Supreme Court

2012 Annual Report

Annual Caseload Report

Table of Contents

Supreme Court Glossary	3
Court Activity by Source of Review	б
Court Activity, Cases from Trial Courts	8
Court Activity, Cases from Court of Appeals	10
Court Activity, Original Actions and Federal Court	12
Court Activity, Cases from WSBA and Commission on Judicial Conduct (1)	14
History of Filings (1)	16
History of Resolutions (1)(5)	17
History of Pending Cases (1)	18
Court Activity Trends, All Reviews (1)	19
Court Activity Trends, Cases from Trial Courts	21
Court Activity Trends, Cases from Court of Appeals	23
Court Activity Trends, Original Actions	25
Court Activity Trends, Cases from WSBA and Commission on Judicial Conduct (1)	27

Supreme Court Glossary

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

Filings

Notice Of Appeal - A review of a trial court decision in these select circumstances: review is authorized statutorily; an issue of constitutionality is involved; conflicting appellate decisions are at issue; questions of public importance are raised; or, the death penalty was decreed. Notices of appeal directly following a judgment in a superior court as a matter of right must be filed within 30 days. Notices of appeal are categorized into criminal and civil appeals.

Cases opened on notice of appeal can reach the Supreme Court by these means: direct appeal from trial court; certification by the Court of Appeals; granting of a motion to transfer an appeal from the Court of Appeals; or an administrative transfer initiated by the Supreme Court to relieve pressure on the Court of Appeals or because a similar case is already being heard by the Supreme Court.

Petitions For Review

- A review of any Court of Appeals' decision terminating review. The Supreme Court only accepts reviews of decisions that conflict with other Supreme Court or Court of Appeals' decisions, that involve a significant question of law under the federal or state constitution, or that concern "an issue of substantial public interest..." (Rules of Appellate Procedure (RAP) 13.4). **Other Reviews**

- The five following categories are grouped under the title "Other Reviews": personal restraint petitions, discretionary reviews, original actions against state officers, petitions for expenditures of public funds, and reviews certified from federal court. **Personal Restraint Petition**

- A petition to seek relief from limitations on a person's freedom due to current or imminent confinement. The Supreme Court normally exercises its jurisdiction over such petitions by transferring them to the Court of Appeals (RAP 16.5). **Discretionary Review**

- A review of interlocutory orders of the superior court. Reviews made prior to a final determination of the case, in which a party argues that the trial court has committed an error pursuant to RAP 2.3(b). Discretionary reviews are in the purview of the Supreme Court under most of the same conditions that apply for notices of appeal. The Supreme Court may be requested by motion for discretionary review, to review interlocutory Court of Appeals' decisions, and decisions on personal restraint petitions. Actions Against State Officers -

Both the Supreme Court and the superior courts have concurrent original jurisdiction over a petition against a state officer in the nature of quo warranto, prohibition, and mandamus (RAP 16.2), generally preventing a continued exercise of authority unlawfully asserted. **Petitions For Expenditures Of Public Funds**

- Petitions for expenditure from the indigent defense fund (RAP 15.2). Certified From Federal Court

- Reviews certified to determine a question of state law which does not involve a question determined by reference to the United States Constitution (RAP 16.16).

Dispositions

Cases are considered officially disposed in the Supreme Court as soon as a decision terminating review is filed with the Supreme Court Clerk.

Opinions

- Those cases which were reviewed by the Court and had an opinion written.

Motion On The Merits

- Termination of a review due to the granting of a motion on the merits (RAP 18.14). **Dismissed**

- An order, issued by the Court, dismissing the review prior to a determination of the merits. 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 if the review is frivolous, moot, or solely for the purpose of delay. Also, the Court may dismiss reviews for want of prosecution or for failure to comply with procedures (RAP 18.9).

Transferred To Court Of Appeals

- To promote the orderly administration of justice, the Supreme Court may, on its own initiative or on motion of a party, transfer a case to the Court of Appeals.

Review Not Accepted

- Reviews disposed through this manner are not accepted because they fail to meet the requirements of review stated in Rule 2 and Rule 13 of the Rules of Appellate Procedure. These requirements are summarized in the above glossary definitions for each review type.

Terminated

- 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

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

Ready For Setting

- Those cases within the stages of perfection which have at minimum had the briefs filed but have yet to be set on the Court calendar for review.

Not Ready For Setting

- Those cases within the stages of perfection which are ready for consideration but have yet to file further pleadings. **Set For Motion On The Merits**

- Those cases which have been set on the motion on the merits calendar (RAP 18.14).

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 review. **Opinion/Order In Process**

- Those cases which have been reviewed by the Court but have yet to receive a decision.

Mandated

A decision is mandated by the Clerk of the Supreme Court with a written notification of the Court's decision to the originating court and the parties involved.

