

Supreme Court of Alabama

Annual Statistics

**For The Fiscal Year
Ending September 30, 2020**

Table I .

Filings and Dispositions.

	9/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020
Filings					
Certiorari petitions	606	462	471	388	410
Original decisions	760	706	745	682	687
Total	1366	1168	1216	1070	1097*
Dispositions					
Certiorari petitions	613	513	473	404	387
Original decisions	794	719	764	622	724
Total	1407	1232	1237	1026	1111
Pending (Year End)	477	425	417	478	464
Throughput	103.30%	105.47%	101.72%	95.88%	101.27%

Petitions to the Supreme Court for writs for certiorari are proceedings seeking discretionary review of decisions of the Court of Civil Appeals and the Court of Criminal Appeals.

Original decisions include the following types of cases:

- (1) 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);
- (2) Petitions for extraordinary writs (proceedings seeking review of orders that are not immediately appealable, such as certain orders entered during the pendency of a proceeding in a trial court or appellate court);
- (3) Petitions for permission to appeal (proceedings seeking review of a question of law arising during the pendency of a proceeding in a trial court);
- (4) Granted petitions for certiorari (proceedings after the Supreme Court has determined that further review is warranted); and
- (5) Certified questions from federal courts (proceedings where a federal court has referred a question of Alabama law to the Supreme Court for resolution).

After certain cases are filed with the Supreme Court, the record is prepared and briefs are filed. Once this process is completed, cases are randomly assigned to the Justices for review 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 in civil cases 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 8 appeals that were "filed" in the 2018-2019 fiscal year but not *docketed* until the 2019-2020 fiscal year, bringing the total number of cases docketed through the Supreme Court of Alabama during the 2019-2020 fiscal year to 1105. These additional 8 cases were not captured by last year's annual statistical report, nor are they included in this year's annual statistical report.

Table II.**Pending number of cases at the end of the fiscal year.**

	9/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020
Parker, C. J.					
Certiorari petitions	12	7	6	2	5
Original decisions	18	2	5	12	7
Bolin, J.					
Certiorari petitions	10	6	5	7	5
Original decisions	9	10	19	12	12
Shaw, J.					
Certiorari petitions	15	17	11	7	16
Original decisions	20	22	16	8	18
Wise, J.					
Certiorari petitions	7	6	5	4	6
Original decisions	9	8	11	11	15
Bryan, J.					
Certiorari petitions	10	8	6	5	6
Original decisions	3	9	8	7	11
Sellers, J.					
Certiorari petitions	n/a	7	6	3	4
Original decisions	n/a	13	13	7	6
Mendheim, J					
Certiorari petitions	n/a	n/a	9	5	11
Original decisions	n/a	n/a	18	9	8
Stewart, J.					
Certiorari petitions	n/a	n/a	n/a	11	19
Original decisions	n/a	n/a	n/a	32	18
Mitchell, J.					
Certiorari petitions	n/a	n/a	n/a	18	10
Original decisions	n/a	n/a	n/a	39	36
Former Justices*					
Certiorari petitions	16	11	n/a	15	n/a
Original decisions	26	22	n/a	7	n/a
Total	266	166	154	222	214

* Cases assigned to former Justices who are no longer on the Court.

Table III.

Number of cases assigned to Justices upon assuming office.

	Pending Cases	Date Assumed Office
Sellers, J. Certiorari petitions Original decisions	9 20	5/25/2017
Mendheim, J. Certiorari petitions Original decisions	4 25	1/22/2018
Stewart, J. Certiorari petitions Original decisions	5 26	1/15/2019
Mitchell, J. Certiorari petitions Original decisions	5 26	1/15/2019

The above table includes those Justices who most recently joined the Court. 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 a case to a Justice and the release of a decision.**

