

1984 STATE APPELLATE COURT JURISDICTION GUIDE FOR STATISTICAL REPORTING

Summary Tables

Robert T. Roper
with
Mary E. Elsner
and
Victor E. Flango

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A joint effort of the
Conference of State Court Administrators
and the
Court Statistics and Information Management Project
of the National Center for State Courts

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The support and guidance of the COSCA Court Statistics and Information Systems Committee, whose names appear below, exemplifies the vital role COSCA plays in making available nation-wide state court caseload statistics.

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Acknowledgments

This State Appellate Court Jurisdiction Guide for Statistical Reporting could not have been undertaken without the support and cooperation of the members of both the Conference of State Court Administrators, and the National Conference of Appellate Court Clerks. Completion of the jurisdiction guide profiles made significant demands on their staff time and expertise, and their cooperation and assistance were invaluable. Revisions and maintenance of the guide in the future should be much less time-consuming, except where court systems or information systems are substantially changed.

We are especially appreciative of the "contact people" who directly contributed to this effort. A list of these individuals can be found in Appendix B.

A special thanks to Penny Clifford and Richard Van Duizend who reviewed a draft of this Guide, and provided guidance on its organization and formatting.

Finally, this document could not have been completed, in a timely manner, without the diligence of Brenda Jones in managing the logistics of the data collection effort, and the word processing skills of Pat Maddox, Stacey Healy, and Cathy Meek in preparing the data collection profiles and the camera-ready document. The patience of this entire group was appreciated during this process.

Introduction

Background of guide

The goals of the Court Statistics and Information Management Project (formerly the National Court Statistics Project), of the National Center for State Courts are to collect, compile, analyze, and disseminate comparable state court caseload statistics. These data are reported in the State Court Caseload Statistics: Annual Report series. The information gathered by this Guide is being incorporated into the 1984 edition of the annual report series.

During the past several years, it became clear to Project staff that ambiguities existed among appellate court data elements in the national database. The most significant questions stemmed from an inability to distinguish between a court's mandatory and discretionary jurisdiction. Other problems that needed attention included: descriptions of the type of output included in a court's opinion count; identification of the various roles law clerks play in working on a court's caseload; illustrations of some procedures used to expedite caseload; outlining of the link between administrative agencies and the state appellate courts; understanding of the various methods used by state appellate courts in granting review to discretionary petitions; and the need for describing the structure of state appellate courts. Project staff determined that a concerted effort was needed to address these and other questions about the jurisdiction and operating procedures in state appellate courts as part of our effort to develop comparable data and statistics for state appellate courts. A companion volume that addresses a similar set of jurisdictional questions for trial courts has recently been published (Clifford and Roper, 1984 State Trial Court Jurisdiction Guide for Statistical Reporting, Williamsburg, Va., National Center for State Courts, 1985).

Significance for court management and statistical reporting

When studying state court systems, unlike studying the Federal system, researchers have difficulty acquiring any sense of uniformity in jurisdiction and procedure--which is a likely explanation for the research void in studying state appellate courts. This Guide is an important step in providing an understanding of state appellate courts' jurisdiction and organization, as well as sensitizing readers to the political culture of each court.

The most immediate effect of this Guide is that the information it contains will be applied to the 1984 national database making it the most comparable yet available. The Guide enables staff to: (1) classify an appellate court's caseload and disposition data into standard case types; (2) distinguish between an appellate court's mandatory and discretionary jurisdiction (which will allow studies on agenda setting and the impact of discretionary jurisdiction on court caseload); (3) identify proceedings that some appellate courts count as cases, but do not comport with standard national definitions of an appellate court case (e.g., motions for time extensions); (4) more clearly identify different operating structures and procedures among the various appellate courts (which will facilitate research on the impact of different operating procedures on court workload, e.g., the use of panel rather than en banc decision-making); (5) more explicitly describe the link between administrative agencies and the appellate courts; (6) design the statistical profile used for collecting the national database into a more parsimonious document; (7) improve significantly the understanding of missing data in national statistics (e.g., was the data excluded because it did not have jurisdiction, or it had jurisdiction but data were unavailable, or the court had

jurisdiction, but the data were collapsed with that of another case type?); (8) identify the point in the process when various appellate courts count cases (e.g., at the filing of either the notice of appeal or the record); (9) more accurately identify the components of the "opinion count" (e.g., does it include full majority opinions exclusively, or does it also include per curiam opinions and/or memoranda?); (10) correct double counting problems that resulted from an inability to identify whether petitions to appeal that were granted retained the same docket number or were refiled as regular appeals; (11) begin identifying the role of oral argument in appellate case processing; and (12) outline some of the time standards used in state appellate court processing.

Methodology

An initial court profile was designed to be the data collection document for the information contained in this Guide. It was based on the Project's previous statistical work in state appellate courts. The first draft was pre-tested by using it to classify the data for two appellate courts, and based on this pre-test was revised substantially. The individual court profiles were then completed for all appellate courts based upon information from the State Court Caseload Statistics: Annual Report, 1980, and Comparative Outline of Basic Appellate Court Structure and Procedures in the United States, 1983 (Kramer, National Conference of Appellate Court Clerks, 1983).

The court profiles were distributed to each state court administrator and appellate court clerk for verification and the obtaining of information that was unavailable in a published form. In some instances, the state court administrator took the lead in responding to Project staff's questions, while in other jurisdictions the appellate court clerk responded directly to staff's inquiries. In

still other courts, the state court administrator and the appellate court clerks coordinated their efforts. Appendix B lists those individuals who served as contact people on this Guide.

When a state profile was returned to Project staff, the information was compared to the most recent annual report for that state and whatever published court rules were available. At that point, a phone call was made to the contact person to clarify any inconsistencies and ambiguities. At least one phone call was made to each court. After completing the first phone calls, it became clear that the form needed further refinement. The final data collection form (i.e., state profile) is in Appendix A.

Once the court profiles were completed, the data were entered on the summary tables. The summary tables organize the various data elements for each individual court by specific topics: (1) court structure, organization, and operating procedures; (2) court subject-matter jurisdiction; (3) data availability on disposition types; and (4) time standards for case processing in state appellate courts. Once the data were entered on the summary tables, the relevant portions of each table were sent to the contact person in each state court for final verification. A list of those courts whose summary table entries were verified is in Appendix C. Final adjustments to the data were made after receiving the completed verification forms.

Continuing improvements

As is the case with any scientific endeavor, the acquisition of knowledge is incremental and dynamic (i.e., constantly changing). This Guide represents the first systematic effort to collect jurisdictional information for individual state appellate courts, and as such, was a learning experience for Project staff as well as some of the contact people in the state

courts. The primary task was one of translating the different terminology employed by the various state courts into a set of generic terms.

Further refinements and additions will be needed in the data collection instrument (i.e., court profiles) for future updates of this Guide. Some types of additional information will include: more precise information of the type and amount of legal work done by the court clerk; information concerning the availability of additional data elements (e.g.,

oral arguments); a more detailed description of rules governing oral argument; more specific information on specific programs used to expedite cases; and the impact of appellate procedure on more detailed case types. Some court personnel have already suggested improvements for future editions. Additional comments and corrections are a welcome part of the revision process, and should be directed to the Court Statistics and Information Management Project at the National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia, 23187-8798.

Table 1. Law trained staff in state appellate courts, 1984.

Table 1 displays the amount of law trained staff in state appellate courts. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of the Table.

The number of courts refers to the number of distinct groups of justices/judges that serve a specific geographic jurisdiction. For example, a state divided into five geographic appellate districts, where litigants must file an appeal with the appellate district within a specific geographic jurisdiction, would have five courts even if they all followed the same rules and procedures and had a similar subject-matter jurisdiction. In a situation where litigants can file in any appellate district, the number of courts is given as one.

The number of regular justices/judges refers to positions authorized by either the state constitution or statutes. The number of supplemental justices/judges represents the "full-time equivalent" (i.e., FTE) of retired or transferred justices/judges who do judicial work in state appellate courts on a temporary basis. For example, two half-time supplemental judges represent one FTE.

Court clerks are the chief administrators of the courts. In most instances, the number of court clerks is equal to the number of courts. Occasionally, however, one court clerk serves both levels of appellate courts in a state. This situation is indicated by the word "SAME" in the "number of court clerks" column for each of the state appellate courts.

Although all court clerks perform administrative functions, some also spend a portion of their time screening discretionary petitions and briefing cases. A "YES" in the column, "Does court clerk do much legal work?" indicates that the clerk spends some time doing this sort of legal work for the court.

The columns labelled, "Legal support personnel" references the number of law clerks and central staff assigned to the various justices/judges. In some instances, law clerks (sometimes referred to as "elbow clerks") are shared among the justices/judges making it difficult to identify a specific number of "elbow clerks" per justice/judge. In these situations a total number of all "elbow clerks" assigned appears as, "n./." Support personnel provide a variety of legal assistance for the justices/judges and the court, and should be considered when developing measures of productivity in the courts.

| State: Court name | Court type | Number of courts | Number of regular justices/judges | Number of supplemental justices (FTE) | Number of court clerks | Does court clerk do much legal work? | Law trained support personnel | | | | | |
|---------------------------------|--------------------------|---------------------------------|-----------------------------------|---------------------------------------|------------------------|--------------------------------------|-------------------------------|------|----|---------------|-------------------------------|--|
| | | | | | | | Law clerks assigned to: | | | Central staff | Total legal support personnel | |
| Each chief justice/judge | Each assc. justice/judge | Each supplemental justice/judge | | | | | | | | | | |
| ALABAMA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | 1 | YES | 3 | 2 | -- | 2 | 21 | |
| Court of Civil Appeals | IAC | 1 | 3 | 0 | 1 | YES | 1 | 1 | -- | 3 | 6 | |
| Court of Criminal Appeals | IAC | 1 | 5 | 0 | 1 | NO | 2 | 2 | -- | 0 | 10 | |
| ALASKA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | SAME | NO | 2.5 | 2.5 | -- | 1 | 13.5 | |
| Court of Appeals ... | IAC | 1 | 3 | 0 | SAME | NO | 2 | 2 | -- | 3 | 9 | |
| ARIZONA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | YES | 2 | 2 | -- | 6 | 16 | |
| Court of Appeals ... | IAC | 2 | 12/3* | 0 | 2 | NO | 2/1* | 2/1* | -- | 11/4* | 42 | |
| ARKANSAS: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | SAME | NO | 2 | 2 | -- | 1 | 15 | |
| Court of Appeals ... | COLR | 1 | 6 | 0 | SAME | NO | 2 | 2 | -- | 0 | 12 | |
| CALIFORNIA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 7 | 4 | -- | 11 | 42 | |
| Court of Appeals ... | IAC | 5 | 74 | 0 | 5 | NO | n.151 | | -- | 52 | 203 | |
| COLORADO: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | SAME | NO | 2 | 2 | -- | 0 | 14 | |
| Court of Appeals ... | IAC | 1 | 10 | 0 | SAME | NO | 1 | 1 | -- | 12 | 22 | |

Table 1. Law trained staff in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of courts | Number of regular justices/ judges | Number of supple- mental justices (FTE) | Number of court clerks | Does court clerk do much legal work? | Law trained support personnel | | | | | |
|--|-------------------------------------|--|--|--|---------------------------------|--|-------------------------------|---|----|------------------|--|--|
| | | | | | | | Law clerks assigned to: | | | Central staff | Total legal support personnel | |
| Each chief justice/ judge | Each assoc. justice/ judge | Each supple- mental justice/ judge | | | | | | | | | | |
| CONNECTICUT: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 6* | 0 | SAME | YES | 2 | 1 | -- | 2.25 | 9.25 | |
| Appellate Court..... | IAC | 1 | 5 | 0 | SAME | YES | 1 | 1 | -- | 2.25 | 7.25 | |
| DELAWARE: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | YES | 1 | 1 | -- | 0 | 5 | |
| DISTRICT OF COLUMBIA: | | | | | | | | | | | | |
| Court of Appeals ... | COLR | 1 | 9 | 1.3 | 1 | YES | 3 | 2 | 2 | 3 | 25 | |
| FLORIDA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 3 | 2 | -- | 0 | 15 | |
| District Court of Appeals | IAC | 5 | 46 | 0 | 5 | NO | 2 | 2 | -- | 2* | 94 | |
| GEORGIA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | YES | 3 | 2 | -- | 2 | 17 | |
| Court of Appeals ... | IAC | 1 | 9 | 0 | 1 | NO | 3 | 3 | -- | 1 | 28 | |
| HAWAII: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | SAME | NO | 3 | 2 | -- | 1 | 12 | |
| Intermediate Court of Appeals | IAC | 1 | 3 | 0 | SAME | NO | 2 | 2 | -- | 0 | 6 | |
| IDAHO: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | SAME | YES | 2 | 2 | -- | .5 | 10.5 | |
| Court of Appeals ... | IAC | 1 | 3 | 0 | SAME | YES | 1 | 1 | -- | .5 | 3.5 | |
| ILLINOIS: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 3 | 3 | -- | 4 | 25 | |
| Appellate Court | IAC | 5 | 34 | 8 | 5 | NO | 2 | 2 | 2 | 30 | 114 | |
| INDIANA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | SAME | NO | 2 | 2 | -- | 1 | 11 | |
| Court of Appeals ... | IAC | 4 | 12 | 0 | SAME | NO | 2 | 2 | -- | 12 | 36 | |
| IOWA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | SAME | NO | 1 | 1 | -- | 3* | 12* | |
| Court of Appeals ... | IAC | 1 | 6 | 0 | SAME | NO | 1 | 1 | -- | 3* | 9* | |
| KANSAS: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | SAME | NO | 1 | 1 | -- | 0 | 7 | |
| Court of Appeals ... | IAC | 1 | 7 | 1.5 | SAME | NO | 1 | 1 | 8* | 8* | 15 | |
| KENTUCKY: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | SAME | NO | 3 | 1 | -- | 3 | 12 | |
| Court of Appeals ... | IAC | 1 | 14 | 0 | SAME | YES | 1 | 1 | -- | 8 | 22 | |

