

# **Supreme Court of Alabama**

**Annual Statistics**

**For The Fiscal Year  
Ending September 30, 2012**

## Table I

### Filings and Dispositions.

	09/30/2008	09/30/2009	09/30/2010	09/30/2011	09/30/2012
<b>Filings</b>					
Certiorari Petitions	710	793	839	646	718
Original Decisions	1020	1017	950	914	923
Total	1730	1810	1789	1560	1641
<b>Dispositions</b>					
Certiorari Petitions	687	756	914	713	730
Original Decisions	1076	1056	1073	941	951
Total	1763	1812	1987	1654	1681
<b>Pending (Year End)</b>	955	953	755	683	659
<b>Throughput</b>	101.91%	100.11%	111.07%	106.02%	102.43%

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.**

	09/30/2008	09/30/2009	09/30/2010	09/30/2011	09/30/12
<b>Malone, C.J.</b>					
Certiorari petitions	n/a	n/a	n/a	9	6
Original decisions	n/a	n/a	n/a	14	6
<b>Woodall, J.</b>					
Certiorari petitions	9	13	8	6	8
Original decisions	10	11	6	10	10
<b>Stuart, J.</b>					
Certiorari petitions	10	12	11	6	8
Original decisions	10	13	23	6	9
<b>Bolin, J.</b>					
Certiorari petitions	21	26	12	6	8
Original decisions	41	25	11	13	4
<b>Parker, J.</b>					
Certiorari petitions	48	64	40	24	12
Original decisions	89	73	39	34	23
<b>Murdock, J.</b>					
Certiorari petitions	31	35	33	24	21
Original decisions	57	41	31	17	40
<b>Shaw, J.</b>					
Certiorari petitions	n/a	48	58	34	43
Original decisions	n/a	33	26	18	29
<b>Main, J.</b>					
Certiorari decisions	n/a	n/a	n/a	14	10
Original decisions	n/a	n/a	n/a	21	16
<b>Wise, J.</b>					
Certiorari decisions	n/a	n/a	n/a	18	8
Original decisions	n/a	n/a	n/a	26	13
<b>Former Justices<sup>1</sup></b>					
Certiorari petitions	20	45	31	n/a	n/a
Original decisions	25	47	29	n/a	n/a
<b>Division Staff<sup>2</sup></b>					
Certiorari petitions	6	3	4	n/a	n/a
Original decisions	4	8	9	n/a	n/a
<b>Total</b>	471	497	371	294	275

<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.

	# Pending Cases	Date Assumed Office
<b>Malone, C.J.</b> Certiorari decisions Original decisions	8 15	08/01/2011
<b>Shaw, J.</b> Certiorari decisions Original decisions	4 37	01/19/2009
<b>Main, J.</b> Certiorari decisions Original decisions	1 26	01/14/2011
<b>Wise, J.</b> Certiorari decisions 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.**

	09/30/2008	09/30/2009	09/30/2010	09/30/2011	09/30/2012
<b>Malone, C.J.</b>					
Certiorari petitions	n/a	n/a	n/a	40	51
Original decisions	n/a	n/a	n/a	59	111
<b>Woodall, J.</b>					
Certiorari petitions	45	38	35	33	36
Original decisions	85	85	51	65	68
<b>Stuart, J.</b>					
Certiorari petitions	38	39	34	34	34
Original decisions	80	92	85	69	66
<b>Bolin, J.</b>					
Certiorari petitions	108	96	69	35	35
Original decisions	344	259	129	84	75
<b>Parker, J.</b>					
Certiorari petitions	231	217	214	146	79
Original decisions	439	534	590	366	256
<b>Murdock, J.</b>					
Certiorari petitions	97	141	138	148	115
Original decisions	315	362	349	250	264
<b>Shaw, J.</b>					
Certiorari petitions	n/a	80	220	261	225
Original decisions	n/a	134	252	203	171
<b>Main, J.</b>					
Certiorari petitions	n/a	n/a	n/a	39	39
Original decisions	n/a	n/a	n/a	128	166
<b>Wise, J.</b>					
Certiorari petitions	n/a	n/a	n/a	55	61
Original decisions	n/a	n/a	n/a	96	177
<b>Average for the Court<sup>1</sup></b>					
Certiorari petitions	91	78	98	100	74
Original decisions	215	199	171	160	146

<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.**

	09/30/2008	09/30/2009	09/30/2010	09/30/2011	09/30/2012
<b>Malone, C.J.</b>					
Certiorari petitions	n/a	n/a	n/a	6	41
Original decisions	n/a	n/a	n/a	2	26
<b>Woodall, J.</b>					
Certiorari petitions	76	87	99	71	77
Original decisions	47	46	48	41	39
<b>Stuart, J.</b>					
Certiorari petitions	72	83	91	75	76
Original decisions	47	50	53	49	38
<b>Bolin, J.</b>					
Certiorari petitions	71	84	106	79	76
Original decisions	58	55	49	48	56
<b>Parker, J.</b>					
Certiorari petitions	62	25	104	88	85
Original decisions	33	28	24	55	44
<b>Murdock, J.</b>					
Certiorari petitions	77	87	95	83	82
Original decisions	41	59	55	48	24
<b>Shaw, J.</b>					
Certiorari petitions	n/a	28	80	95	64
Original decisions	n/a	31	45	31	29
<b>Main, J.</b>					
Certiorari petitions	n/a	n/a	n/a	38	81
Original decisions	n/a	n/a	n/a	37	42
<b>Wise, J.</b>					
Certiorari petitions	n/a	n/a	n/a	41	85
Original decisions	n/a	n/a	n/a	26	52

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.

	09/30/2008	09/30/2009	09/30/2010	09/30/2011	09/30/2012
Certiorari Petitions	104	106	111	112	86
Original Decisions	363	396	377	305	285

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.