

ORDER OF THE SUPREME COURT ADOPTING APPELLATE COURT TIME STANDARDS

Effective April 10, 1995

WHEREAS, this Court is convinced that one of the major problems facing our nation's justice system is unnecessary delay in the administration of justice; and

WHEREAS, Alabama's appellate courts have had great success in reducing delay by setting goals for the timely resolution of cases; and

WHEREAS, the American Bar Association has adopted reference models of time standards for the timely disposition of cases, to assist appellate courts in setting goals to facilitate efficient, productive caseflow management that produces quality results; and

WHEREAS, this Court is convinced that it would be worthwhile to adopt the American Bar Association's reference model as the basis for time standards for Alabama's three appellate courts;

NOW, THEREFORE, IT IS ORDERED that, pending further order of this Court, the following schedule is set as a worthwhile, attainable goal for the Court of Civil Appeals and the Court of Criminal Appeals:

(1) That seventy-five percent (75%) of all cases be resolved within two hundred ninety (290) days from the date of the filing of the notice of appeal or other filing that serves to bring the case before the Court of Appeals;

(2) That ninety-five percent (95%) of all cases be resolved within three hundred sixty-five (365) days from the date of the filing of the notice of appeal or other filing that serves to bring the case before the Court of Appeals; and

(3) That any case not resolved within three hundred sixty-five (365) days nevertheless be resolved as expeditiously as possible, give the length of the record, the complexity of the issues, and any peculiar or unusual circumstances.

IT IS FURTHER ORDERED that, pending further order of this Court, the following schedule is set as a worthwhile, attainable goal for this Court:

(1) That fifty percent (50%) of all cases before this Court be resolved within two hundred ninety (290) days from the date of the filing of the notice of appeal or other filing that serves to bring the case before the Court;

(2) That ninety percent (90%) of all cases before this Court be resolved within three hundred sixty-five (365) days from the date of the filing of the notice of appeal or other filing that serves to bring the case before the Court; and

(3) That any case not resolved within three hundred sixty-five (365) days nevertheless be resolved as expeditiously as possible, given the length of the record, the complexity of the issues, and any peculiar or unusual circumstances.

(4) That the decision on whether to grant or deny certiorari review be announced within one hundred twenty-six (126) days from the filing of the petition.

IT IS FURTHER ORDERED that, pending further order of this Court, the following schedules are set as worthwhile, attainable goals for the three appellate courts:

DECISIONS ON REMAND OR ON RETURN TO REMAND

The decision in a case before one of the three appellate courts on remand from another court or on the return to a prior remand should be released within one hundred twenty-six (126) days from the date the case is resubmitted on remand or on the return to the remand.

RULINGS ON APPLICATIONS FOR REHEARING

A ruling on an application for rehearing should be released within one hundred twenty-six (126) days of the date of the filing of the application for rehearing.

(Adopted eff. 4-10-95.)