Court Activity by Source of Review - 2012 Annual Report

Page 1 of 2

	Trial Courts	Court of Appeals	Original Actions	WSBA (4)/ CJC	Certified Issues	Total
FILINGS	Courte	rippoulo			100000	
Total Filings	147	1,046	158	122	3	1,476
RESOLUTIONS (1) (5)						
Total Opinions	15	90	7	4	6	122
Dismissed	1	3	1	0	0	5
Transferred/Certified	19	0	2	0	0	21
Review Not Accepted	0	3	1	0	0	4
Other Terminations	60	550	28	0	0	638
Total Orders	80	556	32	0	0	668
Dismissed	27	35	3	0	0	65
Transferred/Certified	4	0	8	0	0	12
Review Not Accepted	0	255	98	0	0	353
Other Terminations	10	84	15	0	0	109
Total Rulings	41	374	124	0	0	539
Other Decisions Term. Rvw (2)	0	0	0	119	0	119
Total Resolved	136	1,020	163	123	6	1,448
PENDING AT YEAR END (3)						
Cases Stayed	1	65	11	N/A	0	77
Cases Ready	3	7	2	N/A	1	13

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

(2) Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for closing those cases (see footnote 4). As time permits, Court staff are now reviewing those old cases and recording the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

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

(4) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending Page 6 of 28

Court Activity by Source of Review - 2012 Annual Report

Page 2 of 2

	Trial Courts	Court of Appeals	Original Actions	WSBA (4)/ CJC	Certified Issues	Total
Cases Not Ready	51	337	57	N/A	0	445
Set for Motion Calendar	0	14	0	N/A	0	14
Set for Oral Argument	5	17	0	N/A	1	23
Total Awaiting Hearing	60	440	70	N/A	2	572
Opinion/Order in Process	9	52	1	N/A	1	63
Total Pending Decision	69	492	71	N/A	3	635
MANDATED						
Opinion Terminating Review	16	99	7	3	8	133
Order Terminating Review	77	550	30	0	0	657
Ruling Terminating Review	45	376	139	0	0	560
Other Decision Terminating Review	17	38	29	119	0	203
Total Mandated	155	1,063	205	122	8	1,553

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Court Activity, Cases from Trial Courts - 2012 Annual Report

Page 1 of 2

- - - - - - - - -- - Appeals - - - - - - - - ----- Discretionary Review ----**Death Penalty Exp Public** Criminal Criminal Civil Total Civil Total Review Funds (1) Total FILINGS **Total Filings RESOLUTIONS (2) (4) Total Opinions** Dismissed Transferred/Certified Other Terminations **Total Order Terminating Review** Dismissed Transferred/Certified Other Terminations Total Ruling Terminating Review Other Decision Term, Rvw **Total Resolved** PENDING AT YEAR END (3) **Cases Stayed** Cases Ready Cases Not Ready Set for Oral Argument **Total Awaiting Hearing**

(1) Expenditure of Public Funds.

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

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

Court Activity, Cases from Trial Courts - 2012 Annual Report

Page 2 of 2

		- Appeals		Disc	retionary Re	view			
Opinion/Order in Process	Criminal 0	Civil 6	Total 6	Criminal 2	Civil	Total 3	Death Penalty Review 0	Exp Public Funds (1) 0	Total 9
Total Pending Decision	4	38	42	5	11	16	2	9	69
MANDATED									
Opinion Terminating Review	1	10	11	1	2	3	0	0	14
Order Terminating Review	2	22	24	4	1	5	0	48	77
Ruling Terminating Review	6	14	20	13	12	25	0	0	45
Other Decision Terminating Review	0	0	0	1	0	1	0	16	17
Total Mandated	9	46	55	19	15	34	0	64	153

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Caseloads of the Courts of Washington Court Activity, Cases from Court of Appeals - 2012 Annual Report

Page 1 of 2

Petition for Review Motions for Discretionary Review

	Criminal	Civil	Total	Criminal	Civil	Total	Discrectionary Review - PRP	Certifications	Transfers (Party Motions)	Total
FILINGS	•	••••		•	••••				(
Total Filings	363	257	620	34	76	110	313	0	3	1,046
RESOLUTIONS (1)(3)										
Total Opinions	40	37	77	1	2	3	6	1	3	90
Dismissed	2	1	3	0	0	0	0	0	0	3
Review Not Accepted	0	0	0	0	0	0	3	0	0	3
Other Terminations	306	221	527	4	13	17	0	4	2	550
Total Orders	308	222	530	4	13	17	3	4	2	556
Dismissed	9	4	13	2	2	4	18	0	0	35
Review Not Accepted	0	0	0	6	7	13	242	0	0	255
Other Terminations	1	2	3	18	52	70	6	0	5	84
Total Rulings	10	6	16	26	61	87	266	0	5	374
Total Resolved	358	265	623	31	76	107	275	5	10	1,020
PENDING AT YEAR END (2)										
Cases Stayed	42	4	46	1	1	2	17	0	0	65
Cases Ready	4	1	5	0	0	0	2	0	0	7
Cases Not Ready	134	84	218	5	15	20	97	1	1	337
Set for Motion Calendar	6	4	10	0	0	0	4	0	0	14
Set for Oral Argument	5	9	14	1	0	1	2	0	0	17

