

DATE: 02/21/95

COURT OF APPEALS  
C A S E L O A D S U M M A R Y

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HISTORY SET =	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985
DIRECT APPEALS:	2842	2601	2455	2265	2384	2360	2306	2071	2666	1946
% VARIANCE:	8.5	5.6	7.7	5.3-	1.0	2.3	10.2	28.7-	27.0	9.7-
AVG. CASES PER JUDGE:	0315	0289	0272	0251	0264	0262	0256	0230	0296	0216
DESCRETIONARY APPL.:	0611	0475	0471	0430	0394	0408	0356	0342	0313	0298
% VARIANCE:	22.3	.8	8.7	8.4	3.6-	12.7	3.9	8.5	4.8	5.4-
AVG. CASES PER JUDGE:	0067	0052	0052	0047	0043	0045	0039	0038	0034	0033
INTERLOCUTORY APPL.:	0458	0450	0486	0450	0400	0401	0361	0391	0313	0343
% VARIANCE:	1.7	8.0-	7.4	11.1	.3-	10.0	8.3-	19.9	9.6-	4.7
AVG. CASES PER JUDGE:	0050	0050	0054	0050	0044	0044	0040	0043	0034	0038
TOTAL MATTERS DOCT:	3911	3526	3412	3145	3178	3169	3023	2804	3292	2587
AVG. CASES PER JUDGE:	0434	0391	0379	0349	0353	0352	0335	0311	0365	0287

COURT OF APPEALS  
JUDGMENT STATISTICAL SUMMARY REPORT

(CRIMINAL & CIVIL)

START MM-YY: 01-94

ENDING MM-YY: 12-94

TOTALS	CODE	JUDGMENT DESCRIPTION
1678	(02001)	Affirmed
322	(02002)	Reversed
73	(02003)	AFFIRMED IN PART/REVERSED IN PART
190	(02004)	WITHDRAWN
9	(02005)	Remanded with Direction
391	(02006)	DISMISSED
14	(02007)	Reversed & Remanded with Direction
16	(02008)	Vacated & Remanded with Direction
33	(02009)	REMANDED
0	(02010)	Aff'd-Part/Reversed-Part/Vacated/Remanded
1	(02011)	Aff'd-Part/Vacated-Part/Remanded w/Direction
4	(02012)	Affirmed-Part/Reversed-Part w/Direction
8	(02013)	Affirmed with Direction
6	(02014)	Reversed with Direction
0	(02015)	Appeal Dismissed Rule 27A & Rule 14
0	(02016)	Affirmed on Count 1/Reversed on Count 2
0	(02017)	Appeal Dismissed/ Case Remanded
5	(02018)	VACATED AND CASE REMANDED.
5	(02019)	Affirmed & Remanded w/Direction
1	(02020)	Affirmed in Accordance to Rule 36
24	(02021)	Reversed & Remanded
0	(02022)	Dismissed & Remanded

(CRIMINAL & CIVIL)

START MM-YY: 01-94      ENDING MM-YY: 12-94

TOTALS	CODE	JUDGMENT DESCRIPTION
72	(02023)	TRANSFERRED TO SUPREME COURT
0	(02024)	TRANSFERRED TO SUPERIOR COURT
0	(02025)	VACATED & TRANSFERRED TO SUPERIOR COURT
0	(02026)	AFF'D-PART/REV'D PART/REMANDED W/AMENDMENT
1	(02027)	AFF'D PART/DISMISSED IN PART
3	(02028)	AFFIRMED ON CONDITION
0	(02029)	AFF'D/SANCTIONS DENIED.
1	(02030)	REVERSED IN PART
0	(02031)	VACATED WITH DIRECTION
16	(02032)	AFF'D PART/REV'D PART/REMANDED W/DIRECTION
0	(02033)	REV'D IN PART; VACATED AND REMANDED IN PART
0	(02034)	AFF'D/SENTENCE VAC/REMANDED
0	(02035)	VACATED AND REINSTATED ON MFR
1	(02036)	REVERSED IN PART/DISMISSED IN PART
3	(02037)	VACATED IN PART/AFFIRMED IN PART
0	(02038)	AFF'D IN PART & REVERSED & REMANDED IN PART
0	(02039)	APPEAL DISMISSED IN PART/JUDGMENT AFF'D
8	(02040)	AFF. IN PART/REV. IN PART & REMANDED.
0	(02041)	REV. & REM. FOR PROCEEDINGS CNSTNT W/OPINION
0	(02042)	AFFIRMED WITH DAMAGES
1	(02043)	AFFIRMED IN PART
0	(02044)	AFF. IN PT/REV. IN PT & REM/MOT. DENIED

