

# **Supreme Court of Alabama**

**Annual Statistics**

**For The Fiscal Year  
Ending September 30, 2017**

## Table I

### Filings and Dispositions.

	09/30/2013	09/30/2014	9/30/2015	9/30/2016	9/30/2017
<b>Filings</b>					
Certiorari petitions	616	662	602	606	462
Original decisions	871	849	834	760	706
Total	1487	1511	1436	1366	1168*
<b>Dispositions</b>					
Certiorari petitions	653	711	618	613	513
Original decisions	835	943	881	794	719
Total	1488	1654	1499	1407	1232
<b>Pending (Year End)</b>	670	559	512	477	425
<b>Throughput</b>	100.06%	109.46%	104.38%	103.30%	105.47%

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.

\*The number of cases *filed* does not include 15 additional appeals that were "filed" in the 2015-2016 fiscal year but not *docketed* until the 2016-2017 fiscal year, bringing the total number of cases processed through the court this year to 1183. These additional 15 cases were not captured by last year's annual statistical report, nor are they included in this year's annual statistical report.

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

	09/30/2013	09/30/2014	09/30/2015	9/30/2016	9/30/2017
<b>Stuart, C. J.*</b>					
Certiorari petitions	4	8	8	9	2
Original decisions	5	11	5	6	5
<b>Bolin, J.</b>					
Certiorari petitions	4	8	9	10	6
Original decisions	5	14	14	9	10
<b>Parker, J.</b>					
Certiorari petitions	6	8	6	12	7
Original decisions	10	10	8	18	2
<b>Murdock, J.</b>					
Certiorari petitions	19	14	11	16	11
Original decisions	38	27	27	26	21
<b>Shaw, J.</b>					
Certiorari petitions	29	14	21	15	17
Original decisions	18	22	18	20	22
<b>Main, J.</b>					
Certiorari petitions	4	9	5	8	5
Original decisions	15	9	5	5	7
<b>Wise, J.</b>					
Certiorari decisions	6	8	9	7	6
Original decisions	15	12	14	9	8
<b>Bryan, J.</b>					
Certiorari decisions	12	11	7	10	8
Original decisions	20	16	9	3	9
<b>Sellers, J.</b>					
Certiorari decisions	n/a	n/a	n/a	n/a	7
Original decisions					13
<b>Former Justices**</b>					
Certiorari decisions	3	5	6	n/a	n/a
Original decisions	23	10	10		
<b>Total</b>	236	216	192	266	166

\*Throughout this report, during the years 2013, 2014, 2015 and 2016 and from October 1, 2016, to April 26, 2017, Chief Justice Stuart served as an Associate Justice. On April 26, 2017, then Justice Lyn Stuart resigned her position as an Associate Justice and Governor Kay Ivey appointed Justice Stuart to serve as Chief Justice. See note below table V.

\*\* Cases assigned to former Justices who are no longer active.

**Table III.**

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

	<b># Pending Cases</b>	<b>Date Assumed Office</b>
<b>Bryan, J.</b>		
Certiorari decisions	15	1/15/2013
Original decisions	22	
<b>Sellers, J.</b>		
Certiorari decisions	9	5/25/2017
Original Decisions	20	

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, each Justice's caseload consisted primarily of these type cases.

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

	09/30/2013	09/30/2014	9/30/2015	9/30/2016	9/30/2017
<b>Stuart, C. J.*</b>					
Certiorari petitions	34	36	45	39	35
Original decisions	54	68	69	84	62
<b>Bolin, J.</b>					
Certiorari petitions	38	43	50	44	38
Original decisions	98	126	118	145	102
<b>Parker, J.</b>					
Certiorari petitions	71	44	46	46	41
Original decisions	188	124	110	124	149
<b>Murdock, J.</b>					
Certiorari petitions	109	100	72	81	68
Original decisions	357	340	289	286	325
<b>Shaw, J.</b>					
Certiorari petitions	185	131	101	130	115
Original decisions	246	256	180	250	227
<b>Main, J.</b>					
Certiorari petitions	38	36	41	38	35
Original decisions	125	131	73	60	62
<b>Wise, J.</b>					
Certiorari petitions	37	56	42	42	32
Original decisions	110	134	137	177	129
<b>Bryan, J.</b>					
Certiorari petitions	70	68	57	52	36
Original decisions	133	129	121	99	69
<b>Sellers, J. **</b>					
Certiorari petitions	n/a	n/a	n/a	n/a	39
Original Decisions					74
<b>Average for the Court***</b>					
Certiorari petitions	73	66	56	59	48
Original decisions	152	165	132	148	137

\* For the years 2013, 2014, 2015, and 2016 and from October 1, 2016 to April 26, 2017, Chief Justice Stuart served as an Associate Justice.

\*\* The averages for Justice Sellers are from May 25, 2017, through September 30, 2017.

\*\*\* The "Average for the Court" values are calculated by dividing the total number of days for all cases by the total number of cases for all Justices during the specified date range for the evaluated case type. The value is then rounded for readability. Only active Justices have their individual averages listed.

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

	09/30/2012	09/30/2013	09/30/2014	9/30/2015	9/30/2016	9/30/2017
<b>Stuart, C. J.</b>						
Certiorari petitions	76	73	71	65	67	56
Original decisions	38	52	44	44	44	33
<b>Bolin, J.</b>						
Certiorari petitions	76	69	72	61	67	55
Original decisions	56	36	35	39	48	34
<b>Parker, J.</b>						
Certiorari petitions	85	72	74	67	59	60
Original decisions	44	38	38	28	27	42
<b>Murdock, J.</b>						
Certiorari petitions	82	65	80	67	61	59
Original decisions	24	35	51	28	39	35
<b>Shaw, J.</b>						
Certiorari petitions	64	75	89	57	74	45
Original decisions	29	33	37	33	26	31
<b>Main, J.</b>						
Certiorari petitions	81	69	64	66	64	56
Original decisions	42	49	48	24	35	36
<b>Wise, J.</b>						
Certiorari petitions	85	72	73	63	69	52
Original decisions	52	36	40	29	33	31
<b>Bryan, J.</b>						
Certiorari petitions	n/a	52	75	71	67	56
Original decisions		33	48	39	38	33
<b>Sellers, J.</b>						
Certiorari petitions	n/a	n/a	n/a	n/a	n/a	26**
Original decisions						18

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 the Chief Justice has significant additional administrative duties, the Court's Internal Rule III.B.2. provides that the Chief Justice 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.

\*On April 26, 2017, and thereafter, Chief Justice Stuart, in accordance with Internal Rule III.B.2., was assigned 1 of every 17 cases from each of the Court's assignment rosters.

\*\* Because this Justice did not take office until May 25, 2017, the number of decisions released is calculated beginning from May 27, 2017, rather than from October 1, 2016.

**Table VI.**

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

	<b>09/30/2013</b>	<b>09/30/2014</b>	<b>09/30/2015</b>	<b>09/30/2016</b>	<b>9/30/2017</b>
Certiorari petitions	85	82	70	70	60
Original decisions	315	350	290	304	279

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.