Table 1. Law trained staff in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of courts | Number of regular justices/ judges | Number of supple- mental justices (FTE) | Number of court clerks | Does court clerk do much legal work? | Law trained support personnel | | | | | |
|---|------------------------------------|--|--|--|---------------------------------|--|-------------------------------|------|----|------------------|--|--|
| | | | | | | | Law clerks assigned to: | | | Central staff | Total legal support personnel | |
| Each chief justice/ judge | Each assc. justice/ judge | Each supple- mental justice/ judge | | | | | | | | | | |
| LOUISIANA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 3 | 3 | -- | 6 | 27 | |
| Court of Appeals ... | IAC | 5 | 48 | 0 | 5 | NO | n.95 | -- | 40 | 135 | | |
| MAINE: | | | | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | 1 | 7 | 0 | 1 | YES | 2 | 1.5 | -- | 0 | 11 | |
| MARYLAND: | | | | | | | | | | | | |
| Court of Appeals ... | COLR | 1 | 7 | 0 | 1 | NO | 2 | 2 | -- | 0 | 14 | |
| Court of Special Appeals | IAC | 1 | 13 | 0 | 1 | NO | 2 | 2 | -- | 3 | 29 | |
| MASSACHUSETTS: | | | | | | | | | | | | |
| Supreme Judicial Court | COLR | 1 | 7* | 0 | 1 | NO | 2 | 2 | -- | 5 | 19 | |
| Appeals Court | IAC | 1 | 10 | 2 | 1 | NO | 2 | 1 | 1 | 8 | 21 | |
| MICHIGAN: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 3 | 3 | -- | 14 | 35 | |
| Court of Appeals ... | IAC | 1 | 18 | 0 | 1 | YES | 1 | 1 | -- | 43 | 61 | |
| MINNESOTA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | SAME | NO | 1 | 1 | -- | 4 | 13 | |
| Court of Appeals ... | IAC | 1 | 12* | 0 | SAME | NO | 1 | n.15 | -- | 5 | 21 | |
| MISSISSIPPI: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | 1 | NO | 2 | 2 | -- | 0 | 18 | |
| MISSOURI: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 2 | 2 | -- | 1 | 15 | |
| Court of Appeals ... | IAC | 3 | 32 | 0 | 3 | YES | 3* | 1 | -- | 12 | 50 | |
| MONTANA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 2 | 2 | -- | 0 | 14 | |
| NEBRASKA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 2 | 2* | -- | 0 | 13* | |
| NEVADA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | NO | 1 | 1 | -- | 9 | 14 | |
| NEW HAMPSHIRE: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | YES | 2 | 2 | -- | 0 | 10 | |

Table 1. Law trained staff in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of courts | Number of regular justices/ judges | Number of supple- mental justices (FTE) | Number of court clerks | Does court clerk do much legal work? | Law trained support personnel | | | | Total legal support personnel |
|---|---------------|------------------------|--|--|---------------------------------|--|------------------------------------|-------------------------------------|--|------------------|--|
| | | | | | | | Law clerks assigned to: | | | Central staff | |
| | | | | | | | Each chief justice/ judge | Each assoc. justice/ judge | Each supple- mental justice/ judge | | |
| NEW JERSEY: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | YES | 3 | 2 | -- | 2 | 17 |
| Appellate Division of Superior Court . | IAC | 1 | 21 | 2* | 1 | NO | 2 | 1 | 1 | 14 | 44 |
| NEW MEXICO: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | NO | 3 | 2 | -- | 0 | 10 |
| Court of Appeals ... | IAC | 1 | 7 | 0 | 1 | YES | 1 | 1 | -- | 7 | 14 |
| NEW YORK: | | | | | | | | | | | |
| Court of Appeals ... | COLR | 1 | 7 | 0 | 1 | YES | 3 | 2 | -- | 8 | 23 |
| Appellate Division of Supreme Court .. | IAC | 4 | 45 | 0 | 4 | YES | 1 | 1 | -- | 85 | 130 |
| Appellate Term of Supreme Court | IAC | 2 | 15 | 0 | 2 | YES | 1 | 1 | -- | 26 | 41 |
| NORTH CAROLINA: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | YES | 2 | 1 | -- | 0 | 8 |
| Court of Appeals ... | IAC | 1 | 12 | 0 | 1 | NO | 1 | 1 | -- | 11 | 23 |
| NORTH DAKOTA: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | NO | 1 | 1 | -- | 4 | 9 |
| OHIO: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 2 | 2 | -- | 6 | 20 |
| Court of Appeals ... | IAC | 12 | 53 | 0 | 88* | NO | 1 | 1 | -- | 1 | 54 |
| OKLAHOMA: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | SAME | YES | 1 | 1 | -- | 4 | 13 |
| Court of Criminal Appeals | COLR | 1 | 3 | 0 | SAME | YES | 2 | 2 | -- | 0 | 6 |
| Court of Appeals ... | IAC | 1 | 12 | 0 | SAME | YES | 2 | 1 | -- | 0 | 13 |
| OREGON: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | SAME | NO | 1 | 1 | -- | 1.5 | 8.5 |
| Court of Appeals ... | IAC | 1 | 10 | 0 | SAME | NO | n.9* | 1 | -- | 4.5 | 19.5 |
| PENNSYLVANIA: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | NO | 6.5 | 4.5 | -- | 0 | 33.5 |
| Superior Court | IAC | 1 | 15 | 7 | 1 | NO | 5 | n.63.5 | -- | 17 | 85.5 |
| Commonwealth Court . | IAC | 1 | 9 | 3 | 1 | YES | 3 | 3 | 2 | 3 | 36 |
| PUERTO RICO: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | 1 | YES | 3 | 2 | -- | 4 | 19 |
| RHODE ISLAND: | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | NO | 3 | 2 | -- | 5 | 16 |

Table 1. Law trained staff in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of courts | Number of regular justices/ judges | Number of supple- mental justices (FTE) | Number of court clerks | Does court clerk do much legal work? | Law trained support personnel | | | | | |
|------------------------------------|------------------------------------|--|--|--|---------------------------------|--|-------------------------------|-----|----|------------------|--|--|
| | | | | | | | Law clerks assigned to: | | | Central staff | Total legal support personnel | |
| Each chief justice/ judge | Each assc. justice/ judge | Each supple- mental justice/ judge | | | | | | | | | | |
| SOUTH CAROLINA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | SAME | NO | 1 | 1 | -- | 14 | 19 | |
| Court of Appeals ... | IAC | 1 | 6 | 0 | SAME | NO | 1 | 1 | -- | 5 | 11 | |
| SOUTH DAKOTA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | NO | 1 | 1 | -- | 2 | 7 | |
| TENNESSEE: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 3* | NO | 1 | 1 | -- | 4.3 | 9.3 | |
| Court of Appeals ... | IAC | 1 | 12 | 0 | 3* | NO | 1 | 1 | -- | 1.3 | 13.3 | |
| Court of Criminal Appeals | IAC | 1 | 9 | 0 | 3* | NO | 1 | 1 | -- | 1.3 | 10.3 | |
| TEXAS: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | 1 | NO | 2 | 2 | -- | 7 | 25 | |
| Court of Criminal Appeals | COLR | 1 | 9 | 0 | 1 | NO | 2 | 2 | -- | 5 | 23 | |
| Court of Appeals ... | IAC | 14 | 80 | 0 | 14 | NO | 1 | 1 | -- | 57 | 137 | |
| UTAH: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | YES | 2 | 2 | -- | 3 | 13 | |
| VERMONT: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | YES | 1 | 1 | -- | 0 | 5 | |
| VIRGINIA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 2.5 | 1 | YES | 1 | 1 | 0 | 9 | 16 | |
| WASHINGTON: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 9 | 0 | 1 | YES | 1 | 1.5 | -- | 6 | 19 | |
| Court of Appeals ... | IAC | 3 | 16 | 0 | 3 | * | 2 | 2 | -- | 0 | 32* | |
| WEST VIRGINIA: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 1 | NO | 2 | 2 | -- | 8 | 18 | |
| WISCONSIN: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 7 | 0 | SAME | NO | 2 | 1 | -- | 3 | 11 | |
| Court of Appeals ... | IAC | 4 | 12 | 0 | SAME | NO | 1 | 1 | -- | 10 | 22 | |
| WYOMING: | | | | | | | | | | | | |
| Supreme Court | COLR | 1 | 5 | 0 | 2 | NO | 1 | 1 | -- | 2 | 7 | |

-- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.

Footnotes:

Arizona--Court of Appeals: There are two courts (i.e., divisions) of the Court of Appeals. Data for the number of judges and law trained support personnel are provided for each of the courts. The number on the left side of the slash is for Division 1, and the number on the right side of the slash is for Division 2.

Table 1. Law trained staff in state appellate courts, 1984. (continued)

Connecticut--Supreme Court: Six judges sit en banc while in conference only; otherwise, five members sit as the Court in each case.

Florida--District Court of Appeals: The First District is the only district with a two-member central staff.

Iowa: There are six central staff attorneys who are shared among the two appellate courts. Therefore, each court was assigned a "3" in central staff as an estimate of full time equivalent help.

Kansas--Court of Appeals: The eight members of central staff serve both the regular judges and supplemental judges.

Massachusetts--Supreme Judicial Court: Five justices are considered en banc, and four of the five members change monthly.

Minnesota--Court of Appeals: An en banc hearing consists of seven members.

Missouri--Court of Appeals: There are three chief judges, one for each Court.

Nebraska: Two associate justices have one clerk each, and share another.

New Jersey--Appellate Division of Superior Court: The data do not include settlement judges.

Ohio: Technically, there is a clerk for the Court of Appeals in each county.

Oregon--Court of Appeals: The Chief Judge has three clerks, and each of the three presiding judges has two clerks.

Tennessee: There are three divisions for all appellate courts. One clerk serves all the appellate courts within each division.

Washington--Court of Appeals: Only one court (i.e., division) has a lawyer-clerk. Total support personnel does not include commissioners and their clerks. There are two commissioners in each division, and each has a law clerk in Division I and Division II--Division III has three interns.

Table 2. Structure of panels in state appellate courts, 1984.

Table 2 identifies the extent to which state appellate courts make decisions en banc, or rely on smaller groups (i.e., panels). A "--" indicates that the court does not use panels in its decision-making process. A blank space indicates that no information was available for that data element. All other codes used in this Table are defined at the end of the Table.

The "number of panels" indicates the number of these panels that operate within the court. The word "VARIES" in this column indicates that the number of panels is not constant, and varies depending on the court's terms (i.e., sessions) and caseload demands. The "size of panels" refers to the number of justices/judges who sit on each panel. The number of panels multiplied by the number of judges sitting on each panel may not equal the size of the court, depending on whether the chief justice/judge serves on all panels, the extent to which membership on the panel rotates, and the frequency of the rotation, if there is any.

The column entitled, "Permanent or rotating membership" identifies whether the membership of a panel is permanent (i.e., changes only on vacancy), or rotates (e.g., changes by case, day, month, year). If a panel rotates, the "Frequency of rotation" column describes how often the membership of panels changes.

The right-hand segment of this Table describes the panels' basic workloads. If a court's entire workload is managed by panels and the court never sits en banc, there is an 'X' in the column labelled "Generally, entire workload is managed by panels." If decisions on the merits are handled both by panels and by the court en banc, an 'X' appears in the column labelled "Panels share cases 'on the merits' w/en banc." Finally, if the screening of discretionary cases is done exclusively by panels, an 'X' is illustrated in the column, "Panels screen discretionary cases (none en banc)," and an 'O' appears in this column if some, or all screening is conducted en banc.

| State: Court name | Court type | Number of panels | Size of panels | Permanent or rotating membership | Frequency of rotation | Basic description of panel workload | | |
|---------------------------------|------------|------------------|----------------|----------------------------------|-----------------------|---|--|--|
| | | | | | | Generally, entire workload is managed by panels | Panels share cases "on merits" w/en banc | Panels screen discretionary cases (none en banc) |
| ALABAMA: | | | | | | | | |
| Supreme Court | COLR | 2 | 5 | PERM. | -- | 0 | X | X |
| Court of Civil Appeals | IAC | -- | -- | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | IAC | -- | -- | -- | -- | -- | -- | -- |
| ALASKA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- |
| ARIZONA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4* | 3 | ROTATE | 3X YEAR | X | 0 | X |
| ARKANSAS: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | COLR | -- | -- | -- | -- | -- | -- | -- |
| CALIFORNIA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | VARIES | 3 | ROTATE | DAILY | X | 0 | X |
| COLORADO: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 3 | 3 | ROTATE | 3X YEAR | X* | -- | X |
| CONNECTICUT: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Appellate Court | IAC | 1 | 3 | ROTATE | DAILY | CASES ONLY | 0 | 0 |

Table 2. Structure of panels in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of panels | Size of panels | Permanent or rotating membership | Frequency of rotation | Basic description of panel workload | | |
|--|---------------|------------------------|----------------------|---|-----------------------------|---|--|---|
| | | | | | | Generally, entire workload is managed by panels | Panels share cases "on merits" w/en banc | Panels screen discre- tionary cases (none en banc) |
| DELAWARE: | | | | | | | | |
| Supreme Court | COLR | 1 | 3 | ROTATE | BY CASE | 0 | 0 | X |
| DISTRICT OF COLUMBIA: | | | | | | | | |
| Court of Appeals ... | COLR | 3 | 3 | ROTATE | CONSTANTLY | 0 | X | X |
| FLORIDA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| District Court of Appeals | IAC | 4 | 3 | ROTATE | BIMONTHLY | 0 | X | X |
| GEORGIA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 3 | 3 | ROTATE | YEARLY | 0 | X | X* |
| HAWAII: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Intermediate Court of Appeals | IAC | -- | -- | -- | -- | -- | -- | -- |
| IDAHO: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- |
| ILLINOIS: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Appellate Court | IAC | VARIES | 3 or 5* | ROTATE | BY CASE | X | 0 | X |
| INDIANA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 | PERM. | -- | X | 0 | X |
| IOWA: | | | | | | | | |
| Supreme Court | COLR | 2 | 3* or 5 | ROTATE | MONTHLY | 0 | X-5* | X-3* |
| Court of Appeals ... | IAC | 2 | 3 | ROTATE | MONTHLY | 0 | X | 0 |
| KANSAS: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 2 or 3* | 3 | ROTATE | 3 DAYS | 0 | X | 0 |
| KENTUCKY: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 | ROTATE | MONTHLY | X* | 0 | X |
| LOUISIANA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | VARIES | 3 or 5* | ROTATE | MONTHLY | X | -- | X |