(CRIMINAL &amp; CIVIL)

START MM-YY: 01-94      ENDING MM-YY: 12-94

TOTALS	CODE	JUDGMENT DESCRIPTION
0	(02045)	RETURNED TO C/A
1	(02046)	CONVIC. AFF'D/SENTENCE AFF'D IN PT/VAC IN PT.
0	(02050)	AFF W/DIR. THAT PNTVE DMGS & ATT FEE BE STRIC
0	(02051)	REVERSED AND ORDER VACATED
0	(02052)	DISMISSED/MOTION FOR PENALTIES DENIED.
0	(02053)	EXP.GRANTED/SUP.BOND-AFF'D
2	(02054)	AFF'D IN PART/REMANDED W/DIRECTION
1	(02055)	DISMISSED/TRANSFERRED TO SUPREME COURT
0	(02056)	CERTIFIED QUESTION TO SUPREME COURT
0	(02057)	CONVICTION AFFIRMED/CASE REMANDED W/DIRECTION
1	(02058)	REV'D IN PART, VAC IN PART, CASE REMANDED
0	(02059)	N.O.I. PREMATURE/REMANDED BY S.C.
3	(02060)	DISMISSED/W/DIRECTION
2	(02061)	DISMISSED/REMANDED W/DIRECTION
1	(02062)	AFF'D IN PT/VAC/REMANDED IN PT.
1	(02063)	GRANTED IN PART & DENIED IN PART (SEE ORDER)
2	(02064)	AFF'D IN PT/CASE REMANDED
1	(02065)	CONVIC:AFF'D,SEN:AFF'D IN PT./((SEE S:05)
1	(02066)	APP.DENIED/REMANDED W/DIRECTION
0	(02067)	CASE PENDING
1	(02068)	VACATED/CASE REMANDED FOR RESENTENCING
1	(02069)	AFF'D IN PT./REV.IN PT./VAC.IN PT. W/DIR.

(CRIMINAL &amp; CIVIL)

START MM-YY: 01-94      ENDING MM-YY: 12-94

TOTALS	CODE	JUDGMENT DESCRIPTION
1	(02070)	CONVIC AFF'D, SEN REV & REM W/DIR
0	(02071)	DISMISSED AS MOOT
0	(02072)	CONVIC.AFF'D/SENTENCE VAC./REMANDED W/DIR.
0	(02073)	AFF'D IN PT/VAC.IN PT W/DIR.
5	(02099)	Affirmed and remanded
148	(02100)	INTERLOCUTORY APPLICATION GRANTED
255	(02101)	INTERLOCUTORY APPLICATION DENIED
39	(02102)	INTERLOCUTORY APPLICATION DISMISSED
0	(02103)	I/A DISMISSED OCGA S 9-11-56(h)
0	(02104)	I/A TRANSFERRED TO SUPREME COURT
0	(02105)	I/A MFR/DENIED
0	(02106)	I/A MFR/GRANT
0	(02107)	I/A WITHDRAWN
0	(02108)	CHANGED TO DISCRETIONARY
0	(02109)	REMANDED/RECORD RETURNED
0	(02110)	TRANSFERRED BACK FROM S.C.
0	(02111)	APPLICATION PENDING AFTER S.C.
137	(02200)	DISCRETIONARY APPLICATION GRANTED
355	(02201)	DISCRETIONARY APPLICATION DENIED
66	(02202)	DISCRETIONARY APPLICATION DISMISSED
1	(02203)	D/A DISMISSED OCGA S 5-6-35 (d)
0	(02204)	D/A TRANSFERRED TO SUPREME COURT

(CRIMINAL &amp; CIVIL)