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

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

(3) As of 2010, Resolution counts have been updated to report only primary case resolutions. Secondary case resolutions have been excluded from 0 of 28

Caseloads of the Courts of Washington Court Activity, Cases from Court of Appeals - 2012 Annual Report

Page 2 of 2

	Petition	Petition for Review			Motions for Discretionary Review					
	Criminal	Civil	Total	Criminal	Civil	Total	Discrectionary Review - PRP	Certifications	Transfers (Party Motions)	Total
Total Awaiting Hearing	191	102	293	7	16	23	122	1	1	440
Opinion/Order in Process	18	23	41	0	1	1	2	5	3	52
Total Pending Decision	209	125	334	7	17	24	124	6	4	492
MANDATED										
Opinion Terminating Review	39	39	78	1	2	3	8	1	3	93
Order Terminating Review	307	222	529	4	14	18	3	0	0	550
Ruling Terminating Review	14	5	19	28	68	96	257	0	4	376
Other Decision Terminating Review	10	3	13	1	3	4	20	1	0	38
Total Mandated	370	269	639	34	87	121	288	2	7	1,057

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Court Activity, Original Actions and Federal Court - 2012 Annual Report

Page 1 of 2

	Actions Against	Personal Restraints	Death Penalty PRP	Miscellaneous Reviews	Total	Certified from Federal Court
FILINGS						
Total Filings	7	121	0	30	158	3
RESOLUTIONS (1) (3)						
Total Opinions	0	5	2	0	7	6
Dismissed	0	0	0	1	1	0
Transferred/Certified	0	2	0	0	2	0
Review Not Accepted	0	1	0	0	1	0
Other Terminations	1	0	0	27	28	0
Total Orders	1	3	0	28	32	0
Dismissed	0	3	0	0	3	0
Transferred/Certified	1	7	0	0	8	0
Review Not Accepted	0	98	0	0	98	0
Other Terminations	7	8	0	0	15	0
Total Rulings	8	116	0	0	124	0
Total Resolved	9	124	2	28	163	6
PENDING AT YEAR END (2)						
Cases Stayed	0	11	0	0	11	0
Cases Ready	0	0	0	2	2	1
Cases Not Ready	1	49	2	5	57	0

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Court Activity, Original Actions and Federal Court - 2012 Annual Report

Page 2 of 2

	Actions Against	Personal Restraints	Death Penalty PRP	Miscellaneous Reviews	Total	Certified from Federal Court
Set for Oral Argument	0	0	0	0	0	1
Total Awaiting Hearing	1	60	2	7	70	2
Opinion/Order in Process	0	0	1	0	1	1
Total Pending Decision	1	60	3	7	71	3
MANDATED						
Opinion Terminating Review	1	4	2	0	7	8
Order Terminating Review	1	2	0	27	30	0
Ruling Terminating Review	8	131	0	0	139	0
Other Decision Terminating Review	0	24	0	5	29	0
Total Mandated	10	161	2	32	205	8

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

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

Court Activity, Cases from WSBA and Commission on Judicial Conduct (1) - 2012 Annual Report

----- Washington State Bar Association -----

Page 1 of 2

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FILINGS	Admission Appeals	Admission Petition	Disciplinary Appeals	Disciplinary Discretional Review	Disciplinary Show Cause	Other (3)	Total WSBA	Disciplinary Disability Appeals	Disciplinary Disability Discretionary Review	Total CJC	Total	
		4	0	4	45	05	100	0	0	0	100	
Total Filings	1	4	6	1	15	95	122	0	0	0	122	
RESOLUTIONS (2) (4)												
Total Opinions	0	0	4	0	0	0	4	0	0	0	4	
Other Terminations	2	3	4	3	13	94	119	0	0	0	119	
Total Orders	2	3	4	3	13	94	119	0	0	0	119	
Total Resolved	2	3	8	3	13	94	123	0	0	0	123	
PENDING AT YEAR END												
Cases Stayed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Cases Ready	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Cases Not Ready	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Set for Motion on Merits	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Set for Motion Calendar	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Set for Oral Argument	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Total Awaiting Hearing	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Opinion/Order in Process	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Total Pending Decision	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
MANDATED												
Opinion Terminating Review	0	0	3	0	0	0	3	0	0	0	3	
Order Terminating Review	0	0	0	0	0	0	0	0	0	0	0	

(1) As a result of recent transition to the new Appellate Court Records and Data System(ACORDS-II) and changes in resolution coding procedures in 2005, the following revisions and observations were made: a) resolutions are now categorized by Opinions, Orders, and Rulings Terminating Review. Figures for these categories are reported for the first time in 2005. b) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending information is not available for WSBA and CJC cases, and 2) resolution and mandate information is available only for 2003 and beyond.