Table 2. Structure of panels in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of panels | Size of panels | Permanent or rotating membership | Frequency of rotation | Basic description of panel workload | | |
|---|---------------|------------------------|----------------------|---|-----------------------------|---|--|---|
| | | | | | | Generally, entire workload is managed by panels | Panels share cases "on merits" w/en banc | Panels screen discre- tionary cases (none en banc) |
| MAINE: | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | VARIES | 2* or 3* | | | -- | X | X* |
| MARYLAND: | | | | | | | | |
| Court of Appeals ... | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Special Appeals | IAC | VARIES | 3 | ROTATE | DAILY | 0 | X | X |
| MASSACHUSETTS: | | | | | | | | |
| Supreme Judicial Court | COLR | 1 | 3 | PERM. ROTATE | -- DAILY | 0 X | 0 0 | X X |
| Appeals Court | IAC | 4 | 3 | | | | | |
| MICHIGAN: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 6 | 3 | ROTATE | MONTHLY | X | -- | X |
| MINNESOTA: | | | | | | | | |
| Supreme Court | COLR | VARIES | 3 | ROTATE | MONTHLY | 0 | X | 0 |
| Court of Appeals ... | IAC | 4 | 3 | ROTATE | MONTHLY | -- | X | X |
| MISSISSIPPI: | | | | | | | | |
| Supreme Court | COLR | 3 | 3 | ROTATE | MONTHLY | 0 | X | -- |
| MISSOURI: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 | ROTATE | 4X YEAR | X | 0 | -- |
| MONTANA: | | | | | | | | |
| Supreme Court | COLR | 2* | 5* | ROTATE | BY CASE | 0 | X | 0 |
| NEBRASKA: | | | | | | | | |
| Supreme Court | COLR | 2 | 5 | ROTATE | DAILY | 0 | X | 0 |
| NEVADA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| NEW HAMPSHIRE: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| NEW JERSEY: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Appellate Division of Superior Court . | IAC | 7 | 2 or 3 | ROTATE | YEARLY | X | 0 | X |

Table 2. Structure of panels in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of panels | Size of panels | Permanent or rotating membership | Frequency of rotation | Basic description of panel workload | | |
|---|---------------|------------------------|----------------------|---|-----------------------------|---|--|---|
| | | | | | | Generally, entire workload is managed by panels | Panels share cases "on merits" w/en banc | Panels screen discre- tionary cases (none en banc) |
| NEW MEXICO: | | | | | | | | |
| Supreme Court | COLR | VARIABLES | 3 | ROTATE | MONTHLY | 0 | X | 0 |
| Court of Appeals ... | IAC | VARIABLES | 3 | ROTATE | MONTHLY | X | 0 | X |
| NEW YORK: | | | | | | | | |
| Court of Appeals ... | COLR | -- | -- | -- | -- | -- | -- | -- |
| Appellate Division of Supreme Court .. | IAC | VARIABLES | 4 | ROTATE | DAILY | 0 | X | X |
| Appellate Term of Supreme Court | IAC | 1 | 3 | ROTATE | MONTHLY | X | 0 | X |
| NORTH CAROLINA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 | ROTATE | EVERY 3RD SESSION | X | 0 | X |
| NORTH DAKOTA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| OHIO: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | VARIABLES | 3 | ROTATE | BY CASE | X | 0 | -- |
| OKLAHOMA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 | PERM. | -- | X | 0 | -- |
| OREGON: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 3 | 3 | PERM. | -- | 0 | X | -- |
| PENNSYLVANIA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Superior Court | IAC | VARIABLES | 3 | ROTATE | 7X YEAR | 0 | X | 0 |
| Commonwealth Court . | IAC | VARIABLES | 3 | ROTATE | 10X YEAR | 0 | X | 0 |
| PUERTO RICO: | | | | | | | | |
| Supreme Court | COLR | | 3 | | | | | |
| RHODE ISLAND: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| SOUTH CAROLINA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 2 | 3 | ROTATE | 4X YEAR | 0 | X | -- |

Table 2. Structure of panels in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of panels | Size of panels | Permanent or rotating membership | Frequency of rotation | Basic description of panel workload | | |
|------------------------------------|---------------|------------------------|----------------------|---|-----------------------------|---|--|---|
| | | | | | | Generally, entire workload is managed by panels | Panels share cases "on merits" w/en banc | Panels screen discre- tionary cases (none en banc) |
| SOUTH DAKOTA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| TENNESSEE: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 or 6* | ROTATE | -- | 0 | X | X |
| Court of Criminal Appeals | IAC | 3 | 3 | ROTATE | -- | 0 | X | X |
| TEXAS: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | --* | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | VARIES | 3 | VARIES | VARIES | X | 0 | 0 |
| UTAH: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| VERMONT: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| VIRGINIA: | | | | | | | | |
| Supreme Court | COLR | 3 | 3 | PERM. | -- | 0 | X | X |
| WASHINGTON: | | | | | | | | |
| Supreme Court | COLR | 2 | 5 | ROTATE | 2 YEARS | 0 | 0 | X |
| Court of Appeals ... | IAC | VARIES | 3 | ROTATE | AS NEEDED | X | 0 | SINGLE |
| WEST VIRGINIA: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| WISCONSIN: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | 4 | 3 | PERM. | -- | X | 0 | X |
| WYOMING: | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- |

-- = Data element is inapplicable.

COLR = Court of last resort.

IAC = Intermediate appellate court.

Footnotes:

Arizona--Court of Appeals: Only Division I has panels. Division II has three judges only and is not represented in Table 2. A fifth panel (i.e., Dept. E) consists of one judge and two attorneys, and hears certain civil cases.

Colorado--Court of Appeals: The Court sits en banc to decide whether or not to publish an opinion.

Table 2. Structure of panels in state appellate courts, 1984. (continued)

Georgia--Court of Appeals: Requests to appeal from interlocutory orders are granted/denied by a majority in the panel to which the matter is assigned. Requests to appeal from discretionary issues may be decided by the Court en banc if there is a dissenting vote in the panel.

Illinois--Appellate Court: The Industrial Commission Division sits as a panel of five judges.

Iowa--Supreme Court: The three-justice panel is a screening panel. In addition to the panel work, any two justices may request a decision en banc.

Kansas--Court of Appeals: In some instances supplemental judges enable the formation of three panels.

Kentucky--Court of Appeals: The Court generally sits en banc in a rule-making capacity only.

Louisiana--Court of Appeals: If a three-member panel is not unanimous, a five member panel is formed to make another decision.

Maine--Panels do not decide plenary appeals. The two-member panel reviews discretionary petitions and makes recommendations to the entire Court. The three-member panel reviews sentences of one year or more.

Montana--In 1985, all cases will be heard en banc.

Tennessee--Court of Appeals: Generally, twelve judges sit in panels of three, and in some instances two panels sit together.

Texas--Court of Criminal Appeals: Prior to the Court of Appeals having jurisdiction over criminal cases the Court of Criminal Appeals sat in three panels of three justices each. Although the Court can still sit in panels, the Court now sits en banc.

Table 3. Oral argument in state appellate courts, 1984.

Table 3 depicts one dimension of the role oral argument plays in proceedings before state appellate courts--does the presumption favor oral argument, i.e., it is required and must be waived by any single party or by stipulation of both parties; or does the presumption lie against oral argument, i.e., the granting of oral argument is discretionary with the court and must be requested by either or both of the parties. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

If oral argument is required, then in answer to the question, "Is oral argument required?" a "YES" appears in the columns indicating whether it may be waived by a single party (with the opposing party still making an oral presentation), or whether it must be waived by both parties. A "NO" in both columns which fall

under the question "Is oral argument required" indicates that the decision to award oral argument rests with the court.

The exercise of discretion to grant oral argument could come sua sponte (i.e., at the court's initiative), at the request of either party, or by stipulation of both parties. These situations will be indicated by a "YES" appearing in the appropriate columns under the column heading, "Is the granting of oral argument discretionary with the court?" A "YES" could appear in the last column and either of the other two columns in response to this question. Qualifications by case type are indicated when necessary. Occasionally, oral argument must be requested, but is automatically granted. This situation is represented by the term "AUTOMATIC" in the appropriate column.

| State: Court name | Court type | Is oral argument required: | | Is the granting of oral argument discretionary with the court: | | |
|------------------------------------|---------------|------------------------------|-----------------------------------|---|----------------------------------|--------------------------------|
| | | unless waived by a party? | unless waived by both parties? | if requested by a party? | if requested by both parties? | Court decides sua sponte |
| ALABAMA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Civil Appeals | IAC | NO | NO | YES | NO | YES |
| Court of Criminal Appeals | IAC | YES, IN DEATH CASES ONLY | | YES | NO | NO |
| ALASKA: | | | | | | |
| Supreme Court | COLR | NO | NO | AUTOMATIC | NO | YES |
| Court of Appeals ... | IAC | NO | NO | AUTOMATIC | NO | YES |
| ARIZONA: | | | | | | |
| Supreme Court | COLR | NO | NO | AUTOMATIC (M) | | |
| Court of Appeals ... | IAC | NO | NO | YES (D) CRIM.-YES | NO CIVIL-YES | |
| ARKANSAS: | | | | | | |
| Supreme Court | COLR | NO | NO | AUTOMATIC | NO | NO |
| Court of Appeals ... | COLR | NO | NO | AUTOMATIC | NO | NO |
| CALIFORNIA: | | | | | | |
| Supreme Court | COLR | NO | YES | NO | NO | NO |
| Court of Appeals ... | IAC | NO | YES | NO | NO | NO |
| COLORADO: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | NO | NO | YES |
| CONNECTICUT: | | | | | | |
| Supreme Court | COLR | NO | YES | NO | NO | NO |
| Appellate Court..... | IAC | NO | YES | NO | NO | NO |
| DELAWARE: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |

Table 3. Oral argument in state appellate courts, 1984. (continued)

| State: Court name | Court type | Is oral argument required: | | Is the granting of oral argument discretionary with the court: | | |
|---|---------------|-----------------------------------|-----------------------------------|---|----------------------------------|--------------------------------|
| | | unless waived by a party? | unless waived by both parties? | if requested by a party? | if requested by both parties? | Court decides sua sponte |
| DISTRICT OF COLUMBIA: Court of Appeals ... | COLR | NO | NO | YES | NO | YES |
| FLORIDA: Supreme Court | COLR | YES, IN DEATH CASES ONLY | | NO | NO | YES |
| District Court of Appeals | IAC | NO | NO | NO | NO | YES |
| GEORGIA: Supreme Court | COLR | YES, IN DEATH CASES ONLY | | NO | NO | YES |
| Court of Appeals ... | IAC | NO | NO | AUTOMATIC | NO | YES |
| HAWAII: Supreme Court | COLR | YES | NO | NO | NO | YES |
| Intermediate Court of Appeals | IAC | YES | NO | NO | NO | YES |
| IDAHO: Supreme Court | COLR | YES | NO | NO | NO | YES |
| Court of Appeals ... | IAC | YES | NO | NO | NO | YES |
| ILLINOIS: Supreme Court | COLR | NO | NO | YES | NO | YES |
| Appellate Court | IAC | NO | NO | YES | NO | YES |
| INDIANA: Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| IOWA: Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| KANSAS: Supreme Court | COLR | YES | NO | AUTO-SUMMARY | NO | NO |
| Court of Appeals ... | IAC | YES | NO | AUTO-SUMMARY | NO | NO |
| KENTUCKY: Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| LOUISIANA: Supreme Court | COLR | YES | NO | NO | NO | NO |
| Court of Appeals ... | IAC | NO | NO | YES | NO | NO |
| MAINE: Supreme Judicial Court Sitting as Law Court | COLR | WAIVER MUST BE APPROVED BY COURT. | | NO | NO | -- |

Table 3. Oral argument in state appellate courts, 1984. (continued)

| State: Court name | Court type | Is oral argument required: | | Is the granting of oral argument discretionary with the court: | | Court decides sua sponte |
|---|---------------|---|-----------------------------------|---|----------------------------------|--------------------------------|
| | | unless waived by a party? | unless waived by both parties? | if requested by a party? | if requested by both parties? | |
| MARYLAND: | | | | | | |
| Court of Appeals ... | COLR | YES | NO | NO | NO | NO |
| Court of Special Appeals | IAC | NO | NO | YES | NO | YES |
| MASSACHUSETTS: | | | | | | |
| Supreme Judicial Court | COLR | EXCEPT FIRST MURDER MANDATORY YES | | NO | NO | NO |
| Appeals Court | IAC | NO | NO | YES | NO | YES |
| MICHIGAN: | | | | | | |
| Supreme Court | COLR | NO | NO | AUTOMATIC | NO | NO |
| Court of Appeals ... | IAC | YES | NO | NO | NO | POSSIBLE |
| MINNESOTA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| MISSISSIPPI: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| MISSOURI: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| Court of Appeals ... | IAC | YES | NO | NO | NO | NO |
| MONTANA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| NEBRASKA: | | | | | | |
| Supreme Court | COLR | NO | YES | NO | NO | NO |
| NEVADA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| NEW HAMPSHIRE: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| NEW JERSEY: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| Appellate Division of Superior Court . | IAC | NO | NO | AUTOMATIC | NO | YES |
| NEW MEXICO: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| NEW YORK: | | | | | | |
| Court of Appeals ... | COLR | NO | NO | YES | NO | YES |
| Appellate Division of Supreme Court .. | IAC | NO | NO | YES | NO | NO |
| Appellate Term of Supreme Court | IAC | NO | YES | NO | NO | NO |

