15	. %	8	. %	7	. %
Total Pending Decision	226	202	-10.6%	214	5.9%	240	12.1%	171	-28.8%
<b>MANDATED<sup>1</sup></b>									
Opinions	46	44	-4.3%	51	15.9%	40	-21.6%	60	50.0%
Orders	N/A	6	. %	10	. %	14	. %	11	. %
Rulings	N/A	230	. %	338	47.0%	310	-8.3%	388	25.2%
Other Decisions Term. Review <sup>8</sup>	N/A	84	. %	6	. %	5	. %	5	. %
Total Orders/Rulings/Other <sup>4</sup>	321	320	-0.3%	354	10.6%	329	-7.1%	404	22.8%
Total Mandated	367	364	-0.8%	405	11.3%	369	-8.9%	464	25.7%

<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

Days Between Events for Criminal Appeals PENDING OR DISPOSED OF BY OPINION -- 75th Percentile<sup>1</sup>, 2004-2008

	2004	2005	% Chg	2006	% Chg	2007	% Chg	2008	% Chg
<b>DIVISION I</b>									
Filing - Comp. of Record	155	163	5.5%	173	6.1%	177	2.3%	189	6.8%
Filing - Stmt. of Arrgmts.	64	66	3.1%	70	6.1%	73	4.3%	77	5.5%
Stmt. of Arrgmts. - Comp. of Record	91	100	9.9%	105	5.0%	108	2.9%	112	3.7%
Comp. of Record - App. Brief	80	85	6.3%	93	9.4%	90	-3.2%	88	-2.2%
App. Brief - Ready	96	101	5.2%	98	-3.0%	95	-3.1%	98	3.2%
Ready - Opinion	245	231	-5.7%	220	-4.8%	260	18.2%	186	-28.7%
Filing - Opinion, Division I <sup>2</sup>	537	525	-2.2%	557	6.1%	621	11.5%	524	-15.6%
<b>DIVISION II</b>									
Filing - Comp. of Record	132	138	4.9%	144	4.3%	145	0.7%	145	0.0%
Filing - Stmt. of Arrgmts.	53	54	1.9%	57	4.6%	59	4.4%	59	0.0%
Stmt. of Arrgmts. - Comp. of Record	83	88	6.0%	91	3.4%	89	-2.2%	85	-4.5%
Comp. of Record - App. Brief	105	105	0.0%	101	-3.8%	98	-3.0%	97	-1.0%
App. Brief - Ready	114	109	-4.4%	109	0.0%	109	0.0%	106	-2.8%
Ready - Opinion	274	301	9.7%	258	-14.1%	237	-8.1%	242	2.1%
Filing - Opinion, Division II <sup>2</sup>	592	594	0.3%	562	-5.5%	559	-0.4%	566	1.3%
<b>DIVISION III</b>									
Filing - Comp. of Record	125	135	8.0%	149	10.4%	155	4.0%	145	-6.5%
Filing - Stmt. of Arrgmts.	44	44	0.0%	45	2.3%	48	6.7%	51	6.3%
Stmt. of Arrgmts. - Comp. of Record	89	96	7.9%	104	8.3%	103	-1.4%	93	-9.3%
Comp. of Record - App. Brief	82	87	6.1%	84	-4.0%	83	-0.6%	86	3.6%
App. Brief - Ready	96	100	4.2%	108	8.0%	116	7.4%	101	-12.9%
Ready - Opinion	236	259	9.7%	259	0.0%	246	-5.0%	219	-11.0%
Filing - Opinion, Division III <sup>2</sup>	532	551	3.6%	596	8.2%	603	1.1%	532	-11.7%
<b>COURT OF APPEALS, TOTAL</b>									
Filing - Comp. of Record	142	148	4.2%	157	6.1%	160	1.9%	160	0.0%
Filing - Stmt. of Arrgmts.	58	60	3.4%	62	3.3%	64	3.2%	67	4.7%
Stmt. of Arrgmts. - Comp. of Record	88	94	6.8%	98	4.3%	98	0.0%	96	-2.0%
Comp. of Record - App. Brief	91	94	3.3%	94	0.0%	91	-3.2%	92	1.1%
App. Brief - Ready	103	103	0.0%	104	1.0%	104	0.0%	103	-1.0%
Ready - Opinion	253	266	5.1%	245	-7.9%	245	0.0%	223	-9.2%
Filing - Opinion, Court of Appeals <sup>2</sup>	556	558	0.4%	571	2.3%	591	3.5%	543	-8.1%

<sup>1</sup> 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.