(2) Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for closing those cases (see footnote 1(b)). As time permits, Court staff are now reviewing those old cases and recording the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

(3) Includes Notice of Discipline, Stipulation and Reciprocal Discipline, Disability Inactive Status Appeal, Transfer to Disability Inactive Status, Financial and Miscellaneous Non-Discipline. (4) As of 2010, Resolution counts have been updated to report only primary case resolutions. Secondary case resolutions have been excluded from all of the resolution counts reported.

Commission on Judical Conduct

Court Activity, Cases from WSBA and Commission on Judicial Conduct (1) - 2012 Annual Report

Page 2 of 2

		W	ashington St	ate Bar Asso	ciation		Commission on Judical Conduct				
	Admission Appeals	Admission Petition	Disciplinary Appeals	Disciplinary Discretional Review	Disciplinary Show Cause	Other (3)	Total WSBA	Disciplinary Disability Appeals	Disciplinary Disability Discretionary Review	Total CJC	Total
Rulings Terminating Review	0	0	0	0	0	0	0	0	0	0	0
Other Decision Terminating Review	<i>N</i> 2	3	4	3	13	94	119	0	0	0	119
Total Mandated	2	3	7	3	13	94	122	0	0	0	122

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Caseloads of the Courts of Washington History of Filings (1) - 2008 to 2012

Page 1 of 1

				0040		0044		0040	
	2008	2009	% Chg (3)	2010	% Chg (3)	2011	% Chg (3)	2012	% Chg (3)
TRIAL COURTS									
Criminal Appeals	6	4	. %	4	. %	6	. %	7	. %
Civil Appeals	42	40	-4.8 %	43	7.5 %	48	11.6 %	45	-6.3 %
Total Appeals	48	44	-8.3 %	47	6.8 %	54	14.9 %	52	-3.7 %
Direct Discretionary Review	23	25	. %	25	. %	33	. %	31	-6.1 %
Death Penalty Review	0	1	. %	2	. %	0	. %	1	. %
Expenditure of Public Funds	49	55	12.2 %	53	-3.6 %	80	50.9 %	63	-21.3 %
TOTALTRIAL COURTS	120	125	4.2 %	127	1.6 %	167	31.5 %	147	-12 %
COURT OF APPEALS									
Criminal	449	458	2 %	401	-12.4 %	377	-6 %	363	-3.7 %
Civil	290	280	-3.4 %	246	-12.1 %	256	4.1 %	257	0.4 %
Total Petition for Review	739	738	-0.1 %	647	-12.3 %	633	-2.2 %	620	-2.1 %
Motion for Discr. Review	113	117	3.5 %	131	12 %	119	-9.2 %	110	-7.6 %
Motion for Discr. Rvw of PRP (2)	318	330	3.8 %	320	-3 %	261	-18.4 %	313	19.9 %
Certifications/Transfers	11	15	. %	11	. %	13	. %	3	. %
TOTALCOURT OF APPEALS	1,181	1,200	1.6 %	1,109	-7.6 %	1,026	-7.5 %	1,046	1.9 %
ORIGINAL ACTIONS AND									
TOTALORIG. ACTIONS & FED COURT	194	154	-20.6 %	181	17.5 %	204	12.7 %	161	-21.1 %
WSBA/CJC									
TOTALWSBA/CJC	112	91	-18.8 %	138	51.6 %	117	-15.2 %	122	4.3 %
TOTAL FILED	1,607	1,570	-2.3 %	1,555	-1 %	1,514	-2.6 %	1,476	-2.5 %