START MM-YY: 01-94      ENDING MM-YY: 12-94

TOTALS	CODE	JUDGMENT DESCRIPTION
0	(02205)	D/A MFR/DENIED
0	(02206)	D/A MFR/GRANT
0	(02207)	D/A WITHDRAWN
0	(02208)	CHANGED TO INTERLOCUTORY
0	(02209)	I/A REMANDED TO SUPERIOR COURT
0	(02210)	REASSIGNED
0	(02211)	RECORD RETURNED
0	(02212)	AFF'D/SENTENCE REV'D/REM'D FOR RESENTENCING
0	(02213)	CERT WITHDRAWN
0	(02214)	WRIT VACATED
0	(02215)	USSC/VACATED AND REMANDED
3	(02216)	CASE REINSTATED
0	(02217)	CASE PENDING AFTER SUPREME COURT
0	(02218)	REMANDED/APPEAL PREMATURE
0	(02219)	SUPREME COURT JUDGMENT VACATED
4	(02220)	REMANDED/ RECORD RETURNED
2	(02300)	VACATED
1	(02301)	REVERSED AND REMANDED
0	(02303)	APPEAL MOOT
0	(02304)	CONVICTION AFFD/SENTENCE VAC IN PART.
0	(02305)	VACATED/MOTION TO DISMISSED DENIED.
1	(02306)	DISMISSED AS MOOT IN PART;AFF'D IN PART
0	(02500)	VACATED AND REMANDED BY THE UNITED STATES SC
0	(02501)	JUDGMENT VACATED/APPEAL WITHDRAWN
0	(026 )	
0	(02600)	PENDING IN USSC
0	(02601)	VACATED IN PART

ATE: 06/09/95

COURT OF APPEALS  
JUDGMENT STATISTICAL SUMMARY REPORT

(CRIMINAL & CIVIL)

START MM-YY: 01-94      ENDING MM-YY: 12-94

TOTALS	CODE	JUDGMENT DESCRIPTION
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TOTAL DECISIONS THIS PERIOD 3922

\* TOTAL OPINION: 2315 AVERAGE OPINION PER JUDGE = 257.2

\* TOTAL ORDER: 580 AVERAGE ORDER PER JUDGE = 64.4

\* DIRECT APPEALS ONLY

CERTIORARI: NOI = 0783 APPLICATION = 0655 GRANTED = 0058 DENIED = 0725

REHEARING: TOTAL FILED = 1164 GRANTED = 0036 DENIED = 1128

Following is the number of cases the Court of Appeals heard in the years indicated involving misdemeanors, workers compensation and administrative appeals.

<u>Year</u>	<u>Misdemeanors</u>	<u>Worker's Compensation</u>	<u>Administrative</u>
1995	123	59	23
1994	119	37	26
1993	140	39	69
1992	94	46	52
1991	95	45	46
<b>TOTAL</b>	<b>571</b>	<b>226</b>	<b>216</b>

These are the crimes that are set out in OCGA § 17-10-6.1, the so-called seven deadly sins. Murder is excluded because jurisdiction lies in the Supreme Court.

For purposes of this report, Sexual Battery and Child Molestation are included in with Aggravated Sexual Battery and Aggravated Child Molestation, since our docketing system makes no distinction in these crimes.

<u>Year</u>	<u>Armed Robbery</u>	<u>Kidnapping</u>	<u>Rape</u>	<u>Agg. Sodomy</u>	<u>Sexual Battery</u>	<u>Child Molestation</u>
1995	128	20	42	7	4	58
1994	121	10	31	7	4	93
1993	94	17	44	14	5	87
1992	87	12	42	6	3	77
1991	79	15	42	7	0	55
<b>TOTAL</b>	<b>509</b>	<b>74</b>	<b>201</b>	<b>41</b>	<b>16</b>	<b>370</b>

Below is a report of the number and the percent of civil and criminal filings in Court of Appeals from 1995 through 1991.

