

Supreme Court of Alabama

Annual Statistics

**For The Fiscal Year
Ending September 30, 2010**

Table I. Filings and Dispositions

	09/30/2006	09/30/2007	09/30/2008	09/30/2009	09/30/2010
Filings					
Certiorari Petitions	785	725	710	793	839
Original Decisions	1081	1106	1020	1017	950
Total	1866	1831	1730	1810	1789
Dispositions					
Certiorari Petitions	821	723	687	756	914
Original Decisions	1019	1086	1076	1056	1073
Total	1840	1809	1763	1812	1987
Pending (Year End)	966	988	955	953	755
Throughput	98.61%	98.80%	101.91%	100.11%	111.07%

Cases before the Supreme Court seeking decisions on petitions for writs for certiorari to the Court of Civil Appeals and the Court of Criminal Appeals are proceedings seeking discretionary review by the Supreme Court after the case has been decided by a trial court and reviewed on direct appeal by an intermediate appellate court.

Cases before the Supreme Court seeking original decisions consist of direct appeals (proceedings seeking review of a judgment of a trial court in this Court in civil cases where the amount in controversy exceeds \$50,000 or the relief sought is equitable), petitions for extraordinary writs (proceedings seeking review of orders entered during the pendency of a proceeding in a trial court or appellate court), petitions for permission to appeal (proceedings seeking review of a question of law arising during the pendency of a proceeding in a trial court), granted writs in petitions for certiorari (proceedings after this Court has determined further review is warranted of a decision by an intermediate appellate court), and certified questions from federal courts (proceedings where a federal court has referred a question of Alabama law arising in a case before the federal court to this Court for resolution).

After cases are filed with the Supreme Court, they undergo a period for preparation of the record on appeal and the filing of briefs. Once this process is completed, cases are randomly assigned to the Justices for research and the preparation of the Court's decision.

On November 17, 2003, the Supreme Court of Alabama adopted the Alabama Appellate Mediation Rules, which govern the procedure for referring appeals to appellate mediators. Those rules became effective on January 1, 2004, and the program has been successful in both the Supreme Court and the Court of Civil Appeals, having a substantial impact upon the number of cases assigned for decision.

Table II. Number of cases assigned to Justices and pending decisions on petitions of certiorari and original decisions.

	09/30/2006	09/30/2007	09/30/2008	09/30/2009	09/30/2010
Cobb, C.J.					
Certiorari petitions	n/a	1	3	16	9
Original decisions	n/a	20	13	17	9
Lyons, J.					
Certiorari petitions	7	9	10	14	10
Original decisions	10	15	12	9	7
Woodall, J.					
Certiorari petitions	7	7	9	13	8
Original decisions	13	7	10	11	6
Stuart, J.					
Certiorari petitions	5	9	10	12	11
Original decisions	13	9	10	13	23
Smith, J.					
Certiorari petitions	19	20	25	15	12
Original decisions	41	43	27	21	13
Bolin, J.					
Certiorari petitions	18	18	21	26	12
Original decisions	58	53	41	25	11
Parker, J.					
Certiorari petitions	54	42	48	64	40
Original decisions	65	87	89	73	39
Murdock, J.					
Certiorari petitions	n/a	29	31	35	33
Original decisions	n/a	50	57	41	31
Shaw, J.					
Certiorari petitions	n/a	n/a	n/a	48	58
Original decisions	n/a	n/a	n/a	33	26
Former Justices ¹					
Certiorari petitions	29	22	20	n/a	n/a
Original decisions	54	27	25	n/a	n/a
Division Staff ²					
Certiorari petitions	n/a	n/a	6	3	4
Original decisions	n/a	n/a	4	8	9
Total	393	468	471	497	371

¹ Cases assigned to former Justices that are no longer active.

² In September 2008 Justice Parker, in order to deal with a substantial backlog of cases assigned to him, agreed to the transfer of responsibility for disposition of his oldest cases to the Chief Justice and the two most Senior Associate Justices who would supervise two staff attorneys. In order to make funds available for the employment of such staff attorneys, Justice Parker also agreed to a reduction of his staff to a judicial assistant and one staff attorney.

Table III. Number of cases assigned to Justices upon assuming office.

Justice	# Pending Cases	Date Assumed Office
Cobb, C.J. Certiorari decisions Original decisions	3 13	01/15/07
Smith, J. Certiorari decisions Original decisions	25 29	01/17/05
Bolin, J. Certiorari decisions Original decisions	25 36	01/17/05
Parker, J. Certiorari decisions Original decisions	25 33	01/17/05
Murdock, J. Certiorari decisions Original decisions	8 28	01/15/07
Shaw, J. Certiorari decisions Original decisions	4 37	01/19/09

The above table reflects the initial caseload assigned to the Justices that assumed office during the period covered by this report. When each Justice assumes office, he or she assumes responsibility for the cases previously assigned to other members of the Court. At that time, their caseload consisted primarily of these type cases.