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

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

History of Resolutions (1)(5) - 2008 to 2012

Page 1 of 1

-	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
TRIAL COURTS									
Criminal Appeals	5	3	. %	2	. %	5	. %	9	. %
Civil Appeals	34	44	29.4 %	35	-20.5 %	38	8.6 %	46	21.1 %
Total Appeals	39	47	20.5 %	37	-21.3 %	43	16.2 %	55	27.9 %
Direct Discretionary Review	17	22	. %	27	. %	23	. %	31	. %
Death Penalty Review	0	1	. %	1	. %	0	. %	1	. %
Expenditure of Public Funds	41	58	41.5 %	42	-27.6 %	77	83.3 %	49	-36.4 %
TOTALTRIAL COURTS	97	128	32 %	107	-16.4 %	143	33.6 %	136	-4.9 %
COURT OF APPEALS									
Criminal	569	459	-19.3 %	461	0.4 %	376	-18.4 %	358	-4.8 %
Civil	329	296	-10 %	293	-1 %	255	-13 %	266	4.3 %
Total Petition for Review	898	755	-15.9 %	754	-0.1 %	631	-16.3 %	624	-1.1 %
Motion for Discr. Review	107	108	0.9 %	127	17.6 %	129	1.6 %	107	-17.1 %
Motion for Discr. Rvw of PRP (2)	267	300	12.4 %	280	-6.7 %	286	2.1 %	275	-3.8 %
Certifications/Transfers	22	14	. %	16	. %	9	. %	15	. %
TOTALCOURT OF APPEALS	1,294	1,177	-9 %	1,177	0 %	1,055	-10.4 %	1,021	-3.2 %
ORIGINAL ACTIONS AND									
TOTALORIG. ACTIONS & FED COURT	147	149	1.4 %	144	-3.4 %	189	31.3 %	169	-10.6 %
WSBA/CJC									
TOTALWSBA/CJC (3)	113	378	234.5 %	150	-60.3 %	117	-22 %	123	5.1 %
TOTAL RESOLVED	1,651	1,832	11 %	1,578	-13.9 %	1,504	-4.7 %	1,449	-3.7 %

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

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

(3) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending information is not available for WSBA and CJC cases, and 2) resolution and mandate information is available only for 2003 and beyond. In addition, resolution information for years 2004 forward includes some old cases for which the disposed status has been retroactively determined and recorded.

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

History of Pending Cases (1) - 2008 to 2012

Page 1 of 1

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
TRIAL COURTS									
Criminal Appeals	7	5	. %	6	. %	6	. %	4	. %
Civil Appeals	36	28	. %	35	. %	32	-8.6 %	38	18.8 %
Total Appeals	43	33	-23.3 %	41	24.2 %	38	-7.3 %	42	10.5 %
Direct Discretionary Review	10	9	. %	6	. %	14	. %	16	. %
Death Penalty Review	1	1	. %	2	. %	2	. %	2	. %
Expenditure of Public Funds	13	3	. %	11	. %	11	. %	9	. %
TOTALTRIAL COURTS	67	46	-31.3 %	60	30.4 %	65	8.3 %	69	6.2 %
COURT OF APPEALS									
Criminal	293	288	-1.7 %	222	-22.9 %	220	-0.9 %	209	-5 %
Civil	207	187	-9.7 %	132	-29.4 %	137	3.8 %	125	-8.8 %
Total Petition for Review	500	475	-5 %	354	-25.5 %	357	0.8 %	334	-6.4 %
Motion for Discr. Review	27	30	. %	33	. %	24	. %	24	. %
Motion for Discr. Rvw of PRP (2)	119	133	11.8 %	154	15.8 %	103	-33.1 %	124	20.4 %
Notice of Appeal	20	15	. %	9	. %	8	. %	10	. %
TOTALCOURT OF APPEALS	666	653	-2 %	550	-15.8 %	492	-10.5 %	492	0 %
ORIGINAL ACTIONS AND									
TOTALORIG. ACTIONS & FED COURT	95	78	-17.9 %	98	25.6 %	109	11.2 %	74	-32.1 %
WSBA/CJC									
TOTALWSBA/CJC (3)	N/A	N/A	. %						
TOTAL PENDING	828	777	-6.2 %	708	-8.9 %	666	-5.9 %	635	-4.7 %

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

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

(3) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending information is not available for WSBA and CJC cases, and 2) resolution and mandate information is available only for 2003 and beyond. In addition, resolution information for years 2004 forward includes some old cases for which the disposed status has been retroactively determined and recorded.

Court Activity Trends, All Reviews (1) - 2008 to 2012

Page 1 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
FILINGS									
Total Filings	1,607	1,570	-2.3 %	1,555	-1 %	1,514	-2.6 %	1,476	-2.5 %
RESOLUTIONS (2), (6)									
Total Opinions	110	121	10 %	138	14 %	114	-17.4 %	123	7.9 %
Dismissed	9	4	. %	9	. %	4	. %	5	. %
Transferred/Certified	20	25	. %	14	. %	17	. %	21	. %
Review Not Accepted	10	11	. %	7	. %	7	. %	4	. %
Other Terminations	859	733	-14.7 %	704	-4 %	651	-7.5 %	638	-2 %
Orders	898	773	-13.9 %	734	-5 %	679	-7.5 %	668	-1.6 %
Dismissed	51	54	5.9 %	42	-22.2 %	49	16.7 %	65	32.7 %
Transferred/Certified	7	6	. %	4	. %	15	. %	12	. %
Review Not Accepted	421	449	6.7 %	354	-21.2 %	386	9 %	353	-8.5 %
Other Terminations	57	57	0 %	164	187.7 %	148	-9.8 %	109	-26.4 %
Rulings	536	566	5.6 %	564	-0.4 %	598	6 %	539	-9.9 %
Other Decisions Term. Review (3)	107	372	247.7 %	142	-61.8 %	113	-20.4 %	119	5.3 %
Total Orders/Rulings/Other (5)	1,541	1,711	11 %	1,440	-15.8 %	1,390	-3.5 %	1,326	-4.6 %
Total Resolved	1,651	1,832	11 %	1,578	-13.9 %	1,504	-4.7 %	1,449	-3.7 %
PENDING AT YEAR END									
Cases Stayed	53	83	56.6 %	68	-18.1 %	122	79.4 %	77	-36.9 %
Cases Ready	66	50	-24.2 %	47	-6 %	30	. %	13	. %
Cases Not Ready	598	526	-12 %	487	-7.4 %	395	-18.9 %	445	12.7 %