Table 3. Oral argument in state appellate courts, 1984. (continued)

| State: Court name | Court type | Is oral argument required: | | Is the granting of oral argument discretionary with the court: | | |
|------------------------------------|---------------|------------------------------|-----------------------------------|---|----------------------------------|--------------------------------|
| | | unless waived by a party? | unless waived by both parties? | if requested by a party? | if requested by both parties? | Court decides sua sponte |
| NORTH CAROLINA: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | YES |
| Court of Appeals ... | IAC | YES | NO | NO | NO | YES |
| NORTH DAKOTA: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| OHIO: | | | | | | |
| Supreme Court | COLR | YES | NO | YES | NO | YES |
| Court of Appeals ... | IAC | YES | NO | YES | NO | NO |
| OKLAHOMA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | |
| Court of Criminal Appeals | COLR | YES, IN DEATH CASES ONLY | | YES | NO | |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| OREGON: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| Court of Appeals ... | IAC | YES | NO | NO | NO | YES |
| PENNSYLVANIA: | | | | | | |
| Supreme Court | COLR | NO | YES | NO | NO | YES |
| Superior Court | IAC | NO | NO | YES | NO | YES |
| Commonwealth Court . | IAC | NO | NO | NO | NO | YES |
| PUERTO RICO: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| RHODE ISLAND: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| SOUTH CAROLINA: | | | | | | |
| Supreme Court | COLR | NO | YES | NO | NO | NO |
| Court of Appeals ... | IAC | NO | YES | NO | NO | NO |
| SOUTH DAKOTA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| TENNESSEE: | | | | | | |
| Supreme Court | COLR | NO | NO | NO | NO | YES |
| Court of Appeals ... | IAC | NO | NO | NO | NO | YES |
| Court of Criminal Appeals | IAC | NO | NO | NO | NO | YES |
| TEXAS: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| Court of Criminal Appeals | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | YES-CV NO-CR | NO NO | NO NO | NO NO | YES-CR NO-CV |

Table 3. Oral argument in state appellate courts, 1984. (continued)

| State: Court name | Court type | Is oral argument required: | | Is the granting of oral argument discretionary with the court: | | |
|----------------------|---------------|------------------------------|-----------------------------------|---|----------------------------------|--------------------------------|
| | | unless waived by a party? | unless waived by both parties? | if requested by a party? | if requested by both parties? | Court decides sua sponte |
| UTAH: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | YES |
| VERMONT: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| VIRGINIA: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |
| WASHINGTON: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | YES |
| Court of Appeals ... | IAC | NO | NO | NO | NO | YES |
| WEST VIRGINIA: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| WISCONSIN: | | | | | | |
| Supreme Court | COLR | NO | NO | YES | NO | YES |
| Court of Appeals ... | IAC | NO | NO | YES | NO | YES |
| WYOMING: | | | | | | |
| Supreme Court | COLR | YES | NO | NO | NO | NO |

-- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.
 (D) = Discretionary jurisdiction.
 (M) = Mandatory jurisdiction.

Table 4. Use of expediting procedures in state appellate courts, 1984.

Many state appellate courts have adopted a series of procedures that can be used in certain cases to bypass the normal appellate process. These expediting procedures can get quite technical in nature. Table 4 broadly classifies the major areas where such expediting procedures are used, and the case types to which they are applicable. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

Six basic procedures are outlined in this Table. An "X" appears in the appropriate columns for states employing some basic procedure. These six procedures are: 1) the advancing of a case in queue by the court clerk, chief justice or entire court, i.e., reprioritized;

2) the use of prehearing/argument settlement conferences to circumvent the full appellate process; 3) the use of an expedited briefing process, for example, shortening time standards for completing briefs; 4) any process used to advance the completion of the trial court record by creating less stringent time standards or by allowing some abbreviated record to be entered in the appellate court; 5) the use of various processes to accelerate or waive the oral argument component of a full review; and 6) any set of rules used to encourage a more expeditious decision from the court once the case has been submitted and argued. In some situations, the court tailors the expediting procedure to the case. These special procedures will be noted in the "other" column.

| State: Court name | Court type | Case type(s) | Advanced in queue | Use of pre- argument settlement conference | Expedi- ted brief- ing pro- cedures | Expedi- ted com- pletion of record | Expedited oral argument procedures | Expedi- ted de- cision dates | Other |
|------------------------------------|---------------|------------------|----------------------|--|---|---|---|---------------------------------------|-------|
| ALABAMA: | | | | | | | | | |
| Supreme Court | COLR | EL/EM | X | 0 | X | X | X | 0 | 2 |
| Court of Civil Appeals | IAC | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | IAC | DP/SA | X | 0 | 0 | 0 | 0 | 0 | 0 |
| ALASKA: | | | | | | | | | |
| Supreme Court | COLR | CUST | X | 0 | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | MD/SR | X | 0 | X | 0 | X | 0 | 0 |
| ARIZONA: | | | | | | | | | |
| Supreme Court | COLR | EL | 0 | 0 | X | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | CV | X | 0 | 0 | 0 | 0 | X | 0 |
| ARKANSAS: | | | | | | | | | |
| Supreme Court | COLR | CR | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| CALIFORNIA: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | CV | 0 | X* | X* | 0 | X* | 0 | 0 |
| COLORADO: | | | | | | | | | |
| Supreme Court | COLR | PUC/JV/ WATER | X | 0 | 0 | 0 | X | 0 | 5 |
| Court of Appeals ... | IAC | CR/WC JV | X | X | 0 | X | 0 | 0 | 5 |
| CONNECTICUT: | | | | | | | | | |
| Supreme Court | COLR | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Appellate Court | IAC | CV | 0 | X | 0 | 0 | 0 | 0 | 0 |
| | | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| | | CV | 0 | X | 0 | 0 | 0 | 0 | 0 |
| DELAWARE: | | | | | | | | | |
| Supreme Court | COLR | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 2 |

Table 4. Use of expediting procedures in state appellate courts, 1984. (continued)

| State: Court name | Court type | Case type(s) | Advanced in queue | Use of pre- argument settlement conference | Expedi- ted brief- ing pro- cedures | Expedi- ted com- pletion of record | Expedited oral argument procedures | Expedi- ted de- cision dates | Other |
|---|---------------|---------------------|----------------------|--|---|---|---|---------------------------------------|-------|
| DISTRICT OF COLUMBIA: Court of Appeals ... | COLR | CV/ALL | 0 | X | 0 | 0 | X | 0 | 1 |
| FLORIDA: Supreme Court | COLR | DP/BD/ FD | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| District Court of Appeals | IAC | EW/I* | 0 | 0 | 0 | 0 | 0 | 0 | 2,3 |
| GEORGIA: Supreme Court | COLR | ALL | X | 0 | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | RARELY | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| HAWAII: Supreme Court | COLR | ED/CUST/ DC/EW | X | X | X | X | 0 | X | 0 |
| Intermediate Court of Appeals | IAC | ED/CUST DC/EW | X | X | X | X | 0 | X | 0 |
| IDAHO: Supreme Court | COLR | ALL | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | ALL | X | 0 | 0 | 0 | 0 | 0 | 0 |
| ILLINOIS: Supreme Court | COLR | ALL | X | 0 | X | X | X | X | 1,2 |
| Appellate Court | IAC | ALL | X | X | X | X | X | X | 1,2 |
| INDIANA: Supreme Court | COLR | PUC/ CR/EW | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | CR/EW PUC | X | CV | 0 | 0 | 0 | 0 | 0 |
| IOWA: Supreme Court | COLR | CUST/ CR/DC | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | CUST/ CR | X | 0 | 0 | 0 | X | 0 | 0 |
| KANSAS: Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | SUMMARY CALENDAR | X | 0 | 0 | 0 | 0 | 0 | 1 |
| KENTUCKY: Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | ALL | 0 | X | 0 | 0 | 0 | 0 | 1 |
| LOUISIANA: Supreme Court | COLR | EM/PUC/ EL/DP | X | 0 | X | 0 | X | 0 | 1,4 |
| Court of Appeals ... | IAC | ALL | X | 0 | X | 0 | X | X | 1,2 |
| MAINE: Supreme Judicial Court Sitting as Law Court | COLR | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 2 |

Table 4. Use of expediting procedures in state appellate courts, 1984. (continued)

| State: Court name | Court type | Case type(s) | Advanced in queue | Use of pre- argument settlement conference | Expedi- ted brief- ing pro- cedures | Expedi- ted com- pletion of record | Expedited oral argument procedures | Expedi- ted de- cision dates | Other |
|---|---------------|---|----------------------|--|---|---|---|---------------------------------------|-------|
| MARYLAND: Court of Appeals ... | COLR | ALL | 0 | 0 | 0 | 0 | X | 0 | 0 |
| Court of Special Appeals | IAC | ALL | 0 | 0 | X | 0 | X | X | 0 |
| MASSACHUSETTS: Supreme Judicial Court | COLR | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Appeals Court | IAC | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| MICHIGAN: Supreme Court | COLR | CUST | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | CUST/ CR/IL | X | 0 | X | X | X | 0 | 0 |
| MINNESOTA: Supreme Court | COLR | CUST/ JV/CM | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | CV/JV/ CUST/CR/ CV COMM./ UNEMPL. COMP. | X | 0 | X | X | X | X | 2 |
| MISSISSIPPI: Supreme Court | COLR | HC/EL PUB | X | 0 | 0 | 0 | 0 | 0 | 0 |
| MISSOURI: Supreme Court | COLR | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Court of Appeals ... | IAC | ALL | 0 | X | 0 | 0 | 0 | 0 | 0 |
| MONTANA: Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| NEBRASKA: Supreme Court | COLR | CR/FD CUST/UN | X | X | 0 | 0 | 0 | 0 | 0 |
| NEVADA: Supreme Court | COLR | JV/DP CUST/IJ | 0 | 0 | X | 0 | X | 0 | 0 |
| NEW HAMPSHIRE: Supreme Court | COLR | ALL | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| NEW JERSEY: Supreme Court | COLR | DP | 0 | 0 | 0 | X | 0 | 0 | 5 |
| Appellate Division of Superior Court . | IAC | EL/CV/ CUST/SR | 0 | X-CV | X | 0 | 0 | 0 | 1,3,5 |
| NEW MEXICO: Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | CR/JV/ WC/DR | X | 0 | X | X | 0 | 0 | 0 |

Table 4. Use of expediting procedures in state appellate courts, 1984. (continued)

| State: Court name | Court type | Case type(s) | Advanced in queue | Use of pre- argument settlement conference | Expedi- ted brief- ing pro- cedures | Expedi- ted com- pletion of record | Expedited oral argument procedures | Expedi- ted de- cision dates | Other |
|---|---------------|-----------------|----------------------|--|---|---|---|---------------------------------------|--------|
| NEW YORK: | | | | | | | | | |
| Court of Appeals ... | COLR | ALL | 0 | 0 | X | X | X | X | 0 |
| Appellate Division of Supreme Court .. | IAC | EM/EL | 0 | X | X | X | X | X | 0 |
| Appellate Term of Supreme Court | IAC | CV/CR | X | 0 | 0 | 0 | 0 | 0 | 2 |
| NORTH CAROLINA: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | CV/CR | 0 | CV | 0 | 0 | 0 | 0 | 1 |
| NORTH DAKOTA: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| OHIO: | | | | | | | | | |
| Supreme Court | COLR | EL | 0 | 0 | X | X | X | 0 | 0 |
| Court of Appeals ... | IAC | CR | X | 0 | X | X | X | 0 | 0 |
| OKLAHOMA: | | | | | | | | | |
| Supreme Court | COLR | WC/JV | 0 | 0 | X | X | 0 | 0 | 0 |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | WC/JV | 0 | X | 0 | 0 | 0 | 0 | 1 |
| OREGON: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- | -- |
| PENNSYLVANIA: | | | | | | | | | |
| Supreme Court | COLR | ALL | X* | 0 | X* | 0 | X* | 0 | 0 |
| Superior Court | IAC | CUST | X | X | X | X | X | X | 0 |
| Commonwealth Court . | IAC | EL | X | 0 | 0 | 0 | 0 | 0 | 0 |
| PUERTO RICO: | | | | | | | | | |
| Supreme Court | COLR | CV/CR | 0 | 0 | X | X | 0 | X | 0 |
| RHODE ISLAND: | | | | | | | | | |
| Supreme Court | COLR | CV/CR JV | 0 X | X 0 | X 0 | 0 0 | X 0 | 0 0 | 0 0 |
| SOUTH CAROLINA: | | | | | | | | | |
| Supreme Court | COLR | ALL | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | IAC | ALL | X | 0 | 0 | 0 | 0 | 0 | 0 |
| SOUTH DAKOTA: | | | | | | | | | |
| Supreme Court | COLR | EM | X | 0 | X | X | X | X | 0 |
| TENNESSEE: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | IAC | -- | -- | -- | -- | -- | -- | -- | -- |

Table 4. Use of expediting procedures in state appellate courts, 1984. (continued)

| State: Court name | Court type | Case type(s) | Advanced in queue | Use of pre- argument settlement conference | Expedi- ted brief- ing pro- cedures | Expedi- ted com- pletion of record | Expedited oral argument procedures | Expedi- ted de- cision dates | Other |
|------------------------------------|---------------|-----------------|----------------------|--|---|---|---|---------------------------------------|-------|
| TEXAS: | | | | | | | | | |
| Supreme Court | COLR | OP | 0 | 0 | X | 0 | 0 | 0 | 0 |
| Court of Criminal Appeals | COLR | DP | 0 | 0 | 0 | 0 | X | 0 | 6 |
| Court of Appeals ... | IAC | OP | 0 | 0 | X | X | 0 | 0 | 0 |
| | | I/HC | X | 0 | X | X | 0 | X-1 | 0 |
| | | CV | 0 | 0 | 0 | X | 0 | X | 0 |
| UTAH: | | | | | | | | | |
| Supreme Court | COLR | CR/UN | X | 0 | 0 | 0 | X | X | 0 |
| VERMONT: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | CR/WC | X | 0 | 0 | 0 | 0 | 0 | 0 |
| WASHINGTON: | | | | | | | | | |
| Supreme Court | COLR | EL/EM | 0 | 0 | X | 0 | X | X | 2 |
| Court of Appeals ... | IAC | JV/SR | 0 | 0 | X | 0 | X | X | 0 |
| WEST VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | EL | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| WISCONSIN: | | | | | | | | | |
| Supreme Court | COLR | CR | 0 | 0 | 0 | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | CV/JV DJ | X | 0 | 0 | 0 | 0 | 0 | 0 |
| WYOMING: | | | | | | | | | |
| Supreme Court | COLR | DP/WC | 0 | 0 | X | X | 0 | 0 | 0 |

-- = Data element is inapplicable.
COLR = Court of last resort.
IAC = Intermediate appellate court.