<sup>2</sup> Time-in-process figures for 2002 have been updated to reflect a full twelve months' data for all divisions with the completion of statewide conversion to the new Appellate Court Records and Data System (ACORDS-II). Division II's measurements in the 2002 publication were based on the period 1/01/2002 through 11/17/2002 from the old ACORDS system, prior to their 11/18/2002 implementation of ACORDS-II. This update achieved comparability with the other divisions, which implemented in early 2003.

## The Court of Appeals

Days Between Events for Civil Appeals PENDING OR DISPOSED OF BY OPINION -- 75th Percentile<sup>1</sup>, 2004-2008

	2004	2005	% Chg	2006	% Chg	2007	% Chg	2008	% Chg
<b>DIVISION I</b>									
Filing - Comp. of Record	127	127	-0.4%	129	2.0%	130	0.8%	124	-4.6%
Filing - Stmt. of Arrgmts.	57	54	-5.3%	56	3.7%	57	1.8%	57	0.0%
Stmt. of Arrgmts. - Comp. of Record	90	85	-5.6%	85	0.0%	85	-0.6%	79	-6.5%
Comp. of Record - App. Brief	89	82	-8.4%	87	6.7%	91	4.6%	91	0.0%
App. Brief - Ready	80	76	-5.0%	76	-0.7%	80	6.0%	82	2.5%
Ready - Opinion	308	276	-10.4%	266	-3.6%	284	6.6%	223	-21.3%
Filing - Opinion, Division I <sup>2</sup>	538	511	-5.0%	508	-0.6%	550	8.3%	504	-8.4%
<b>DIVISION II</b>									
Filing - Comp. of Record	107	107	0.0%	110	2.8%	111	0.9%	110	-0.9%
Filing - Stmt. of Arrgmts.	53	50	-5.7%	50	0.0%	52	4.0%	54	2.9%
Stmt. of Arrgmts. - Comp. of Record	71	72	1.4%	76	5.6%	74	-2.6%	72	-2.7%
Comp. of Record - App. Brief	87	90	3.4%	90	0.0%	87	-3.3%	90	3.4%
App. Brief - Ready	78	82	5.1%	74	-9.8%	76	2.7%	80	4.6%
Ready - Opinion	303	307	1.3%	277	-9.8%	249	-10.1%	298	19.7%
Filing - Opinion, Division II <sup>2</sup>	544	558	2.6%	519	-7.0%	505	-2.7%	550	8.9%
<b>DIVISION III</b>									
Filing - Comp. of Record	111	124	11.7%	145	16.9%	127	-12.4%	130	2.4%
Filing - Stmt. of Arrgmts.	48	43	-10.4%	48	11.6%	53	10.4%	65	22.6%
Stmt. of Arrgmts. - Comp. of Record	88	97	10.2%	105	8.2%	91	-13.3%	84	-7.7%
Comp. of Record - App. Brief	76	84	10.5%	89	6.0%	91	2.2%	84	-7.7%
App. Brief - Ready	98	100	2.0%	110	10.0%	99	-10.0%	77	-22.2%
Ready - Opinion	239	255	6.7%	258	1.2%	282	9.3%	220	-22.0%
Filing - Opinion, Division III <sup>2</sup>	508	526	3.5%	578	9.9%	593	2.5%	484	-18.3%
<b>COURT OF APPEALS, TOTAL</b>									
Filing - Comp. of Record	118	121	2.5%	126	4.1%	124	-1.6%	122	-1.6%
Filing - Stmt. of Arrgmts.	55	51	-7.3%	54	5.9%	55	1.9%	56	1.8%
Stmt. of Arrgmts. - Comp. of Record	81	85	4.9%	88	3.5%	82	-6.8%	78	-4.9%
Comp. of Record - App. Brief	84	85	1.2%	88	3.5%	91	2.8%	90	-0.6%
App. Brief - Ready	82	84	2.4%	84	0.0%	84	-0.6%	80	-4.8%
Ready - Opinion	295	280	-5.1%	269	-3.9%	273	1.5%	246	-9.9%
Filing - Opinion, Court of Appeals <sup>2</sup>	534	525	-1.7%	526	0.2%	536	1.9%	509	-5.0%

<sup>1</sup> 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.