Table IV. Average number of days between the assignment of cases and the release of decisions.

	09/30/2006	09/30/2007	09/30/2008	09/30/2009	09/30/2010
Cobb, C.J.					
Certiorari petitions	n/a	54	62	57	79
Original decisions	n/a	164	200	156	204
Lyons, J.					
Certiorari petitions	39	36	38	42	43
Original decisions	96	76	81	92	87
Woodall, J.					
Certiorari petitions	40	35	45	38	35
Original decisions	70	84	85	85	51
Stuart, J.					
Certiorari petitions	35	34	38	39	34
Original decisions	82	94	80	92	85
Smith, J.					
Certiorari petitions	130	84	111	82	53
Original decisions	300	286	289	217	116
Bolin, J.					
Certiorari petitions	69	84	108	96	69
Original decisions	308	371	344	259	129
Parker, J.					
Certiorari petitions	209	176	231	217	214
Original decisions	355	347	439	534	590
Murdock, J.					
Certiorari petitions	n/a	69	97	141	138
Original decisions	n/a	197	315	362	349
Shaw, J.					
Certiorari petitions	n/a	n/a	n/a	80	220
Original decisions	n/a	n/a	n/a	134	252
Division Staff³					
Certiorari petitions	n/a	n/a	n/a	68	100
Original decisions	n/a	n/a	n/a	86	68
Average For The Court					
Certiorari petitions	82	76	91	78	98
Original decisions	168	170	215	199	171

³ See Footnote 2.

Table V. Number of decisions released.

	09/30/2006	09/30/2007	09/30/2008	09/30/2009	09/30/2010
Cobb, C.J.					
Certiorari petitions	n/a	17	44	34	54
Original decisions	n/a	12	27	25	27
Lyons, J.					
Certiorari petitions	89	83	76	86	95
Original decisions	56	47	56	51	47
Woodall, J.					
Certiorari petitions	91	82	76	87	99
Original decisions	50	53	47	46	48
Stuart, J.					
Certiorari petitions	84	77	72	83	91
Original decisions	50	56	47	50	53
Smith, J.					
Certiorari petitions	105	79	69	98	93
Original decisions	58	34	56	49	53
Bolin, J.					
Certiorari petitions	81	77	71	84	106
Original decisions	44	49	58	55	49
Parker, J.					
Certiorari petitions	90	93	62	25	104
Original decisions	26	20	33	28	24
Murdock, J.					
Certiorari petitions	n/a	33	77	87	95
Original decisions	n/a	12	41	59	55
Shaw, J.					
Certiorari petitions	n/a	n/a	n/a	28	80
Original decisions	n/a	n/a	n/a	31	45
Division Staff⁴					
Certiorari petitions	n/a	n/a	n/a	51	13
Original decisions	n/a	n/a	n/a	24	49

These statistics do not reflect the following activities: (a) the Court often renders decisions on matters that are disposed of by a panel of the Court or the entire Court without assignment to a Justice; (b) a Justice may write a separate opinion in a case in which that Justice concurs specially, concurs in the result, or dissents; and (c) all Justices have administrative responsibilities.

In its normal operation, the Court sits in two panels, each of which is composed of the Chief Justice and four Justices in alternating seniority. Thus, many cases can be disposed of by the vote of five Justices without requiring the participation of the other four Justices. Because the Chief Justice is required to participate in the case disposition in both panels, and because she has significant additional administrative duties, the Court's Internal Rule III.B.2. provides that she is assigned 1 of every 17 cases from each of the Court's assignment rosters, rather than 1 of every 9 cases. The Chief

⁴ See Footnote 2.

Justice's and Justice Shaw's output for dispositions in the first year of their terms is also skewed downward by the fact that, as former Judges on the Court of Criminal Appeals, they were recused from most of the petitions for certiorari seeking review of the opinions of that court.

The number of released cases reflected above for a Justice in the year in which said Justice assumed office (See Table III) reflects cases released during a period of less than 12 months.

Table VI. Average number of days in which cases with decisions were pending.

	09/30/2006	09/30/2007	09/30/2008	09/30/2009	09/30/2010
Certiorari Petitions	96	85	104	106	111
Original Decisions	333	320	363	396	377

These statistics refer to the initial release of a decision in a case. The certificate of judgment indicating final disposition of a case is not issued until 14 days later, unless an application for rehearing is filed. In such event, additional time is necessary to issue a ruling on the application for rehearing.

The number of days pending in this Court includes the time necessary for preparation of the record on appeal and the filing of briefs. These events occur before the assignment of the case to a Justice for preparation and circulation of a proposed opinion. The number of days pending also includes the time expended while awaiting special concurrences or dissents of other Justices after a majority of the Court has concurred in the release of a proposed opinion.