CODES USED TO DESCRIBE OTHER EXPEDITING PROCEDURES:

- 1 = Summary decisions.
- 2 = Procedure is tailored to the situation.
- 3 = Special expediting panel.
- 4 = No continuances.
- 5 = Special case tracking.
- 6 = IAC is bypassed.

Table 4. Use of expediting procedures in state appellate courts, 1984. (continued)

CASE TYPE CODES:

BD = Bond validation
CERT = Discretionary case
CM = Commitment
CR = Criminal
CUST = Child custody
CV = Civil
DC = Disciplinary
DJ = Double jeopardy
DP = Death penalty
DR = Domestic relations
ED = Eminent domain
EL = Elections
EM = Emergency
FD = Federal court asking for certified state
question
HC = Extraordinary writs
IJ = Injunctions
I = Interlocutory appeals
JV = Juvenile
MAND = Appeals as of right
MD = Misdemeanor
PUB = General public interest
PUC = Public Utility Commission
SA = State appeals
SR = Sentence review
UN = Unemployment
WC = Workers' compensation

Footnotes:

California--Expediting procedures are experimental, and are not used in most locations.

Florida--Court of Appeals: The First District's expediting procedures are by motion, and the Second District's are for interlocutory appeals and writs assigned to merit panels.

Pennsylvania--Supreme Court: Parties must petition for expediting procedures.

Table 5. Method of counting cases in state appellate courts, 1984.

Caseload data are not comparable in state appellate courts unless cases are counted in the same way among the courts. The method of counting cases must be employed as one tool in organizing appellate courts so that their caseloads are comparable. Table 5 illustrates some of the more important components of the various methods used in counting cases in state appellate courts. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of the Table.

The first component in understanding how appellate cases are counted is the point in the appellate process where the court counts a case as part of its caseload. Courts that begin counting cases earlier in the process (e.g., at notice of "intent to appeal"), rather than at a later point (e.g., completion or filing of the record), are likely to have a larger caseload because they are counting as cases litigation that is dismissed/withdrawn/settled before completion of the record. The column entitled, "Case counted at:" indicates the starting point for counting each case in state appellate courts. In some states, all appeals are filed with the court of last resort, which then assigns, (i.e., transfers) cases to the intermediate appellate court. This situation is indicated by the word

"transfer." The column labelled, "Case filed with:" indicates the court with which the "intent to appeal" document is filed.

The last component of counting cases involves an identification of whether a reinstated/reopened case is either counted as a new filing, or retains the same docket number. Although the practice of counting reopened/reinstated cases is not as widespread as it is in the trial courts, and is less of a problem in courts of last resort than in intermediate appellate courts, the accuracy in count is still noteworthy. This information is provided in the columns entitled, "Does the court count reinstated/reopened cases in its count of new filings?" A "NO" indicates the case retains the same docket number. "RARELY" means that in a few situations, cases are treated as new filings (e.g., a case remanded, that resulted in a new trial and a new appeal based on a different point of law). "YES OR FREQUENTLY" indicates that the court routinely counts reopened and reinstated cases as new filings. Occasionally, special situations are indicated in these columns. Courts, for example, that issue new docket numbers to such cases, but segregate these cases from other new filings for statistical purposes, are indicated by the words "IDENTIFIED SEPARATELY."

| State: court name | Court type | Case counted at: | | | Case filed with: | | Does the court count reinstated/reopened cases in its count of new filings? | | |
|------------------------------------|---------------|------------------------|----------------------------|-------------------------|------------------|--------------------|--|--------|-----------------------|
| | | Notice of appeal | Filing of the record | Other point | Trial court | Appellate court | No | Rarely | Yes, or frequently |
| ALABAMA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Court of Civil Appeals | IAC | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Court of Criminal Appeals | IAC | X | 0 | 0 | X | 0 | YES, FROM CIRCUIT COURT; NO, ON REMAND | | |
| ALASKA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| Court of Appeals ... | IAC | X | 0 | 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| ARIZONA: | | | | | | | | | |
| Supreme Court | COLR | X-CRIM | 0 | CIV FILING: FEE PAID | X | X | YES, AFTER CLOSED BY ORDER OR MANDATE | | |
| Court of Appeals ... | IAC | X-CRIM | 0 | CIV FILING: FEE PAID | X | 0 | YES, FOR REOPENED; NO, FOR REINSTATED | | |
| ARKANSAS: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | X | X | 0 | 0 |
| Court of Appeals ... | COLR | 0 | X | 0 | 0 | X | X | 0 | 0 |
| CALIFORNIA: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | X | X | 0 | 0 |
| Court of Appeals ... | IAC | 0 | X | 0 | 0 | X | X | 0 | 0 |
| COLORADO: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | X | IDENTIFIED SEPARATELY | | |
| Court of Appeals ... | IAC | X | 0 | 0 | 0 | X | 0 | 0 | X |

Table 5: Method of counting cases in state appellate courts, 1984. (Continued)

| State: court name | Court type | Case counted at: | | | Case filed with: | | Does the court count reinstated/reopened cases in its count of new filings? | | |
|--|---------------|------------------------|----------------------------|-------------|------------------|--------------------|--|--------|-----------------------|
| | | Notice of appeal | Filing of the record | Other point | Trial court | Appellate court | No | Rarely | Yes, or frequently |
| CONNECTICUT: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | FEE PAID | X | 0 | X | 0 | 0 |
| Appellate Court | IAC | X | 0 | FEE PAID | X | 0 | X | 0 | 0 |
| DELAWARE: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | 0 | X | 0 | 0 |
| DISTRICT OF COLUMBIA: | | | | | | | | | |
| Court of Appeals ... | COLR | X | 0 | 0 | X | 0 | 0 | 0 | X |
| FLORIDA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | IAC | X | 0 | 0 |
| District Court of Appeals | IAC | X | 0 | 0 | CV/CR | ADM.AGY. | X | 0 | 0 |
| GEORGIA: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | X | X | 0 | 0 |
| Court of Appeals ... | IAC | 0 | X | 0 | 0 | X | 0 | X | 0 |
| HAWAII: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | X | X | 0 | 0 |
| Intermediate Court of Appeals | IAC | 0 | X | 0 | 0 | X | X | 0 | 0 |
| IDAHO: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | 0 | 0 | TRANSFER | 0 | X | X | 0 | 0 |
| ILLINOIS: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Appellate Court | IAC | X | 0 | 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| INDIANA: | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | BRIEF | X | 0 | IDENTIFIED SEPARATELY | | |
| Court of Appeals ... | IAC | 0 | 0 | BRIEF | X | 0 | IDENTIFIED SEPARATELY | | |
| IOWA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | X | 0 | X | 0 |
| Court of Appeals ... | IAC | 0 | 0 | TRANSFER | 0 | X | X | 0 | 0 |
| KANSAS: | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | DOCKETING* | X | 0 | IDENTIFIED SEPARATELY | | |
| Court of Appeals ... | IAC | 0 | 0 | DOCKETING* | X | 0 | IDENTIFIED SEPARATELY | | |
| KENTUCKY: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | 0 | X | 0 | X | 0 | 0 |

Table 5: Method of counting cases in state appellate courts, 1984. (continued)

| State: court name | Court type | Case counted at: | | | Case filed with: | | Does the court count reinstated/reopened cases in its count of new filings? | | |
|---|---------------|------------------------|----------------------------|-------------|------------------|--------------------|--|--------|-----------------------|
| | | Notice of appeal | Filing of the record | Other point | Trial court | Appellate court | No | Rarely | Yes, or frequently |
| LOUISIANA: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | X | 0 | X | 0 |
| Court of Appeals ... | IAC | 0 | X | 0 | 0 | X | 0 | X | 0 |
| MAINE: | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| MARYLAND: | | | | | | | | | |
| Court of Appeals ... | COLR | 0 | 0 | PETITION | 0 | X | 0 | X | 0 |
| Court of Special Appeals | IAC | 0 | X | 0 | X | 0 | X | 0 | 0 |
| MASSACHUSETTS: | | | | | | | | | |
| Supreme Judicial Court | COLR | 0 | X | 0 | X | 0 | 0 | X | 0 |
| Appeals Court | IAC | 0 | X | 0 | X | 0 | X | 0 | 0 |
| MICHIGAN: | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | BRIEF | 0 | X | 0 | 0 | X |
| Court of Appeals ... | IAC | X | 0 | 0 | 0 | X | 0 | X | 0 |
| MINNESOTA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | X | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | 0 | 0 | X | X | 0 | 0 |
| MISSISSIPPI: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| MISSOURI: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | 0 | X | 0 | X | 0 | 0 |
| MONTANA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | 0 | X | 0 |
| NEBRASKA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | 0 | 0 | X |
| NEVADA: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | X | 0 | X | 0 | 0 |
| NEW HAMPSHIRE: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | X | X | 0 | 0 |

Table 5: Method of counting cases in state appellate courts, 1984. (continued)

| State: court name | Court type | Case counted at: | | | Case filed with: | | Does the court count reinstated/reopened cases in its count of new filings? | | |
|--|---------------|------------------------|----------------------------|-------------|------------------|--------------------|--|--------|-----------------------|
| | | Notice of appeal | Filing of the record | Other point | Trial court | Appellate court | No | Rarely | Yes, or frequently |
| NEW JERSEY: Supreme Court | COLR | X | 0 | 0 | X | X-DP | 0 | X | 0 |
| | IAC | X | 0 | 0 | 0 | X | IDENTIFIED SEPARATELY | | |
| NEW MEXICO: Supreme Court | COLR | 0 | 0 | TRANSCRIPT | 0 | X | X | 0 | 0 |
| | IAC | 0 | 0 | TRANSCRIPT | 0 | X | X | 0 | 0 |
| NEW YORK: Court of Appeals ... | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| | IAC | 0 | X | 0 | X | 0 | X | 0 | 0 |
| | IAC | 0 | X | 0 | X-CV | X-CR | 0 | 0 | X |
| NORTH CAROLINA: Supreme Court | COLR | 0 | X | 0 | X | 0 | 0 | X | 0 |
| | IAC | 0 | X | 0 | X | 0 | 0 | X | 0 |
| NORTH DAKOTA: Supreme Court | COLR | X | 0 | 0 | X | 0 | 0 | X | 0 |
| OHIO: Supreme Court | COLR | X | 0 | 0 | 0 | X | X | 0 | 0 |
| | IAC | X | 0 | 0 | X* | X* | 0 | 0 | X |
| OKLAHOMA: Supreme Court | COLR | X* | 0 | 0 | 0 | X | X* | 0 | X* |
| | COLR | X* | 0 | 0 | 0 | X | X* | 0 | X* |
| | IAC | 0 | 0 | TRANSFER | -- | -- | X* | 0 | X* |
| OREGON: Supreme Court | COLR | X | 0 | 0 | 0 | X | 0 | 0 | X |
| | IAC | X | 0 | 0 | 0 | X | 0 | 0 | X |
| PENNSYLVANIA: Supreme Court | COLR | X | 0 | 0 | X-M* | X-D* | X | 0 | 0 |
| | IAC | X | 0 | 0 | X | 0 | X | 0 | 0 |
| | IAC | X | 0 | 0 | X | 0 | 0 | 0 | X |
| PUERTO RICO: Supreme Court | COLR | X | 0 | 0 | X-CR | X-CV | IDENTIFIED SEPARATELY | | |
| RHODE ISLAND: Supreme Court | COLR | 0 | X | 0 | 0 | X | X | 0 | 0 |

Table 5: Method of counting cases in state appellate courts, 1984. (continued)

| State: court name | Court type | Case counted at: | | | Case filed with: | | Does the court count reinstated/reopened cases in its count of new filings? | | |
|------------------------------------|---------------|------------------------|----------------------------|---------------------------|------------------|--------------------|--|--------|-------------------------------------|
| | | Notice of appeal | Filing of the record | Other point | Trial court | Appellate court | No | Rarely | Yes, or frequently |
| SOUTH CAROLINA: | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | TRANSCRIPT | 0 | X | X | 0 | 0 |
| Court of Appeals ... | IAC | 0 | 0 | TRANSFER | -- | -- | X | 0 | 0 |
| SOUTH DAKOTA: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| TENNESSEE: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | X | 0 | 0 | X |
| Court of Appeals ... | IAC | X | 0 | 0 | 0 | X | X | 0 | 0 |
| Court of Criminal Appeals | IAC | X | 0 | 0 | 0 | X | X | 0 | 0 |
| TEXAS: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| Court of Criminal Appeals | COLR | 0 | 0 | FIRST CORRESPON. 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| Court of Appeals ... | IAC | X | 0 | 0 | X | 0 | IDENTIFIED SEPARATELY | | |
| UTAH: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | X-AG | X | 0 | 0 |
| VERMONT: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | 0 | X | 0 | 0 | X |
| VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | PETITION FOR APPEAL | 0 | X | IDENTIFIED SEPARATELY | | |
| WASHINGTON: | | | | | | | | | |
| Supreme Court | COLR | X | 0 | 0 | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | 0 | X | 0 | X | 0 | 0 |
| WEST VIRGINIA: | | | | | | | | | |
| Supreme Court | COLP | X | 0 | 0 | X | 0 | X | 0 | 0 |
| WISCONSIN: | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | ACCEPTS JURISDIC. 0 | 0 | X | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | 0 | 0 | X | IDENTIFIED SEPARATELY | | |
| WYOMING: | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | X | 0 | 0 | X - NOT MANY OF SUCH CASES |

Table 5: Method of counting cases in state appellate courts, 1984. (continued)

-- = Data element is inapplicable.
ADM. AGY. = Administrative agency cases only.
CR = Criminal cases only.
CV = Civil cases only.
DP = Death penalty cases only.
COLR = Court of last resort.
IAC = Intermediate appellate court.