<u>Year</u>	<u>Civil Filings</u>	<u>Criminal Filings</u>	<u>% Civil</u>	<u>% Criminal</u>
1995	1805	1103	62%	38%
1994	1613	1123	59%	41%
1993	1532	1086	58%	42%
1992	1429	1020	59%	41%
1991	1305	960	58%	42%
<b>TOTAL</b>	<b>7684</b>	<b>5292</b>		

June 25, 1996

Court of Appeals  
Case Management System

Total Filings Worker's Compensation

<u>YEAR</u>	<u>TOTAL DISCRETIONARY APPLICATIONS FILED</u>	<u>TOTAL DISCRETIONARY APPLICATIONS GRANTED</u>
1995	184	59
1994	199	37
1993	142	39
1992	212	46
1991	<u>142</u>	<u>45</u>
TOTAL	879	226

July 10, 1996

**Court of Appeals  
Case Management System**

Total Filings Domestic Relation Cases

<u>Year</u>	<u>Total Discretionary Applications Files</u>	<u>Total Discretionary Applications Granted</u>
1995	52	13
1994	88	29
1993	74	20
1992	58	16
1991	59	12
<b>TOTAL</b>	<b>331</b>	<b>90</b>



# Court of Appeals

## Memorandum

To: Ms. Lee Little, Administrative Office of The Courts

From: *Bill Martin*  
Bill Martin

Subject: Case Type Filing Report - 1994 & 1995 - Court of Appeals of Georgia

Date: December 5, 1995

Attached please find the figures for the Court of Appeals which we discussed in our telephone conversation on December 4, 1995. As I stated in that conversation, the number of misdemeanors listed for 1994 and 1995 will be the minimum numbers. Currently, we are unable to determine by our computerized docketing system whether a theft case filed was a felony or a misdemeanor. Generally, most of the cases appealed to the Court of Appeals are felonies. However, involuntary manslaughter, obstruction of an officer, theft cases, VGCSA cases, fraud cases, and possibly others can be either felony or misdemeanor.

Also, as I discussed, the number of applications for 1995 seems lower than previous years, but that is because of the fact that the Court changed the docketing year during 1995.

Direct appeals operate on a docketing year of September 15 through September 15. In the past, the applications had been

9 1/2 min

docketed on a calendar year, from January 1 through December 31. In an effort to have the docketing year for applications and direct appeals end at the same time, we have basically only nine and a half months of applications docketed in 1995. A truer figure for the Court's activity in applications for 1995 would be to factor in the number of applications that would proportionately have been filed throughout the year that were filed in the first nine and a half months.

Thank you again for all of the hard work that you and Holley are doing in helping the Court of Appeals prepare this report. Should you have need of further information or if I can be of assistance to you, please do not hesitate to contact me.

Attachments

cc: Chief Judge Beasley ✓

Judge Johnson

CASE TYPE FILINGS REPORT - 1994 - 1995  
COURT OF APPEALS OF GEORGIA

<u>CRIMINAL CASE TYPE FILINGS</u>	<u>1994</u>	<u>1995</u>
<u>FELONIES</u>		
VGCSA	243	234
Burglary/Arson/Auto Theft	100	72
Robbery/Armed Robbery	139	145
Child Molestation/Child Cruelty	106	69
Aggravated Assault/Terroristic Threats	103	113
Rape/Statutory Rape/Kidnapping	48	65
Vol. Mans./Invol. Mans./Veh. Homicide	40	29
Sodomy/Incest	12	11
Theft/Fraud/Forgery	51	65
Other (RICO, Escape, H.V. Conspiracy, Crim. Attempt, Impersonating an Officer, etc.)	<u>35</u>	<u>25</u>
TOTAL	877	828
<u>MISDEMEANORS</u>		
DUI	76	77
Other Traffic	13	13
Simple Assault/Battery	25	23
Other (Prostitution, Discharge of Firearms, P.D., Giving False Name, etc.)	5	9
TOTAL	119	123
<u>JUVENILE</u>		
Delinquency	13	28
Underage/Alcohol	<u>          </u>	<u>1</u>
TOTAL	13	29
<u>MOTIONS</u>		
Motions/Special Proceedings	<u>114</u>	<u>123</u>
TOTAL	114	123
<u>TOTAL CRIMINAL CASE TYPE FILINGS</u>		
TOTAL	1133	1103

