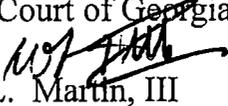


Court of Appeals

Memorandum

To: Ms. Jane Hansen
Public Information Officer
Supreme Court of Georgia

From: 
William L. Martin, III

Subject: Chief Justice State of the Judiciary Address

Date: January 23, 2009

Attached please find the latest statistics from the National Center for State Courts regarding Intermediate Appellate Courts and the caseload rankings. I believe Georgia actually ranks higher than fourth and eighth respectively. Two of the courts ahead of Georgia are Pennsylvania courts which have a unique situation where administrative appeals which normally would be handled by the Office of State Administrative Hearings in Georgia are handled by their "appellate courts" and counted as appellate cases.

I am not sure what the situation with Indiana is, but I would suggest that court also hears as appellate cases what would be state administrative hearings in Georgia since the Court of Appeals of Indiana consist of a chief judge, five presiding judges, eleven judges and five senior judges. When you compare Georgia's population of 9.3 million to Indiana's population of 6.3 million, it does not seem plausible that Indiana is handling the same type of substantive appeals and that the Court of Appeals of Georgia is handling, with only 12 judges.

In the future, I would appreciate if the initial request could go directly to the Chief Judge, rather than to me. The Chief Judge will then delegate the proper person to make the response.

If you have any questions about the figures or otherwise, please do not hesitate to contact me.

Thank you.

/ld

cc: Chief Judge M. Yvette Miller
bcc: 

STATE INTERMEDIATE APPELLATE COURTS

State	2006 Filings per Judge	Rank	2006 Opinions per Judge	Rank
Alabama Civil	216	11	41	25
Alabama Criminal	484	2	18	32
Alaska	125	33	20	30
Arizona	169	24	5	39
Arkansas	123	35	65	18
California	211	12	111	5
Colorado	172	23	101	9
Connecticut	113	37	28	27
Florida	400	4		
Georgia	275	8	133	4
Hawaii	53	45	10	36
Idaho	191	17	53	22
Illinois	151	28	14	34
Indiana Appeals	167	25	167	3
Indiana Tax	114	36	27	28
Iowa	109	38	107	8
Kansas	185	19	81	14
Kentucky	190	18	108	7
Louisiana	143	30	46	24
Maryland Special Appeals	201	14	14	34
Massachusetts	105	39	10	36
Michigan	284	7	5	39
Minnesota	150	29	94	11
Mississippi	59	44	62	20
Missouri	125	33	57	21
Nebraska	219	10	87	12
New Jersey(Appellate Div. Superior Court)	207	13	9	38
New Mexico	98	41	19	31
New York Appellate Divisions	178	20		
New York Appellate Terms	157	27		
North Carolina	174	22	100	10
North Dakota				
Ohio	167	25	111	5
Oklahoma Civil	72	43		
Oklahoma Criminal	273	9		
Oregon	352	5	48	23
Pennsylvania Commonwealth	433	3	183	2
Pennsylvania Superior			332	1
South Carolina	192	16	69	16
Tennessee Appeals	82	42	86	13
Tennessee Criminal Appeals	104	40	68	17
Texas Court of Appeals (Civil Appeals)	140	31		
Texas Court of Criminal Appeals	987	1	27	28
Utah	139	32	18	32
Virginia	292	6	36	26
Washington	175	21	65	18
Wisconsin	192	15	78	15
Total	9148		2713	
Average	203.2889		67.825	

Note: There are multiple intermediate appellate courts in some states. This is a comparison of courts not states.

Data Sources: Filing and Opinion Figures from State Court Caseload Statistics 2007,
National Center for State Courts

From: Holly Sparrow
To: George W. Snyder
Subject: Re: statistics

Good Morning George,

There are 50 cases which were vacated or vacated in part which are included with the affirmed and reversed. There are also 4 other dispositions which are uncategorized. That 54 makes the 1717 total come to 1771. I probably should remove the 4 since they most likely should not be included in the cases decided on the merits. So it would be 20.5% (362 out of 1767) and you should add 4 other dispositions to the list of excluded cases.

>>> "Snyder, George W." <gwsnyder@co.dekalb.ga.us> 8/10/2009 6:41 PM >>>
Holly, many thanks. I really appreciate the quick work.

As I mentioned on the phone, I had already looked up some items on the website, so I have a question as a result of comparing what you sent w/ what I already had: the website shows 764 crim. aff'd & 591 civil aff'd, which totals 1355; and when that is added to the 362 cases shown as rev'd on what you faxed, one gets a total of 1717 merits dispositions (vs. the 1771 total shown on what you faxed).

Again, many thanks.