(1) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending information is not available for WSBA and CJC cases, and 2) resolution and mandate information is available only for 2003 and beyond.

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

(3) Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for closing those cases (see footnote 1). As time permits, Court staff are now reviewing those old cases and recording the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

Court Activity Trends, All Reviews (1) - 2008 to 2012

Page 2 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
Set for Motion on the Merits	0	0	. %	0	. %	0	. %	0	. %
Set for Motion Calendar	7	9	. %	11	. %	13	. %	14	. %
Set for Oral Argument	42	40	-4.8 %	41	2.5 %	32	-22 %	23	. %
Total Awaiting Hearing	766	708	-7.6 %	654	-7.6 %	592	-9.5 %	572	-3.4 %
Opinion/Order in Process	62	69	11.3 %	54	-21.7 %	74	37 %	63	-14.9 %
Total Pending Decision	828	777	-6.2 %	708	-8.9 %	666	-5.9 %	635	-4.7 %
MANDATED									
Opinion Terminating Review	120	120	0 %	162	35 %	126	-22.2 %	133	5.6 %
Order Terminating Review	898	766	-14.7 %	744	-2.9 %	679	-8.7 %	657	-3.2 %
Ruling Terminating Review	516	586	13.6 %	506	-13.7 %	587	16 %	560	-4.6 %
Other Decision Terminating Review	158	430	172.2 %	175	-59.3 %	145	-17.1 %	203	40 %
Total Mandated	1,692	1,902	12.4 %	1,587	-16.6 %	1,537	-3.2 %	1,553	1 %

(1) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending information is not available for WSBA and CJC cases, and 2) resolution and mandate information is available only for 2003 and beyond.

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

(3) Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for closing those cases (see footnote 1). As time permits, Court staff are now reviewing those old cases and recording the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

Court Activity Trends, Cases from Trial Courts - 2008 to 2012

Page 1 of 2

-	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
FILINGS									
Total Filings	120	125	4.2 %	127	1.6 %	167	31.5 %	147	-12 %
RESOLUTIONS (1), (5)									
Total Opinions	10	10	. %	4	. %	13	. %	15	. %
Dismissed	2	0	. %	0	. %	0	. %	1	. %
Transferred/Certified	20	25	. %	14	. %	16	. %	19	. %
Review Not Accepted	0	3	. %	0	. %	0	. %	0	. %
Other Terminations	41	62	51.2 %	45	-27.4 %	79	75.6 %	60	-24.1 %
Total Orders	63	90	42.9 %	59	-34.4 %	95	61 %	80	-15.8 %
Dismissed	13	17	. %	20	. %	17	. %	27	. %
Transferred/Certified	0	0	. %	2	. %	7	. %	4	. %
Review Not Accepted	5	6	. %	4	. %	0	. %	0	. %
Other Terminations	6	5	. %	18	. %	11	. %	10	. %
Total Rulings	24	28	. %	44	. %	35	-20.5 %	41	17.1 %
Other Decisions Term. Review	0	0	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other (2)	87	118	35.6 %	103	-12.7 %	130	26.2 %	121	-6.9 %
Total Resolved	97	128	32 %	107	-16.4 %	143	33.6 %	136	-4.9 %
PENDING AT YEAR END (3)									
Cases Stayed	5	4	. %	1	. %	7	. %	1	. %
Cases Ready	3	5	. %	6	. %	6	. %	3	. %
Cases Not Ready	52	32	-38.5 %	44	37.5 %	42	-4.5 %	51	21.4 %