CASE TYPE FILINGS REPORT - 1994 - 1995  
COURT OF APPEALS OF GEORGIA

<u>CIVIL CASE TYPE FILINGS</u>	<u>1994</u>	<u>1995</u>
Administrative	26	23
Torts	581	642
Dispossessories	69	83
Banking/Corporations	20	28
Trusts & Estates	51	54
Contracts	427	487
Domestic Relations	105	127
Real Property	89	57
Eminent Domain/Condemnation	36	40
Tax/Revenue	24	30
Independent Motions/Special Proceedings (Worker's Comp., Garnishment, Injunctions, Arbitration, Motions, etc.)	<u>205</u>	<u>234</u>
TOTAL	1613	1805

CASE LOAD SUMMARY

HISTORY SET =	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985
DIRECT APPEALS:	2884	2842	2601	2455	2265	2384	2360	2306	2071	2666	1946
% VARIANCE:	1.4	8.5	5.6	7.7	5.3-	1.0	2.3	10.2	28.7-	27.0	9.7-
AVG. CASES PER JUDGE:	320.4	0315	0289	0272	0251	0264	0262	0256	0230	0296	0216
<sup>1</sup> DISCRETIONARY APPL.:	0421	0611	0475	0471	0430	0394	0408	0356	0342	0313	0298
% VARIANCE:	31.0-	22.3	.8	8.7	8.4	3.6-	12.7	3.9	8.5	4.8	5.4-
AVG. CASES PER JUDGE:	46.7	0067	0052	0052	0047	0043	0045	0039	0038	0034	0033
<sup>1</sup> INTERLOCUTORY APPL.:	0330	0458	0450	0486	0450	0400	0401	0361	0391	0313	0343
% VARIANCE:	27.9-	1.7	7.4-	7.4	11.1	.3-	10.0	8.3-	19.9	9.6-	4.7
AVG. CASES PER JUDGE:	36.6	0050	0050	0054	0050	0044	0044	0040	0043	0034	0038
TOTAL MATTERS DOCT:	3635	3911	3526	3412	3145	3178	3169	3023	2804	3292	2587
AVG. CASES PER JUDGE:	403.8	0434	0391	0379	0349	0353	0352	0335	0311	0365	0287

<sup>1</sup> Discretionary and interlocutory applications represent filings from January 1, 1995 through September 15, 1995. In 1994 the application filings were from January 1 - December 31, 1994. The change was made in 1995 to put applications on the same docket year as direct appeals, i.e., September 15 to September 15 each year.

*Court of Appeals  
Case Management System  
Case Workload Summary 1991 through 1995*

YEAR	FILINGS	TOTAL FILED	SIGNED PUB OPINIONS	NONPUB+ RULE 36&33b	TOTAL CPMPAMION	TOTAL ORDER
91	DIRECT	2264	1177	0	92	357
91	DISC APP.	429				
91	INTR. APP.	449				
	<b>TOTAL FILED</b>	<b>3142</b>				
	<b>*TOTAL DISPOSITIONS</b>	<b>2451</b>				
92	DIRECT	2449	1844	17	172	432
92	DISC APP.	473				
92	INTR APP.	486				
	<b>TOTAL FILED</b>	<b>3408</b>				
	<b>*TOTAL DISPOSITIONS</b>	<b>3427</b>				
93	DIRECT	2608	1736	273	161	515
93	DISC APP.	475				
93	INTR APP.	453				
	<b>TOTAL FILED</b>	<b>3536</b>				
	<b>*TOTAL DISPOSITIONS</b>	<b>3615</b>				
94	DIRECT	2842	1340	768	189	574
94	DISC APP	611				
94	INTR APP	458				
	<b>TOTAL FILED</b>	<b>3911</b>				
	<b>*TOTAL DISPOSITION</b>	<b>3897</b>				
95	DIRECT	2883	1043	989	213	649
95	DISC APP	419				
95	INTR APP	330				
	<b>TOTAL FILED</b>	<b>3632</b>				
	<b>*TOTAL DISPOSITION</b>	<b>3970</b>				

\*Includes application dispositions.