<sup>2</sup> Time-in-process figures for 2002 have been updated to reflect a full twelve months' data for all divisions with the completion of statewide conversion to the new Appellate Court Records and Data System (ACORDS-II). Division II's measurements in the 2002 publication were based on the period 1/01/2002 through 11/17/2002 from the old ACORDS system, prior to their 11/18/2002 implementation of ACORDS-II. This update achieved comparability with the other divisions, which implemented in early 2003.

## The Court of Appeals

Days Between Events for Total Appeals PENDING OR DISPOSED OF BY OPINION -- 75th Percentile<sup>1</sup>, 2004-2008

	2004	2005	% Chg	2006	% Chg	2007	% Chg	2008	% Chg
<b>DIVISION I</b>									
Filing - Comp. of Record	146	150	2.7%	159	5.7%	162	2.2%	163	0.6%
Filing - Stmt. of Arrgmts.	62	63	1.6%	65	3.2%	69	6.2%	70	1.4%
Stmt. of Arrgmts. - Comp. of Record	91	95	4.4%	98	3.2%	101	3.1%	103	2.0%
Comp. of Record - App. Brief	85	84	-1.2%	90	7.1%	90	0.0%	90	0.0%
App. Brief - Ready	91	92	1.1%	92	0.0%	91	-1.1%	94	3.3%
Ready - Opinion	281	251	-10.7%	250	-0.4%	271	8.4%	204	-24.9%
Filing - Opinion, Division I <sup>2</sup>	537	516	-3.9%	537	4.1%	580	8.0%	517	-10.9%
<b>DIVISION II</b>									
Filing - Comp. of Record	124	131	5.2%	135	3.4%	136	0.7%	136	0.0%
Filing - Stmt. of Arrgmts.	53	52	-1.9%	55	5.8%	57	3.6%	58	1.8%
Stmt. of Arrgmts. - Comp. of Record	79	84	6.3%	89	6.0%	86	-3.4%	83	-3.5%
Comp. of Record - App. Brief	98	101	3.1%	97	-4.0%	94	-3.1%	95	1.1%
App. Brief - Ready	103	98	-4.9%	99	1.0%	100	1.0%	98	-2.0%
Ready - Opinion	288	302	4.9%	270	-10.6%	239	-11.5%	258	7.9%
Filing - Opinion, Division II <sup>2</sup>	574	579	0.9%	547	-5.5%	533	-2.6%	561	5.3%
<b>DIVISION III</b>									
Filing - Comp. of Record	122	130	6.1%	148	14.3%	141	-4.7%	138	-2.1%
Filing - Stmt. of Arrgmts.	45	44	-2.2%	46	4.5%	48	4.3%	54	12.5%
Stmt. of Arrgmts. - Comp. of Record	89	96	7.9%	105	9.4%	100	-4.8%	91	-9.0%
Comp. of Record - App. Brief	78	86	10.3%	85	-1.7%	84	-0.6%	85	1.2%
App. Brief - Ready	97	100	3.1%	109	9.0%	112	2.8%	91	-18.8%
Ready - Opinion	237	257	8.4%	258	0.4%	255	-1.2%	219	-14.1%
Filing - Opinion, Division III <sup>2</sup>	525	545	3.8%	589	8.1%	602	2.1%	511	-15.0%
<b>COURT OF APPEALS, TOTAL</b>									
Filing - Comp. of Record	134	139	3.7%	147	5.8%	148	0.7%	147	-0.7%
Filing - Stmt. of Arrgmts.	57	58	1.8%	60	3.4%	62	3.3%	63	1.6%
Stmt. of Arrgmts. - Comp. of Record	86	91	5.8%	96	5.5%	94	-2.1%	91	-3.2%
Comp. of Record - App. Brief	89	91	2.2%	92	1.1%	91	-1.1%	91	0.0%
App. Brief - Ready	96	96	0.0%	98	2.1%	97	-1.0%	94	-3.1%
Ready - Opinion	272	272	0.2%	258	-5.1%	255	-1.2%	230	-9.8%
Filing - Opinion, Court of Appeals <sup>2</sup>	546	546	0.0%	557	2.0%	572	2.7%	535	-6.5%

<sup>1</sup> 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.

<sup>2</sup> Time-in-process figures for 2002 have been updated to reflect a full twelve months' data for all divisions with the completion of statewide conversion to the new Appellate Court Records and Data System (ACORDS-II). Division II's measurements in the 2002 publication were based on the period 1/01/2002 through 11/17/2002 from the old ACORDS system, prior to their 11/18/2002 implementation of ACORDS-II. This update achieved comparability with the other divisions, which implemented in early 2003.