George

Percentage of Applications Granted in the Court of Appeals

Discretionary Applications 22.7% granted (113 out of 497)
(excludes 21 cases transferred to the Supreme Court)

Interlocutory Applications 31.5% granted (106 out of 336)
(excludes 3 cases transferred to the Supreme Court)

Reversal Rate in the Court of Appeals

(cases decided on the merits)

All cases: ²³³~~20.4%~~ ⁴¹²~~(362~~ out of ¹⁷⁶⁷~~1771)~~ (includes as reversals 158 cases reversed in part and 50 cases vacated or vacated in part; excludes 471 cases dismissed, 111 cases withdrawn, 57 cases transferred to the Supreme Court, 52 cases remanded and 1 case dismissed as moot)

Percentage of Requests for Oral Argument Granted in the Court of Appeals

2007: 38% (141 out of 375)

2008: 37% (118 out of 321)

App. 2

GEORGIA APPELLATE PRACTICE

Discretionary Applications—Misc.: 23.6% (26 out of 42)

Percentage of Applications Granted in the Court of Appeals

22.7% (113 out of 497)

Discretionary Applications: 24.8% granted (101 out of 408) (excludes 37 cases transferred to the Supreme Court)

Interlocutory Applications: 30.2% granted (104 out of 344) (excludes 7 cases transferred to the Supreme Court)

Requests for Oral Argument 37% (175 out of 476)

Reversal Rate in the Court of Appeals

20.4% (cases decided on the merits)

All cases... of 1,877) (includes as reversals part and 60 cases vacated or les 388 cases dismissed, 127 es transferred to the Supreme l to a superior court, 56 cases mitted as moot)

Argument Granted in the Appeals

TO BE DONE TODAY
ACTION LIST

George Snider 4/371-2858

app practice

2008-2009

deadline
Aug. 21st

statistics

(41 of 375)

ugh: October 2007)

f oral arguments over pre- s. E-mail from Hon. Holly puty Administrator, Geor- f Appeals (November 13,

one Conference with arrow, Deputy Adminis- a Court of Appeals (No- 17):

362
209
158

APPENDI
Timetable

- A. Determine discretiona
- B. Determine
- C. Post-judgn
 - 1. Genera
 - (a) D
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 - (b) Fi
 - 5;
 - (c) D
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 - in
 - 2. Motion
 - (a) Fi
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 - (g) Pr
 - 3. Motion
 - (a) M
 - (b) Fi
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 - 4. Motion
 - (a) Fi
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 - 5. Extraor
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oo Moot
Dismissed 1
Dismissed 47
Withdrawn 111
Transferred 57
Remanded 52



STATE COURT OF DEKALB COUNTY

DEKALB COUNTY COURTHOUSE

556 N. McDONOUGH STREET

DECATUR, GEORGIA 30030

CHAMBERS OF
JOHNNY PANOS
JUDGE

TELEPHONE 404/371-2354

FACSIMILE 404/687-3574

jpamos@co.dekalb.ga.us

TRANSMISSION COVER SHEET

DATE: 8/10/09

TO: Holly Sparrow

FAX # 404-1651-6187

FROM: ~~Judge Johnny Panos~~ George Snyder
Office #404-371-2354 Staff Atty
Fax #404-687-3574 7858

OF PAGES (INCLUDING COVER SHEET): 2

Many thanks!

From: "Snyder, George W." <gwsnyder@co.dekalb.ga.us>
 To: "Holly Sparrow" <SPARROWH@appeals.courts.state.ga.us>
 Date: 8/11/2009 12:15 PM
 Subject: RE: statistics

OK, so then the reversal rate appears to be 23.3% (412/1767). But a final (hopefully) question is what about the 158 figure in what you faxed vs. the 103 figure in the last para. of my last e-mail?

-----Original Message-----

From: Holly Sparrow [mailto:SPARROWH@appeals.courts.state.ga.us]
 Sent: Tuesday, August 11, 2009 11:40 AM
 To: Snyder, George W.
 Subject: RE: statistics

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>>> "Snyder, George W." <gwsnyder@co.dekalb.ga.us> 8/11/2009 10:58 AM
 >>>

1767

Holly, thanks, but it seems to me that there is still a discrepancy even after the 1771 is changed to 1767, as the no. of reversals (including those reversed only in part and those vacated in whole or in part) is still given as 362, and when 1355 affirmances are added the total is still only 1717.

I'm thinking that perhaps the 362 should be 412, and I base that on the note following the last of the 3 pie charts on the website. That note indicates, in effect, that there are 362 total and partial reversals, so the 50 vacations would bring that total to 412. Specifically, it gives the total no. of dispositions as 2463, and the percentage of reversals - partial and otherwise - as 14.7, and the only way that can be true is if the no. of such reversals is 362. (Similarly, it shows the percentage of vacated as 2.0, and the only way that can be true is if the no. of vacated is 50.)

Additionally, it says the partial affirmances are 4.2% of the total - i.e., 103. It also says that without the partial affirmances, the reversed category would be 10.5% of the total or 259. And when you add 103 and 259 it tallies at 362 reversals, total and partial.

George

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To: "Holly Sparrow" <SPARROWH@appeals.courts.state.ga.us>
Date: 8/11/2009 2:04 PM
Subject: RE: statistics

Holly, actually, it just dawned on me that the 103 figure cd., instead, be 104, as that wd. also produce the percentage indicated in the note to the last of the pie charts of 4.2%. This is tantalizing because the difference betw. 158 & 104 is 54, which is also the sum of 50 vacated at least in part & 4 uncategorized non-merits dispositions.

George

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