Dist. Ct. & App. Ct., 8/22/96 to 3/97,  
+ Weekly Summary

*Court of Appeals  
Case Management System  
Case Workload Summary 1991 through 1995*

YEAR	FILINGS	TOTAL FILED	SIGNED PUB OPINIONS	NONPUB RULE 36&33b	TOTAL COMPANION	TOTAL ORDER
91	DIRECT	2264	1003	177	89	355
91	DISC APP.	429				
91	INTR. APP.	449				
	<b>TOTAL FILED</b>	<b>3142</b>		<b>TOTAL CASES DISPOSED</b>		<b>1624*</b>
92	DIRECT	2449	1531	65/206	157	431
92	DISC APP.	473				
92	INTR APP.	486				
	<b>TOTAL FILED</b>	<b>3408</b>		<b>TOTAL CASES DISPOSED</b>		<b>2464*</b>
93	DIRECT	2608	1588	156/277	149	515
93	DISC APP.	475				
93	INTR APP.	453				
	<b>TOTAL FILED</b>	<b>3536</b>		<b>TOTAL CASES DISPOSED</b>		<b>2685*</b>
94	DIRECT	2842	1377	194/574	152	575
94	DISC APP	611				
94	INTR APP	458				
	<b>TOTAL FILED</b>	<b>3911</b>		<b>TOTAL CASES DISPOSED</b>		<b>2872*</b>
95	DIRECT	2883	1111	239/749	137	648
95	DISC APP	419				
95	INTR APP	330				
	<b>TOTAL FILED</b>	<b>3632</b>		<b>TOTAL CASES DISPOSED</b>		<b>2884*</b>

\*DIRECT APPEALS ONLY



# Court of Appeals

## Memorandum

To: All Judges

From: Mary Jo Stephens *MS*

Subject: Caseload Status Report

Date: June 16, 1996

At the close of the docket for the September, 1995 call (on July 17, 1995) there were approximately 261 cases docketed per judge. A total of 2349 cases to date.

At the close of the docket for the September, 1996 call (on June 16, 1996) there were approximately 237 cases per judge. A total of 2130 cases to date.

We are approximately 5 days ahead of 1995 in docketing.

~~cc: Bill Martin~~

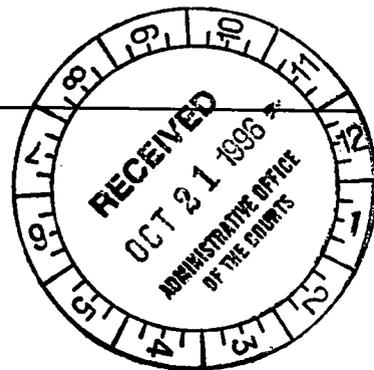
We closed the Sept. 95 docket one month later in 1995 than in 1996 (July 17, 1995 as compared to June 16, 1996).



# Court of Appeals

## Memorandum

To: HOLLY SPARROW  
From: *WJ*  
BILL MARTIN  
Subject: ANNUAL REPORT ON THE WORK OF THE GEORGIA COURTS  
Date: October 17, 1996



Attached please find the submission for the Court of Appeals of Georgia on the Annual Report on the Work of the Georgia Courts. Please include a copy of the report in your next report to the members of the Georgia Commission on the Appellate Courts.

If you have any questions, please feel free to contact me.

Attachment

cc: Chief Judge Beasley

ANNUAL REPORT ON THE WORK OF THE GEORGIA COURTS  
1996  
COURT OF APPEALS OF GEORGIA

In 1907, following an amendment to the Constitution of Georgia by the voters, the Court of Appeals was created to alleviate the onerous caseload burden of the Georgia Supreme Court. Today, the Court of Appeals has become one the busiest appellate courts in the nation, having more signed opinions per judge than almost any other appellate court.

Additionally, it is among the appellate courts with highest number of cases filed per judge per year. Constitutionally, the Court of Appeals has jurisdiction over appeals from superior, state and juvenile courts in all cases where exclusive or general jurisdiction is not reserved to the Supreme Court. Included in these cases are claims for civil damages in all type of tort and contract cases, child custody and deprivation cases, termination of parental rights, workers' compensation and other administrative law cases and all criminal cases other than murder cases. The court may certify legal questions to the Supreme Court, but very rarely does so.