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

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

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

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

Court Activity Trends, Cases from Trial Courts - 2008 to 2012

Page 2 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
Set for Motion on the Merits	0	0	. %	0	. %	0	. %	0	. %
Set for Motion Calendar	0	0	. %	0	. %	0	. %	0	. %
Set for Oral Argument	2	5	. %	1	. %	3	. %	5	. %
Total Awaiting Hearing	62	46	-25.8 %	52	13 %	58	11.5 %	60	3.4 %
Opinion/Order in Process	5	0	. %	8	. %	7	. %	9	. %
Total Pending Decision	67	46	-31.3 %	60	30.4 %	65	8.3 %	69	6.2 %
MANDATED									
Opinion Terminating Review	14	9	. %	6	. %	15	. %	16	. %
Order Terminating Review	63	88	39.7 %	64	-27.3 %	95	48.4 %	77	-18.9 %
Ruling Terminating Review	21	30	. %	41	. %	35	-14.6 %	45	28.6 %
Other Decision Terminating Review	6	13	. %	5	. %	5	. %	17	. %
Total Mandated	104	140	34.6 %	116	-17.1 %	150	29.3 %	155	3.3 %

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

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

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

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

Court Activity Trends, Cases from Court of Appeals - 2008 to 2012

Page 1 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
FILINGS									
Total Filings	1,181	1,200	1.6 %	1,109	-7.6 %	1,026	-7.5 %	1,046	1.9 %
RESOLUTIONS (1), (5)									
Total Opinions	87	102	17.2 %	122	19.6 %	90	-26.2 %	91	1.1 %
Dismissed	7	3	. %	8	. %	4	. %	3	. %
Review Not Accepted	8	5	. %	6	. %	6	. %	3	. %
Other Terminations	801	650	-18.9 %	635	-2.3 %	548	-13.7 %	550	0.4 %
Orders	816	658	-19.4 %	649	-1.4 %	558	-14 %	556	-0.4 %
Dismissed	30	30	. %	19	. %	26	. %	35	. %
Review Not Accepted	316	347	9.8 %	255	-26.5 %	258	1.2 %	255	-1.2 %
Other Terminations	45	40	-11.1 %	132	230 %	123	-6.8 %	84	-31.7 %
Rulings	391	417	6.6 %	406	-2.6 %	407	0.2 %	374	-8.1 %
Other Decisions Term. Review	0	0	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other (2)	1,207	1,075	-10.9 %	1,055	-1.9 %	965	-8.5 %	930	-3.6 %
Total Resolved	1,294	1,177	-9 %	1,177	0 %	1,055	-10.4 %	1,021	-3.2 %
PENDING AT YEAR END (3)									
Cases Stayed	39	67	71.8 %	57	-14.9 %	85	49.1 %	65	-23.5 %
Cases Ready	60	43	-28.3 %	40	-7 %	22	. %	7	. %
Cases Not Ready	469	439	-6.4 %	364	-17.1 %	289	-20.6 %	337	16.6 %
Set for Motion on the Merits	0	0	. %	0	. %	0	. %	0	. %
Set for Motion Calendar	5	7	. %	11	. %	11	. %	14	. %

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

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

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

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

Court Activity Trends, Cases from Court of Appeals - 2008 to 2012

Page 2 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
Set for Oral Argument	39	32	-17.9 %	38	18.8 %	26	. %	17	. %
Total Awaiting Hearing	612	588	-3.9 %	510	-13.3 %	433	-15.1 %	440	1.6 %
Opinion/Order in Process	54	65	20.4 %	40	-38.5 %	59	47.5 %	52	-11.9 %
Total Pending Decision	666	653	-2 %	550	-15.8 %	492	-10.5 %	492	0 %
MANDATED									
Opinion Terminating Review	95	92	-3.2 %	145	57.6 %	99	-31.7 %	99	0 %
Order Terminating Review	818	652	-20.3 %	655	0.5 %	557	-15 %	550	-1.3 %
Ruling Terminating Review	368	439	19.3 %	352	-19.8 %	423	20.2 %	376	-11.1 %
Other Decision Terminating Review	27	21	. %	21	. %	23	. %	38	. %
Total Mandated	1,308	1,204	-8 %	1,173	-2.6 %	1,102	-6.1 %	1,063	-3.5 %

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

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

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

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

Court Activity Trends, Original Actions - 2008 to 2012

Page 1 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
FILINGS									
Total Filings	188	152	-19.1 %	178	17.1 %	197	10.7 %	158	-19.8 %
RESOLUTIONS (1), (5)									
Total Opinions	4	2	. %	4	. %	5	. %	7	. %
Dismissed	0	1	. %	1	. %	0	. %	1	. %
Transferred/Certified	0	0	. %	0	. %	1	. %	2	. %
Review Not Accepted	2	3	. %	1	. %	1	. %	1	. %
Other Terminations	17	21	. %	21	. %	24	. %	28	. %
Total Orders	19	25	. %	23	. %	26	. %	32	. %
Dismissed	8	5	. %	3	. %	6	. %	3	. %
Transferred/Certified	7	6	. %	2	. %	8	. %	8	. %
Review Not Accepted	100	96	-4 %	95	-1 %	128	34.7 %	98	-23.4 %
Other Terminations	6	12	. %	14	. %	13	. %	15	. %
Total Rulings	121	119	-1.7 %	114	-4.2 %	155	36 %	124	-20 %
Other Decisions Term. Review	0	0	. %	0	. %	0	. %	0	. %
Total Orders/Rulings/Other (2)	140	144	2.9 %	137	-4.9 %	181	32.1 %	156	-13.8 %
Total Resolved	144	146	1.4 %	141	-3.4 %	186	31.9 %	163	-12.4 %
PENDING AT YEAR END (3)									
Cases Stayed	9	12	. %	10	. %	30	. %	11	. %
Cases Ready	0	2	. %	1	. %	1	. %	2	. %
Cases Not Ready	76	55	-27.6 %	79	43.6 %	64	-19 %	57	-10.9 %