Footnotes:

Kansas: Docketing occurs 21 days after a notice of appeal is filed in the trial court. Some cases are never docketed in the appellate court.

Ohio--Court of Appeals: The clerk of the trial court is also the clerk of the Court of Appeals.

Oklahoma--The courts do not count reinstated cases as new filings, but do count any subsequent appeal of an earlier decided case as a new filing. The notice of appeal refers to the petition in error.

Pennsylvania--Supreme Court: Mandatory cases are filed with the trial court, and discretionary cases are filed with the appellate court.

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.

One of the major tasks of this research effort is to identify the extent to which an appellate court has the authority to set its own agenda, in terms of both its subject matter and caseload size. Table 6 begins to satisfy this research void. There are two facing pages to this table. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

The facing pages facilitate the comparison of a court's discretionary and mandatory jurisdiction, as well as the extent to which the various appellate courts within a state share these jurisdictional characteristics. The left page (i.e., PART I) delineates the mandatory jurisdiction of each state appellate court by case type. Mandatory jurisdiction is defined as those cases for which a court must reach a decision on the merits--these cases are often referred to as appeals of right. The right-hand page (i.e., Part II) specifies the discretionary subject-matter jurisdiction of state appellate courts. Discretionary jurisdiction is defined as those cases to which a court can decline review on the merits. In discretionary cases, the courts first decide whether to grant review using some summary procedure. Discretionary cases that are granted review usually follow the same appellate procedures as do mandatory cases.

The specific case types are listed across the top of each page. Civil, death penalty, other criminal, administrative agency and juvenile appeals refer to cases involving appeals from final judgments. Disciplinary cases involve either appeals of cases in which either a final judgment or recommendation was made by some judicial disciplinary commission, or original disciplinary proceedings in the appellate courts. There is also a column indicating whether the courts provide advisory opinions to state legislatures and governors. An "X-LEG" or "X-EXEC" indicates

that an appellate court can issue advisory opinions to only the state legislature (i.e., LEG), or the state executive (i.e., EXEC) respectively. In most states these opinions are provided by the attorney general. Additionally, there is a growing interest in whether state appellate courts are addressing certified questions on state law from federal courts. The column entitled, "certify ques. from federal courts" describes the current status of this question in the state appellate courts. The last column, labelled "original proceedings" includes original jurisdiction proceedings not described elsewhere, extraordinary writs and interlocutory appeals.

An "X" indicates the court has subject-matter jurisdiction over some portion or all of that broad case type description. The "X" may be qualified with other terms, like X-LIFE, which indicates the criminal jurisdiction is limited to cases in which the defendant was sentenced to life in prison. An "I" under original proceedings indicates whether the column includes interlocutory appeals alone, or along with the other original proceedings.

To avoid confusion, it should be pointed out that situations can develop where a court has both mandatory and discretionary jurisdiction over the same case type. One explanation for this situation rests with the fact that some courts hear appeals from a variety of courts which can all hear similar cases. Appeals from some lower courts are mandatory and appeals from others are discretionary even when they both handle the same case type. This is especially salient for courts of last resort which can hear cases from intermediate appellate courts and trial courts. A second explanation for this phenomenon is the use of broad case types in Table 6. The category criminal, for example, includes felonies and misdemeanors. The appellate court may have to review felonies, but may have discretion to hear misdemeanors.

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.

PART I: Mandatory subject-matter jurisdiction.

| State: Court name | Court type | Mandatory jurisdiction | | | | | | | Advisory opinion from state (exec./legis.) | Certify from federal courts | Original proceedings |
|---------------------------------|------------|------------------------------|---------------|------------------|-------------------------|----------|---------------------------|---|--|-----------------------------|----------------------|
| | | Appeals from final judgments | | | | | Disciplinary Lawyer Judge | | | | |
| | | Civil | Death penalty | Other criminal | Adminis- trative agency | Juvenile | | | | | |
| ALABAMA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | 0 | X | 0 | X | X | 0 | 0 | X |
| Court of Civil Appeals | IAC | X | 0 | 0 | X | X | 0 | 0 | 0 | 0 | X |
| Court of Criminal Appeals | IAC | 0 | X | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| ALASKA: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | 0 | X | X | X | X | 0 | X | X |
| Court of Appeals ... | IAC | 0 | -- | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| ARIZONA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X-LIFE | 0 | 0 | X | X | 0 | X | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |
| ARKANSAS: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | X | 0 | 0 | X | X+I |
| Court of Appeals ... | COLR | X | 0 | X | X | X | 0 | 0 | 0 | 0 | I |
| CALIFORNIA: | | | | | | | | | | | |
| Supreme Court | COLR | 0 | X | X* | 0 | 0 | X | X | 0 | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | 0 |
| COLORADO: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | X | X | X+I |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | 0 |
| CONNECTICUT: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X-CLASS A FELONY | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Appellate Court | IAC | X | 0 | X | X | X | X | 0 | 0 | 0 | X |
| DELAWARE: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | -- | X | 0 | X | 0 | X |
| DISTRICT OF COLUMBIA: | | | | | | | | | | | |
| Court of Appeals ... | COLR | X | -- | X | X | X | X | 0 | 0 | 0 | X+I |
| FLORIDA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | 0 |
| District Court of Appeals | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |
| GEORGIA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | X | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.

PART II : Discretionary subject-matter jurisdiction.

| State: Court name | Court type | Discretionary jurisdiction | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceedings |
|------------------------------------|---------------|------------------------------|----------|-------------------------------|----------|------------------------|-------|--|---|-------------------------|
| | | Appeals from final judgments | | | | | | | | |
| | | Civil | Criminal | Adminis- trative agency | Juvenile | Disciplinary Lawyer | Judge | | | |
| ALABAMA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | X | X | X+I |
| Court of Civil Appeals | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Criminal Appeals | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| ALASKA: | | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | X-MISD | 0 | X | 0 | 0 | 0 | 0 | I |
| ARIZONA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | X | 0 | 0 | 0 | 0 | 0 | 0 |
| ARKANSAS: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Appeals ... | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CALIFORNIA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | X | 0 | 0 | 0 | 0 | 0 | X+I |
| COLORADO: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | X | X | X |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CONNECTICUT: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | 0 | 0 | X | 0 | 0 | 0 |
| Appellate Court | IAC | 0 | 0 | X-ZONING | 0 | 0 | 0 | 0 | 0 | 0 |
| DELAWARE: | | | | | | | | | | |
| Supreme Court | COLR | X | X | 0 | -- | 0 | 0 | 0 | X | I |
| DISTRICT OF COLUMBIA: | | | | | | | | | | |
| Court of Appeals ... | COLR | X | X | 0 | 0 | 0 | 0 | 0 | 0 | X+I |
| FLORIDA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | X-GOV | X | X+I |
| District Court of Appeals | IAC | X | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| GEORGIA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X |
| Court of Appeals ... | IAC | X | X | X | X | 0 | 0 | 0 | 0 | X+I |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART I. Mandatory subject-matter jurisdiction. (continued)

| State: Court name | Court type | Mandatory jurisdiction | | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceed- ings |
|---|---------------|------------------------------|------------------|----------------------|-------------------------------|----------|--------------|-------|--|---|------------------------------|
| | | Appeals from final judgments | | | | | Disciplinary | | | | |
| | | Civil | Death penalty | Other criminal | Adminis- trative agency | Juvenile | Lawyer | Judge | | | |
| HAWAII: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | X | X | X | X | 0 | X | X |
| Intermediate Court of Appeals | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | X+I |
| IDAHO: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X |
| Court of Appeals ... | IAC | X | 0 | X | 0 | X | 0 | 0 | 0 | 0 | X |
| ILLINOIS: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | 0 | 0 | 0 | X+I |
| Appellate Court | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |
| INDIANA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X-LIFE | 0 | 0 | X | X | 0 | 0 | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |
| IOWA: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | X | X | X | X | 0 | X | X |
| Court of Appeals ... | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | 0 |
| KANSAS: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | X | 0 | X | X | 0 | X | X |
| Court of Appeals ... | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | X+I |
| KENTUCKY: | | | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | 0 | 0 | X | 0 | 0 | 0 | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X |
| LOUISIANA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | X | X | 0 | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X |
| MAINE: | | | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | X | -- | X | X | X | X | X | X | X | X+I |
| MARYLAND: | | | | | | | | | | | |
| Court of Appeals ... | COLR | X | X | X | X | X | X | 0 | 0 | X | X+I |
| Court of Special Appeals | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | I |
| MASSACHUSETTS: | | | | | | | | | | | |
| Supreme Judicial Court | COLR | X | -- | X-1ST-DEG. MURDER | X | 0 | 0 | X | X | X | X |
| Appeals Court | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | 0 |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART II. Discretionary subject-matter jurisdiction. (continued)

| State: Court name | Court type | Discretionary jurisdiction | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceedings |
|---|---------------|------------------------------|----------|-------------------------------|----------|------------------------|-------|--|---|-------------------------|
| | | Appeals from final judgments | | | | | | | | |
| | | Civil | Criminal | Adminis- trative agency | Juvenile | Disciplinary Lawyer | Judge | | | |
| HAWAII: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Intermediate Court of Appeals | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IDAHO: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | X | X+I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| ILLINOIS: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | X | X+I |
| Appellate Court | IAC | X | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| INDIANA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | X | X |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| IOWA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| KANSAS: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| KENTUCKY: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | X | X+I |
| Court of Appeals ... | IAC | X | X | X | X | 0 | 0 | 0 | 0 | X |
| LOUISIANA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | X | X | I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | X |
| MAINE: | | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | 0 | X | X | 0 | 0 | 0 | 0 | 0 | X |
| MARYLAND: | | | | | | | | | | |
| Court of Appeals ... | COLR | X | X | X | X | 0 | 0 | 0 | 0 | I |
| Court of Special Appeals | IAC | X | X | 0 | 0 | 0 | 0 | 0 | 0 | X |
| MASSACHUSETTS: | | | | | | | | | | |
| Supreme Judicial Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | I |
| Appeals Court | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART I. Mandatory subject-matter jurisdiction. (continued)

| State: Court name | Court type | Mandatory jurisdiction | | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceed- ings | |
|---|---------------|------------------------------|------------------|----------------------|-------------------------------|----------|------------------------|-----------------------|--|---|------------------------------|---|
| | | Appeals from final judgments | | | | | Disciplinary Lawyer | Disciplinary Judge | | | | |
| | | Civil | Death penalty | Other criminal | Adminis- trative agency | Juvenile | | | | | | |
| MICHIGAN: | | | | | | | | | | | | |
| Supreme Court | COLR | 0 | -- | 0 | 0 | 0 | 0 | X | 0 | 0 | 0 | |
| Court of Appeals ... | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | 0 | |
| MINNESOTA: | | | | | | | | | | | | |
| Supreme Court | COLR | 0 | -- | X-1ST-DEG. MURDER | | X | 0 | X | X | 0 | X | 0 |
| Court of Appeals ... | IAC | X | -- | X | X | X | X | 0 | 0 | 0 | 0 | 0 |
| MISSISSIPPI: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X+I | |
| MISSOURI: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | 0 | 0 | 0 | 0 | X | |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I | |
| MONTANA: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | 0 | X | X | X | 0 | 0 | 0 | |
| NEBRASKA: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X | |
| NEVADA: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | 0 | 0 | 0 | X | |
| NEW HAMPSHIRE: | | | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| NEW JERSEY: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X | |
| Appellate Division of Superior Court . | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | 0 | |
| NEW MEXICO: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | X | X | 0 | 0 | X+I | |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | 0 | |
| NEW YORK: | | | | | | | | | | | | |
| Court of Appeals ... | COLR | X | X | X | X | X | 0 | 0 | 0 | 0 | X | |
| Appellate Division of Supreme Court .. | IAC | X | 0 | X | X | X | X | 0 | 0 | 0 | X+I | |
| Appellate Term of Supreme Court | IAC | X | 0 | X | 0 | X | 0 | 0 | 0 | 0 | I-CV | |
| NORTH CAROLINA: | | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | 0 | X | 0 | 0 | I | |
| Court of Appeals ... | IAC | X | 0 | X | X | X | X | 0 | 0 | 0 | X | |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART II. Discretionary subject-matter jurisdiction. (continued)

| State: Court name | Court type | Discretionary jurisdiction | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceedings |
|---|---------------|------------------------------|----------|-------------------------------|----------|------------------------|-------|--|---|-------------------------|
| | | Appeals from final judgments | | | | | | | | |
| | | Civil | Criminal | Adminis- trative agency | Juvenile | Disciplinary Lawyer | Judge | | | |
| MICHIGAN: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | 0 | X | X | X+I |
| Court of Appeals ... | IAC | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| MINNESOTA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X |
| Court of Appeals ... | IAC | X | X | X | X | 0 | 0 | 0 | 0 | X |
| MISSISSIPPI: | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | X | 0 |
| MISSOURI: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | 0 | 0 | X |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MONTANA: | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | X | 0 | 0 | 0 | 0 | X | X+I |
| NEBRASKA: | | | | | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 | 0 | 0 | X | X+I |
| NEVADA: | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NEW HAMPSHIRE: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | X+I |
| NEW JERSEY: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | 0 | X | I |
| Appellate Division of Superior Court . | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| NEW MEXICO: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | X | 0 |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| NEW YORK: | | | | | | | | | | |
| Court of Appeals ... | COLR | X | X | X | X | 0 | X | 0 | 0 | X |
| Appellate Division of Supreme Court .. | IAC | X | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| Appellate Term of Supreme Court | IAC | 0 | X | 0 | X | 0 | 0 | 0 | 0 | I-CR |
| NORTH CAROLINA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | X | 0 | X+I |
| Court of Appeals ... | IAC | X | X | X | X | 0 | 0 | 0 | 0 | X+I |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART I. Mandatory subject-matter jurisdiction. (continued)