	9/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020
Parker, C. J.					
Certiorari petitions	46	41	41	42	59
Original decisions	124	149	102	108	155
Bolin, J.					
Certiorari petitions	44	38	39	41	36
Original decisions	145	102	128	132	138
Shaw, J.					
Certiorari petitions	130	115	91	67	98
Original decisions	250	227	163	124	143
Wise, J.					
Certiorari petitions	42	32	38	32	40
Original decisions	177	129	115	125	162
Bryan, J.					
Certiorari petitions	52	36	36	41	44
Original decisions	99	69	75	98	115
Sellers, J.					
Certiorari petitions	n/a	39	45	30	35
Original decisions	n/a	74	104	67	66
Mendheim, J.					
Certiorari petitions	n/a	n/a	53	50	48
Original decisions	n/a	n/a	135	133	132
Stewart, J.					
Certiorari petitions	n/a	n/a	n/a	61	99
Original decisions	n/a	n/a	n/a	75	233
Mitchell, J.					
Certiorari petitions	n/a	n/a	n/a	88	110
Original decisions	n/a	n/a	n/a	156	308
Average for the Court*					
Certiorari petitions	59	48	47	50	63
Original decisions	148	137	109	115	169

* 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. The value is then rounded to the next whole number.

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

	9/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020
Parker, C. J.					
Certiorari petitions	59	60	52	31	18
Original decisions	27	42	30	7	15
Bolin, J.					
Certiorari petitions	67	55	52	42	48
Original decisions	48	34	25	39	33
Shaw, J.					
Certiorari petitions	74	45	55	45	34
Original decisions	26	31	34	28	25
Wise, J.					
Certiorari petitions	69	52	49	41	41
Original decisions	33	31	24	22	30
Bryan, J.					
Certiorari petitions	67	56	49	46	46
Original decisions	38	33	37	23	26
Sellers, J.					
Certiorari petitions	n/a	26	51	46	44
Original decisions	n/a	18	40	32	32
Mendheim, J.					
Certiorari petitions	n/a	n/a	40	45	43
Original decisions	n/a		36	32	35
Stewart, J.					
Certiorari petitions	n/a	n/a	n/a	26	39
Original decisions	n/a	n/a	n/a	18	48
Mitchell, J.					
Certiorari petitions	n/a	n/a	n/a	22	53
Original decisions	n/a	n/a	n/a	12	37

These statistics do not reflect the following activities: (a) cases and matters in which the Court renders decisions that are disposed of by the Court without assignment to a Justice; (b) Justices' separate opinions in cases assigned to another Justice; (c) Bar disciplinary matters; (d) administrative matters of the Court; (e) Justices' duties to work with various standing rules committees, commissions, and task forces; (f) advisory opinions; and (g) other responsibilities beyond Justices' caseloads.

In many cases for efficiency, the Court sits on one of two panels composed of the Chief Justice and four Associate Justices. Because the Chief Justice is required to participate in both panels and because the Chief Justice has significant additional administrative duties, the Chief Justice is assigned 1 of every 17 cases rather than 1 of every 9 cases.

For the year in which a Justice assumed office, that Justice's number of decisions reflects only part of that year.

Table VI.

Average number of days in which cases were pending before a decision was released.

	09/30/2016	9/30/2017	9/30/2018	9/30/2019	9/30/2020
Certiorari petitions	70	60	59	59	72
Original decisions	304	279	247	253	302

For purposes of this statistical report, a case is treated as no longer pending when an initial decision in the case is released. A certificate of judgment indicating the final disposition of a case, in some cases, is not issued until 18 days or more after the decision is released, unless the time is shortened or enlarged by order of the Court or a timely application for rehearing is filed. See Rule 41, Ala. R. App. P.

The number of days pending includes any time a case is pending in the Supreme Court including time necessary for preparation of any appellate record, time waiting on the trial court to take further action, time for filing of briefs, and time for other prerequisite actions. These events generally must occur before the assignment of a case to a Justice. The number of days pending also includes any time needed for the Court to vote on the disposition of a case and for circulation and review of the writings of all the Justices.