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

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

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

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

Court Activity Trends, Original Actions - 2008 to 2012

Page 2 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
Set for Motion on the Merits	0	0	. %	0	. %	0	. %	0	. %
Set for Motion Calendar	2	2	. %	0	. %	2	. %	0	. %
Set for Oral Argument	0	2	. %	0	. %	1	. %	0	. %
Total Awaiting Hearing	87	73	-16.1 %	90	23.3 %	98	8.9 %	70	-28.6 %
Opinion/Order in Process	3	2	. %	5	. %	4	. %	1	. %
Total Pending Decision	90	75	-16.7 %	95	26.7 %	102	7.4 %	71	-30.4 %
MANDATED									
Opinion Terminating Review	4	3	. %	2	. %	6	. %	7	. %
Order Terminating Review	17	26	. %	23	. %	26	. %	30	. %
Ruling Terminating Review	127	115	-9.4 %	113	-1.7 %	128	13.3 %	139	8.6 %
Other Decision Terminating Review	18	22	. %	7	. %	4	. %	29	. %
Total Mandated	166	166	0 %	145	-12.7 %	164	13.1 %	205	25 %

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

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

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

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

Court Activity Trends, Cases from WSBA and Commission on Judicial Conduct (1) - 2008 to 2012

Page 1 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
FILINGS									
Total Filings	112	91	-18.8 %	138	51.6 %	117	-15.2 %	122	4.3 %
RESOLUTIONS (2), (6)									
Total Opinions	6	6	. %	6	. %	4	. %	4	. %
Other Terminations	0	0	. %	2	. %	0	. %	0	. %
Orders		0	. %	2	. %	0	. %	0	. %
Rulings	0	0	. %	0	. %	0	. %	0	. %
Other Decisions Term. Review (3)	107	372	247.7 %	142	-61.8 %	113	-20.4 %	119	5.3 %
Total Orders/Rulings/Other (5)	107	372	247.7 %	144	-61.3 %	113	-21.5 %	119	5.3 %
Total Resolved	113	378	234.5 %	150	-60.3 %	117	-22 %	123	5.1 %
PENDING AT YEAR END									
Cases Stayed	N/A	N/A		N/A		N/A		N/A	
Cases Ready	N/A	N/A		N/A		N/A		N/A	
Cases Not Ready	N/A	N/A		N/A		N/A		N/A	
Set for Motion on Merits	N/A	N/A		N/A		N/A		N/A	
Set for Motion Calendar	N/A	N/A		N/A		N/A		N/A	
Set for Oral Argument	N/A	N/A		N/A		N/A		N/A	
Total Awaiting Hearing	N/A	N/A		N/A		N/A		N/A	
Opinion/Order in Process	N/A	N/A		N/A		N/A		N/A	
Total Pending Decision	N/A	N/A		N/A		N/A		N/A	
MANDATED									

(1) Prior to 2003, resolution, pending and mandate information was not reported for cases from the Washington State Bar Association and the Commission on Judicial Conduct. Recording of this information began for resolutions occurring in 2003 and beyond, but is not available retroactively. As a consequence: 1) pending information is not available for WSBA and CJC cases, and 2) resolution and mandate information is available only for 2003 and beyond.

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

(3) Includes WSBA and CJC cases which were considered by the Court in years prior to establishment of procedures for closing those cases (see footnote 1). As time permits, Court staff are now reviewing those old cases and recording the disposed status as appropriate. Those dispositions are included in "Other Decisions Terminating Review."

Court Activity Trends, Cases from WSBA and Commission on Judicial Conduct (1) - 2008 to 2012

Page 2 of 2

	2008	2009	% Chg (4)	2010	% Chg (4)	2011	% Chg (4)	2012	% Chg (4)
Opinion Terminating Review	5	14	. %	7	. %	5	. %	3	. %
Order Terminating Review	0	0	. %	1	. %	1	. %	0	. %
Rulings Terminating Review	0	0	. %	0	. %	0	. %	0	. %
Other Decision Terminating Review	107	373	248.6 %	142	-61.9 %	113	-20.4 %	119	5.3 %
Total Mandated	112	387	245.5 %	150	-61.2 %	119	-20.7 %	122	2.5 %

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