| State: Court name | Court type | Mandatory jurisdiction | | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceed- ings |
|------------------------------------|---------------|------------------------------|------------------|-------------------|-------------------------------|----------|------------------------|-----------------------|--|---|------------------------------|
| | | Appeals from final judgments | | | | | Disciplinary Lawyer | Disciplinary Judge | | | |
| | | Civil | Death penalty | Other criminal | Adminis- trative agency | Juvenile | | | | | |
| NORTH DAKOTA: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | X | X | X | X | 0 | 0 | X+I |
| OHIO: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X |
| Court of Appeals ... | IAC | X | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| OKLAHOMA: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | -- | X | X | X | 0 | 0 | X | X+I |
| Court of Criminal Appeals | COLR | -- | X | X | -- | X | -- | -- | 0 | 0 | X |
| Court of Appeals ... | IAC | X | -- | -- | X | X | 0 | 0 | 0 | 0 | X+I |
| OREGON: | | | | | | | | | | | |
| Supreme Court | COLR | 0 | X | 0 | X-TAX | 0 | X | X | 0 | 0 | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |
| PENNSYLVANIA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X+I |
| Superior Court | IAC | X | 0 | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| Commonwealth Court . | IAC | X | 0 | X | X | 0 | 0 | 0 | 0 | 0 | X+I |
| PUERTO RICO: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | 0 | X | 0 | 0 | 0 | 0 | 0 |
| RHODE ISLAND: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | 0 | X | X | X | X | X | X |
| SOUTH CAROLINA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | 0 | X | X | X | 0 | X | X+I |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X |
| SOUTH DAKOTA: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X* |
| TENNESSEE: | | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | 0 | 0 | X | 0 | 0 | 0 | X |
| Court of Appeals ... | IAC | X | -- | -- | X | X | 0 | 0 | 0 | 0 | 0 |
| Court of Criminal Appeals | IAC | -- | -- | X | -- | X | -- | -- | -- | -- | X |
| TEXAS: | | | | | | | | | | | |
| Supreme Court | COLR | X | -- | -- | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Court of Criminal Appeals | COLR | -- | X | X | -- | -- | -- | -- | -- | -- | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X+I |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART II. Discretionary subject-matter jurisdiction. (continued)

| State: Court name | Court type | Discretionary jurisdiction | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceedings |
|------------------------------------|---------------|------------------------------|----------|-------------------------------|----------|------------------------|-------|--|---|-------------------------|
| | | Appeals from final judgments | | | | | | | | |
| | | Civil | Criminal | Adminis- trative agency | Juvenile | Disciplinary Lawyer | Judge | | | |
| NORTH DAKOTA: | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OHIO: | | | | | | | | | | |
| Supreme Court | COLR | X | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OKLAHOMA: | | | | | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 | 0 | 0 | 0 | I |
| Court of Criminal Appeals | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OREGON: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | 0 | X | X |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PENNSYLVANIA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Superior Court | IAC | X | X | 0 | X | 0 | 0 | 0 | 0 | X+I |
| Commonwealth Court . | IAC | X | 0 | X | 0 | 0 | 0 | 0 | 0 | I |
| PUERTO RICO: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | X | X | X | X | X+I |
| RHODE ISLAND: | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | X | 0 | 0 | 0 | 0 | 0 | X+I |
| SOUTH CAROLINA: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SOUTH DAKOTA: | | | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | X-EXEC | X | X+I |
| TENNESSEE: | | | | | | | | | | |
| Supreme Court | COLR | X | X | X-WC | X | 0 | 0 | 0 | 0 | X+I |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| Court of Criminal Appeals | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | I |
| TEXAS: | | | | | | | | | | |
| Supreme Court | COLR | X | -- | X | X | 0 | 0 | 0 | X | X |
| Court of Criminal Appeals | COLR | -- | X | -- | -- | -- | -- | -- | -- | X |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART I. Mandatory subject-matter jurisdiction. (continued)

| State: Court name | Court type | Mandatory jurisdiction | | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceed- ings |
|---------------------------------------|---------------|------------------------------|------------------|-------------------|-------------------------------|----------|------------------------|-------|--|---|------------------------------|
| | | Appeals from final judgments | | | | | Disciplinary Lawyer | Judge | | | |
| | | Civil | Death penalty | Other criminal | Adminis- trative agency | Juvenile | | | | | |
| UTAH: Supreme Court | COLR | X | X | X | X | X | X | 0 | 0 | 0 | X |
| VERMONT: Supreme Court | COLR | X | X | X | X | X | X | X | 0 | 0 | X+I |
| VIRGINIA: Supreme Court | COLR | 0 | X | 0 | X | 0 | X | 0 | 0 | 0 | 0 |
| WASHINGTON: Supreme Court | COLR | X | X | X | X | X | 0 | 0 | 0 | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X | 0 | 0 | 0 | 0 | X |
| WEST VIRGINIA: Supreme Court | COLR | 0 | -- | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| WISCONSIN: Supreme Court | COLR | X | -- | X | 0 | 0 | X | X | 0 | X | X |
| Court of Appeals ... | IAC | X | -- | X | X | X | 0 | 0 | 0 | 0 | X |
| WYOMING: Supreme Court | COLR | X | X | X | X | X | X | 0 | 0 | X | X |

-- = Data element is inapplicable.
COLR = Court of last resort.
IAC = Intermediate appellate court.

CASE TYPE CODES:

CR = Criminal cases.
WC = Workers' compensation cases.

Footnotes:

California--Supreme Court: Other criminal appeals in mandatory jurisdiction refers to executive clemency applications only.

South Dakota--Original proceedings include habeas corpus cases only.

Table 6. Mandatory and discretionary subject-matter jurisdiction in state appellate courts, 1984.
PART II. Discretionary subject-matter jurisdiction. (continued)

| State: Court name | Court type | Discretionary jurisdiction | | | | | | Advisory opinion from state (exec./ legis.) | Certify ques. from federal courts | Original proceedings |
|---------------------------------------|---------------|------------------------------|----------|-------------------------------|----------|------------------------|-------|--|---|-------------------------|
| | | Appeals from final judgments | | | | | | | | |
| | | Civil | Criminal | Adminis- trative agency | Juvenile | Disciplinary Lawyer | Judge | | | |
| UTAH: Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| VERMONT: Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| VIRGINIA: Supreme Court | COLR | X | X | X | X | 0 | X | 0 | 0 | X+1 |
| WASHINGTON: Supreme Court | COLR | X | X | X | X | X | X | 0 | 0 | X+1 |
| Court of Appeals ... | IAC | 0 | 0 | X | 0 | 0 | 0 | 0 | 0 | 1 |
| WEST VIRGINIA: Supreme Court | COLR | X | X | X | X | X | X | 0 | X | X+1 |
| WISCONSIN: Supreme Court | COLR | X | X | X | X | 0 | 0 | 0 | 0 | X |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| WYOMING: Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Table 7. Some procedures for granting/denying discretionary review in state appellate courts, 1984.

The "Rule of Four" is the well documented operating procedure in the United States Supreme Court which governs the granting of discretionary review. The Rule has attracted attention because it is a minority rule, i.e., only four out of the nine justices can grant a petition for review. Table 7 describes the extent to which this situation also exists in state appellate courts. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

The column labelled "En banc, panel, or single justice decision" delineates who makes the decision regarding discretionary review. The second column indicates the vote necessary to grant review, divided by the size of the court when it sits en banc or in a panel. For example, "3/5" indicates that three of the five

justices must vote to accept review of a discretionary petition before it can be decided on its merits.

Some states have a number of provisions that restrict the discretionary jurisdiction of their appellate courts. The last column addresses one of those restrictions by answering the question, "Does a dissenting vote in the intermediate appellate court guarantee review in the court of last resort?" There are other important considerations that remain regarding restrictions of discretionary review. For example, does a reversal in the intermediate appellate court guarantee review in the court of last resort, and does a split vote in a panel reviewing discretionary cases mandate a screening decision by the court sitting en banc? These will be addressed in subsequent editions.

| State: Court name | Court type | En banc, panel, or single justice decision | Number necessary to grant review | Does a dissenting vote in the IAC guarantee review by the COLR? |
|------------------------------------|---------------|--|---|---|
| ALABAMA: | | | | |
| Supreme Court | COLR | PANEL | 5/5 | NO |
| Court of Civil Appeals | IAC | -- | -- | -- |
| Court of Criminal Appeals | IAC | -- | -- | -- |
| ALASKA: | | | | |
| Supreme Court | COLR | EN BANC | 3/5 | NO |
| Court of Appeals ... | IAC | EN BANC | 2/3 | -- |
| ARIZONA: | | | | |
| Supreme Court | COLR | EN BANC | 3/5 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| ARKANSAS: | | | | |
| Supreme Court | COLR | EN BANC | | NO |
| Court of Appeals ... | COLR | -- | -- | -- |
| CALIFORNIA: | | | | |
| Supreme Court | COLR | EN BANC | 4/7 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| COLORADO: | | | | |
| Supreme Court | COLR | EN BANC | 3-4/7* | NO |
| Court of Appeals ... | IAC | -- | -- | -- |
| CONNECTICUT: | | | | |
| Supreme Court | COLR | EN BANC | 2/6 | |
| Appellate Court | IAC | EN BANC | 2/5 | -- |
| DELAWARE: | | | | |
| Supreme Court | COLR | PANEL | 3/3 | -- |

Table 7. Some procedures for granting/denying discretionary review in state appellate courts, 1984.
(Continued)

| <u>State: Court name</u> | <u>Court type</u> | <u>En banc, panel, or single justice decision</u> | <u>Number necessary to grant review</u> | <u>Does a dissenting vote in the IAC guarantee review by the COLR?</u> |
|---|-----------------------|---|---|--|
| DISTRICT OF COLUMBIA: Court of Appeals ... | COLR | PANEL | 1/3 | -- |
| FLORIDA: Supreme Court | COLR | PANEL | 4/5 | NO |
| District Court of Appeals | IAC | PANEL | 2/3 | -- |
| GEORGIA: Supreme Court | COLR | EN BANC | 4/7 | NO |
| Court of Appeals ... | IAC | PANEL | 3/3 | -- |
| HAWAII: Supreme Court | COLR | EN BANC | 3/5 | NO |
| Intermediate Court of Appeals | IAC | -- | -- | -- |
| IDAHO: Supreme Court | COLR | EN BANC | 3/5 | -- |
| Court of Appeals ... | IAC | -- | -- | -- |
| ILLINOIS: Supreme Court | COLR | EN BANC | 4/7 | NO |
| Appellate Court | IAC | PANEL | 2/3 | -- |
| INDIANA: Supreme Court | COLR | EN BANC | 3/5 | NO |
| Court of Appeals ... | IAC | PANEL | | -- |
| IOWA: Supreme Court | COLR | PANEL | 2/3 | NO |
| Court of Appeals ... | IAC | -- | -- | -- |
| KANSAS: Supreme Court | COLR | EN BANC | 3/7 | NO |
| Court of Appeals ... | IAC | EN BANC | 4/7 | -- |
| KENTUCKY: Supreme Court | COLR | EN BANC | 4/7 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| LOUISIANA: Supreme Court | COLR | EN BANC | 4/7 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| MAINE: Supreme Judicial Court Sitting as Law Court | COLR | EN BANC | | -- |

Table 7. Some procedures for granting/denying discretionary review in state appellate courts, 1984.
(Continued)

| State: Court name | Court type | En banc, panel, or single justice decision | Number necessary to grant review | Does a dissenting vote in the IAC guarantee review by the COLR? |
|---|---------------|--|---|---|
| MARYLAND: | | | | |
| Court of Appeals ... | COLR | EN BANC | 3/7 | NO |
| Court of Special Appeals | IAC | PANEL | | -- |
| MASSACHUSETTS: | | | | |
| Supreme Judicial Court | COLR | PANEL | 3/3* | NO |
| Appeals Court | IAC | EN BANC PANEL | 4/7* 1/3 | -- |
| MICHIGAN: | | | | |
| Supreme Court | COLR | EN BANC | 4/7 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| MINNESOTA: | | | | |
| Supreme Court | COLR | EN BANC | 3/9 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| MISSISSIPPI: | | | | |
| Supreme Court | COLR | -- | -- | -- |
| MISSOURI: | | | | |
| Supreme Court | COLR | EN BANC | 4/7 | YES, IF DISSENTING JUDGE CERTIFIES CASE TO COLR. |
| Court of Appeals ... | IAC | -- | -- | -- |
| MONTANA: | | | | |
| Supreme Court | COLR | EN BANC | 4/7 | -- |
| NEBRASKA: | | | | |
| Supreme Court | COLR | EN BANC | | -- |
| NEVADA: | | | | |
| Supreme Court | COLR | -- | -- | -- |
| NEW HAMPSHIRE: | | | | |
| Supreme Court | COLR | EN BANC | 1/5 | -- |
| NEW JERSEY: | | | | |
| Supreme Court | COLR | EN BANC | 3/7 | YES |
| Appellate Division of Superior Court . | IAC | PANEL | 2/2 or 3/3 | -- |
| NEW MEXICO: | | | | |
| Supreme Court | COLR | EN BANC | 2/5 | NO |
| Court of Appeals ... | IAC | PANEL | 2/2 or 2/3 | -- |
| NEW YORK: | | | | |
| Court of Appeals ... | COLR | CV-EN BANC CR-SINGLE | 2/7 | YES |
| Appellate Division of Supreme Court .. | IAC | PANEL | 3/4 | -- |
| Appellate Term of Supreme Court | IAC | PANEL | 1/3 | -- |

