

# **Supreme Court of Alabama**

**Annual Statistics**

**For The Fiscal Year  
Ending September 30, 2011**

## Table I

### Filings and Dispositions.

	09/30/2007	09/30/2008	09/30/2009	09/30/2010	09/30/2011
<b>Filings</b>					
Certiorari petitions	725	710	793	839	646
Original decisions	1106	1020	1017	950	914
Total	1831	1730	1810	1789	1560
<b>Dispositions</b>					
Certiorari petitions	723	687	756	914	713
Original decisions	1086	1076	1056	1073	941
Total	1809	1763	1812	1987	1654
<b>Pending (Year End)</b>	988	955	953	755	683
<b>Throughput</b>	98.80%	101.91%	100.11%	111.07%	106.02%

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 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.**

	09/30/2007	09/30/2008	09/30/2009	09/30/2010	09/30/2011
<b>Malone, C.J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	9
Original decisions	n/a	n/a	n/a	n/a	14
<b>Woodall, J.</b>					
Certiorari petitions	7	9	13	8	6
Original decisions	7	10	11	6	10
<b>Stuart, J.</b>					
Certiorari petitions	9	10	12	11	6
Original decisions	9	10	13	23	6
<b>Bolin, J.</b>					
Certiorari petitions	18	21	26	12	6
Original decisions	53	41	25	11	13
<b>Parker, J.</b>					
Certiorari petitions	42	48	64	40	24
Original decisions	87	89	73	39	34
<b>Murdock, J.</b>					
Certiorari petitions	29	31	35	33	24
Original decisions	50	57	41	31	17
<b>Shaw, J.</b>					
Certiorari petitions	n/a	n/a	48	58	34
Original decisions	n/a	n/a	33	26	17
<b>Main, J.</b>					
Certiorari decisions	n/a	n/a	n/a	n/a	14
Original decisions	n/a	n/a	n/a	n/a	21
<b>Wise, J.</b>					
Certiorari decisions	n/a	n/a	n/a	n/a	18
Original decisions	n/a	n/a	n/a	n/a	26
<b>Former Justices<sup>1</sup></b>					
Certiorari petitions	22	20	45	31	n/a
Original decisions	27	25	47	29	n/a
<b>Division Staff<sup>2</sup></b>					
Certiorari petitions	n/a	6	3	4	n/a
Original decisions	n/a	4	8	9	n/a
<b>Total</b>	468	471	497	371	293

<sup>1</sup> Cases assigned to former Justices that are not longer active.

<sup>2</sup> 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. In November 2010, the Division Staff was disbanded and Justice Parker's staff was restored.

**Table III.**

**Number of cases assigned to Justices upon assuming office.**

	<b># Pending Cases</b>	<b>Date Assumed Office</b>
<b>Malone, C.J.</b> Certiorari petitions Original decisions	8 15	08/01/2011
<b>Bolin, J.</b> Certiorari petitions Original decisions	25 36	01/17/2005
<b>Parker, J.</b> Certiorari petitions Original decisions	25 33	01/17/2005
<b>Murdock, J.</b> Certiorari petitions Original decisions	8 28	01/15/2007
<b>Shaw, J.</b> Certiorari petitions Original decisions	4 37	01/19/2009
<b>Main, J.</b> Certiorari petitions Original decisions	1 26	01/14/2011
<b>Wise, J.</b> Certiorari petitions Original decisions	3 28	01/17/2011

The above table reflects the initial caseload assigned to sitting 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.**

	09/30/2007	09/30/2008	09/30/2009	09/30/2010	09/30/2011
<b>Malone, C.J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	40
Original decisions	n/a	n/a	n/a	n/a	59
<b>Woodall, J.</b>					
Certiorari petitions	35	45	38	35	33
Original decisions	84	85	85	51	65
<b>Stuart, J.</b>					
Certiorari petitions	34	38	39	34	34
Original decisions	94	80	92	85	69
<b>Bolin, J.</b>					
Certiorari petitions	84	108	96	69	35
Original decisions	371	344	259	129	84
<b>Parker, J.</b>					
Certiorari petitions	176	231	217	214	146
Original decisions	347	439	534	590	366
<b>Murdock, J.</b>					
Certiorari petitions	69	97	141	138	148
Original decisions	197	315	362	349	250
<b>Shaw, J.</b>					
Certiorari petitions	n/a	n/a	80	220	261
Original decisions	n/a	n/a	134	252	203
<b>Main, J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	39
Original decisions	n/a	n/a	n/a	n/a	128
<b>Wise, J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	55
Original decisions	n/a	n/a	n/a	n/a	96
<b>Average for the Court<sup>1</sup></b>					
Certiorari petitions	76	91	78	98	100
Original decisions	170	215	199	171	160

<sup>1</sup>The averages for the Court include Former Justices (see Footnote 1 on Table II) during the time period.

**Table V.****Number of decisions released.**

	09/30/2007	09/30/2008	09/30/2009	09/30/2010	09/30/2011
<b>Malone, C.J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	6
Original decisions	n/a	n/a	n/a	n/a	2
<b>Woodall, J.</b>					
Certiorari petitions	82	76	87	99	71
Original decisions	53	47	46	48	41
<b>Stuart, J.</b>					
Certiorari petitions	77	72	83	91	75
Original decisions	56	47	50	53	49
<b>Bolin, J.</b>					
Certiorari petitions	77	71	84	106	79
Original decisions	49	58	55	49	48
<b>Parker, J.</b>					
Certiorari petitions	93	62	25	104	88
Original decisions	20	33	28	24	55
<b>Murdock, J.</b>					
Certiorari petitions	33	77	87	95	83
Original decisions	12	41	59	55	48
<b>Shaw, J.</b>					
Certiorari petitions	n/a	n/a	28	80	95
Original decisions	n/a	n/a	31	45	31
<b>Main, J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	38
Original decisions	n/a	n/a	n/a	n/a	37
<b>Wise, J.</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	41
Original decisions	n/a	n/a	n/a	n/a	26

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 he has significant additional administrative duties, the Court's Internal Rule III.B.2. provides that he is assigned 1 of every 17 cases from each of the Court's assignment rosters, rather than 1 of every 9 cases. The number of released decisions reflected above for a Justice in the year in which said Justice assumed office (see Table III) reflects decisions released during a period of less than 12 months.

## Table VI.

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

	09/30/2007	09/30/2008	09/30/2009	09/30/2010	09/30/2011
Certiorari Petitions	85	104	106	111	112
Original Decisions	320	363	396	377	305

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.