From 1961 until 1996, nine judges served on the Court of Appeals. In 1996, the General Assembly of Georgia created a tenth judge for the Court of Appeals, which position was filled by the Governor's appointment on July 16, 1996 of Judge Frank M. Eldridge.

The Court of Appeals continues to operate in panels of three judges each. Direct appeals are assigned on an equal random basis to each judge. The Chief Judge rotates among the three

panels serving with each panel during one of the court's terms which begin in September, January, and April.

Chief Judge Dorothy Toth Beasley, who is the only woman to ever serve on the Court of Appeals of Georgia, became the court's 17th Chief Judge when she was sworn in on January 5, 1995. In addition to appointing the three Presiding Judges and making the panel assignments each year, the Chief Judge is responsible for the administration of the court and representing the Court before the other two branches of government, before other parts of the judicial branch, and to the public. The Chief Judge, along with the Presiding Judges, form the Executive Council which decides and/or advises on certain administrative and policy matters of the court.

Like the Supreme Court, the Georgia Court of Appeals is mandated by the Constitution to decide cases in the term which they were docketed for hearing or the next term, (the "two term" rule). Otherwise, the case is affirmed by operation of law. It is believed that no case has ever been so affirmed.

Panel decisions are final unless a judge dissents. In that case, under the amendment of OCGA §15-3-1 which created the tenth judge, the case will be decided by a seven-judge court. The panel to which the case was originally assigned, the next panel in rotation and a seventh judge, usually the chief judge, will make the determination. Whenever the court deems it appropriate, the case may be heard by all ten judges. In the event the judges are equally divided, the case is transferred to the Supreme Court of Georgia for a decision.

In 1996, the court began utilizing the services of Senior Appellate Court Judge Harold R. Banke as permitted by OCGA §§15-1-9.2 and 15-3-1.

There are approximately 3,000 direct appeals filed with the Court each year. Approximately 40 percent of the Court's caseload involves criminal matters. Approximately 12 percent of ~~all criminal cases are reversed and as are approximately 15~~ percent of all civil cases.

There are approximately 1,000 applications filed with the Court each year, about 55 percent of which are discretionary and 45 percent of which are interlocutory. The Court grants between 20 - 25 percent of discretionary applications and 30 - 35 percent of interlocutory applications. The overall percentage of applications granted is approximately 25 percent.

The Court grants approximately 3 - 4 percent of the motions for reconsideration filed with the Court.

COURT OF APPEALS CASELOAD: 1993, 1994 and 1995

<u>Filed</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>
Appeals	2,601	2,842	2,883
Discretionary applications	479	611	419
Interlocutory applications	450	458	333
<b>Total</b>	<b>3,530</b>	<b>3,911</b>	<b>3,635</b>

<u>Disposed</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>
Appeals			
By opinion	2,183	2,315	1,860
By order	512	580	648
Rule 36			239
Total			2,747
Discretionary applications			
Granted	127	132	117
Denied	296	340	382
Dismissed	51	64	37
Transferred to Supreme Court	0	15	10
Withdrawn	1	4	1
Changed to Interlocutory	4	0	0
Total	479	555	547
Interlocutory applications			
Granted	142	139	159
Denied	247	244	248
Dismissed	49	37	68
Transferred to Supreme Court	1	2	3
Withdrawn	0	1	1
Total	440	423	479
<b>Total</b>	<b>3,614</b>	<b>3,873</b>	<b>3,773</b>

CASELOAD: COURT OF APPEALS, Direct Appeals 1981 to 1996

Year	Total Direct Appeals	Cases per Judge
1996*	2546	283
1995	2884	320
1994	2842	314
1993	2608	290
1992	2449	272
1991	2265	252
1990	2384	265
1989	2359	262
1988	2151	239
1987	2183	243
1986	2003	222
1985	1946	216
1984	2136	237
1983	2214	246
1982	2125	236
1981	2112	235

\* Reflects 11 month docketing period (necessitated by change in oral argument rule.) Other years reflect 12 month docketing period. An average of 250 to 275 cases are docketed per month. Thus, an approximation of the number of direct appeals for 1996 is 2800.