Table 7. Some procedures for granting/denying discretionary review in state appellate courts, 1984.
(Continued)

| State: Court name | Court type | En banc, panel, or single justice decision | Number necessary to grant review | Does a dissenting vote in the IAC guarantee review by the COLR? |
|--|---------------|--|---|---|
| NORTH CAROLINA: Supreme Court | COLR | EN BANC | 4/7 | YES |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| NORTH DAKOTA: Supreme Court | COLR | -- | -- | -- |
| OHIO: Supreme Court | COLR | EN BANC | 4/7 | NO |
| Court of Appeals ... | IAC | -- | -- | -- |
| OKLAHOMA: Supreme Court | COLR | EN BANC | 5/9 | NO |
| Court of Criminal Appeals | COLR | EN BANC | 2/3 | -- |
| Court of Appeals ... | IAC | -- | -- | -- |
| OREGON: Supreme Court | COLR | EN BANC | 3/7 | -- |
| Court of Appeals ... | IAC | -- | -- | -- |
| PENNSYLVANIA: Supreme Court | COLR | EN BANC | 2/7 | NO |
| Superior Court | IAC | EN BANC | 11/22* | -- |
| Commonwealth Court . | IAC | EN BANC | 5/9 | -- |
| PUERTO RICO: Supreme Court | COLR | EN BANC* | 4/7 | -- |
| RHODE ISLAND: Supreme Court | COLR | EN BANC | 1/5 | -- |
| SOUTH CAROLINA: Supreme Court | COLR | EN BANC | 2/5 | NO |
| Court of Appeals ... | IAC | -- | -- | -- |
| SOUTH DAKOTA: Supreme Court | COLR | EN BANC | 3/5 or 1/5* | -- |
| TENNESSEE: Supreme Court | COLR | EN BANC | 3/5 | NO |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| Court of Criminal Appeals | IAC | PANEL | 2/3 | -- |
| TEXAS: Supreme Court | COLR | EN BANC | 3/9 | NO |
| Court of Criminal Appeals | COLR | EN BANC | 4/9 | NO |
| Court of Appeals ... | IAC | -- | -- | -- |

Table 7. Some procedures for granting/denying discretionary review in state appellate courts, 1984.
(Continued)

| State: Court name | Court type | En banc, panel, or single justice decision | Number necessary to grant review | Does a dissenting vote in the IAC guarantee review by the COLR? |
|---------------------------------------|---------------|--|---|---|
| UTAH: Supreme Court | COLR | EN BANC | 3/5 | -- |
| VERMONT: Supreme Court | COLR | SINGLE | 1/5 | -- |
| VIRGINIA: Supreme Court | COLR | PANEL | 1/3 | -- |
| WASHINGTON: Supreme Court | COLR | COMM-I | 1/1 | NO |
| Court of Appeals ... | IAC | PANEL COMM | 1/1 | -- |
| WEST VIRGINIA: Supreme Court | COLR | EN BANC | 3/5 | -- |
| WISCONSIN: Supreme Court | COLR | EN BANC | 3-4/7* | -- |
| Court of Appeals ... | IAC | PANEL | 2/3 | -- |
| WYOMING: Supreme Court | COLR | -- | -- | -- |

-- = Data element is inapplicable.
COLR = Court of last resort.
COMM = Commissioner.
IAC = Intermediate appellate court.

Footnotes:

Colorado--Supreme Court: Three of seven justices are needed to grant a petition in certiorari; and four out of seven are needed to grant review in original proceedings and certification petitions.

Massachusetts--Supreme Judicial Court: A three justice panel must unanimously agree to review "direct review" cases. A non-unanimous decision, and all other petitions for review must be decided by the full Court.

Puerto Rico--Discretionary review decisions are handled by panels during recess.

Pennsylvania--Superior Court: Eleven of twenty-two necessary to grant discretionary review is for interlocutory appeals.

South Dakota--A single justice can grant review to a miscellaneous filing.

Wisconsin--Supreme Court: A commissioner makes a recommendation on review. If there is no objection during conference, the recommendation is accepted. If there is an objection to a petition for review, the Court votes and three of the seven members must agree to grant review. If a justice who initially voted to grant review, petitions to dismiss as improvidently granted, it is dismissed when at least four members agree to do so. Petitions to bypass and certification are granted by a vote of four.

Table 8. Sentence review in non-capital state offense cases, 1984.

Several states have implemented formal sentence review procedures in their trial courts. Such procedures involve special proceedings whose sole function is to review the length of the sentence. Table 8 provides some clues to help identify any relationship between the existence of formal sentence review procedures at the trial court level, and whether appellate courts in those states allow an appeal in which the only issue is the length of the sentence. For purposes of this Table, sentence review does not include those cases where the sole issue involves the constitutionality of a statute. The two columns, after the court type, ask those questions specifically. A

blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

The final part of this Table identifies some restrictions on sentence review in the state appellate courts. Although most appellate courts that hear non-death penalty sentence review cases have no restrictions on such appeals, some courts do limit access to the appellate process for those cases. The most common restriction is that the sentence must exceed the statutory maximum length. Additional restrictions are noted in the "other" column.

| State: Court name | Court type | Is there a formal sentence review procedure at trial court? | Is review possible in appellate court where sentence length is only issue? | Restrictions on sentence review: | | |
|---------------------------------|------------|---|--|----------------------------------|--|--------|
| | | | | None | Sentence must exceed statutory maximum | Other: |
| ALABAMA: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Civil Appeals | IAC | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | IAC | NO | YES | X | 0 | 0 |
| ALASKA: | | | | | | |
| Supreme Court | COLR | YES | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | YES | YES | X | 0 | 0 |
| ARIZONA: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| ARKANSAS: | | | | | | |
| Supreme Court | COLR | NO | YES | 0 | X | 0 |
| Court of Appeals ... | COLR | NO | YES | 0 | X | 0 |
| CALIFORNIA: | | | | | | |
| Supreme Court | COLR | YES* | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | YES* | YES | X | 0 | 0 |
| COLORADO: | | | | | | |
| Supreme Court | COLR | NO | YES | 0 | X | 0 |
| Court of Appeals ... | IAC | NO | YES | 0 | X | 0 |
| CONNECTICUT: | | | | | | |
| Supreme Court | COLR | YES | NO | -- | -- | -- |
| Appellate Court | IAC | YES | NO | -- | -- | -- |
| DELAWARE: | | | | | | |
| Supreme Court | COLR | NO | NO | -- | -- | -- |
| DISTRICT OF COLUMBIA: | | | | | | |
| Court of Appeals ... | COLR | YES | NO | -- | -- | -- |

Table 8. Sentence review in non-capital state offense cases, 1984. (continued)

| State: Court name | Court type | Is there a formal sentence review procedure at trial court? | Is review pos- sible in appel- late court where sentence length is only issue? | Restrictions on sentence review: | | |
|---|---------------|--|--|----------------------------------|---|--|
| | | | | None | Sentence must exceed statutory maximum | Other: |
| FLORIDA: | | | | | | |
| Supreme Court | COLR | NO | YES | 0 | 0 | DEVIATES FROM GUIDELINES DEVIATES FROM GUIDELINES |
| District Court of Appeals | IAC | NO | YES | 0 | 0 | |
| GEORGIA: | | | | | | |
| Supreme Court | COLR | YES | NO | -- | -- | -- |
| Court of Appeals ... | IAC | YES | NO | -- | -- | -- |
| HAWAII: | | | | | | |
| Supreme Court | COLR | NO | NO | -- | -- | -- |
| Intermediate Court of Appeals | IAC | NO | NO | -- | -- | -- |
| IDAHO: | | | | | | |
| Supreme Court | COLR | YES | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | YES | YES | X | 0 | 0 |
| ILLINOIS: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Appellate Court | IAC | NO | YES | X | 0 | 0 |
| INDIANA: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | 0 | 0 | 0 LESS THAN 10 YRS |
| IOWA: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| KANSAS: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| KENTUCKY: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| LOUISIANA: | | | | | | |
| Supreme Court | COLR | NO | YES | 0 | 0 | MUST BE EXCESSIVE |
| Court of Appeals ... | IAC | NO | YES | 0 | 0 | MUST BE EXCESSIVE |
| MAINE: | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | NO | YES | 0 | 0 | MORE THAN 1 YR |
| MARYLAND: | | | | | | |
| Court of Appeals ... | COLR | YES | NO | -- | -- | -- |
| Court of Special Appeals | IAC | YES | NO | -- | -- | -- |

Table 8. Sentence review in non-capital state offense cases, 1984. (continued)

| State: Court name | Court type | Is there a formal sentence review procedure at trial court? | Is review pos- sible in appel- late court where sentence length is only issue? | Restrictions on sentence review: | | |
|---|---------------|--|--|----------------------------------|---|---|
| | | | | None | Sentence must exceed statutory maximum | Other: |
| MASSACHUSETTS: | | | | | | |
| Supreme Judicial Court | COLR | YES | NO | -- | -- | -- |
| Appeals Court | IAC | YES | YES | 0 | X | 0 |
| MICHIGAN: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| MINNESOTA: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| MISSISSIPPI: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| MISSOURI: | | | | | | |
| Supreme Court | COLR | NO | NO | -- | -- | -- |
| Court of Appeals ... | IAC | NO | NO | -- | -- | -- |
| MONTANA: | | | | | | |
| Supreme Court | COLR | YES | NO | -- | -- | -- |
| NEBRASKA: | | | | | | |
| Supreme Court | COLR | NO | YES | 0 | 0 | SUBMITTED W/OUT ARGUMENT |
| NEVADA: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| NEW HAMPSHIRE: | | | | | | |
| Supreme Court | COLR | YES | YES | | | |
| NEW JERSEY: | | | | | | |
| Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Appellate Division of Superior Court . | IAC | YES | YES | X | 0 | DECIDED ON ORAL ARGUMENT W/OUT BRIEF |
| NEW MEXICO: | | | | | | |
| Supreme Court | COLR | YES | YES | 0 | X | 0 |
| Court of Appeals ... | IAC | YES | YES | X | 0 | 0 |
| NEW YORK: | | | | | | |
| Court of Appeals ... | COLR | NO | YES | X | 0 | 0 |
| Appellate Division of Supreme Court .. | IAC | NO | YES | 0 | 0 | WAIVES ROUTINE PROCEDURES |
| Appellate Term of Supreme Court | IAC | NO | YES | X | 0 | 0 |
| NORTH CAROLINA: | | | | | | |
| Supreme Court | COLR | YES | YES | 0 | 0 | G |
| Court of Appeals ... | IAC | YES | YES | 0 | 0 | G |

Table 8. Sentence review in non-capital state offense cases, 1984. (continued)

| State: Court name | Court type | Is there a formal sentence review procedure at trial court? | Is review pos- sible in appel- late court where sentence length is only issue? | Restrictions on sentence review: | | |
|--|---------------|--|--|----------------------------------|---|--------|
| | | | | None | Sentence must exceed statutory maximum | Other: |
| NORTH DAKOTA: Supreme Court | COLR | NO | YES | X | 0 | 0 |
| OHIO: Supreme Court | COLR | NO | NO | -- | -- | -- |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| OKLAHOMA: Supreme Court | COLR | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | YES | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- |
| OREGON: Supreme Court | COLR | NO | YES | X | 0 | 0 |
| Court of Appeals ... | IAC | NO | YES | X | 0 | 0 |
| PENNSYLVANIA: Supreme Court | COLR | YES | NO | | | |
| Superior Court | IAC | YES | YES | X | 0 | 0 |
| Commonwealth Court . | IAC | -- | -- | -- | -- | -- |
| PUERTO RICO: Supreme Court | COLR | NO | NO | -- | -- | -- |
| RHODE ISLAND: Supreme Court | COLR | YES | YES | X | 0 | 0 |
| SOUTH CAROLINA: Supreme Court | COLR | NO | YES | 0 | X | 0 |
| Court of Appeals ... | IAC | NO | YES | 0 | X | 0 |
| SOUTH DAKOTA: Supreme Court | COLR | NO | YES | X | 0 | 0 |
| TENNESSEE: Supreme Court | COLR | NO | YES | 0 | X | 0 |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | IAC | NO | YES | 0 | X | 0 |
| TEXAS: Supreme Court | COLR | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | NO | NO | -- | -- | -- |
| Court of Appeals ... | IAC | NO | NO | -- | -- | -- |
| UTAH: Supreme Court | COLR | NO | YES | X | 0 | 0 |
| VERMONT: Supreme Court | COLR | YES | NO | -- | -- | -- |

Table 8. Sentence review in non-capital state offense cases, 1984. (continued)

| State: Court name | Court type | Is there a formal sentence review procedure at trial court? | Is review pos- sible in appel- late court where sentence length is only issue? | Restrictions on sentence review: | | |
|---------------------------------------|---------------|--|--|----------------------------------|---|--------|
| | | | | None | Sentence must exceed statutory maximum | Other: |
| VIRGINIA: Supreme Court | COLR | NO | YES | 0 | X | 0 |
| WASHINGTON: Supreme Court | COLR | NO | YES | 0 | X | 0 |
| | IAC | NO | YES | 0 | X | 0 |
| WEST VIRGINIA: Supreme Court | COLR | NO | YES | 0 | X | 0 |
| WISCONSIN: Supreme Court | COLR | NO | NO | -- | -- | -- |
| | IAC | NO | NO | -- | -- | -- |
| WYOMING: Supreme Court | COLR | NO | YES | X | 0 | 0 |

-- = Data element is inapplicable.
COLR = Court of last resort.
IAC = Intermediate appellate court.

Footnotes:

California--All convicted defendants who are sentenced to prison have a mandatory review for disparity that is conducted in an administrative hearing, not in the trial courts.

Table 9. Route of appeals of administrative agency cases in state appellate courts, 1984.

An important, but often overlooked component of state court systems is the link between "conventional" court cases that routinely make up the workloads of state courts (e.g., criminal, tort, and juvenile cases), and cases involving administrative agencies. Table 9 demonstrates the link between these two important components of the legal system by identifying the route of appeals of administrative agency decisions to the state appellate courts. A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

There are three basic sources of these cases. They may come to the appellate court directly from either the agency, the trial courts, or the intermediate appellate courts. The most frequently cited admin-

istrative agencies from which appeals are taken directly to the appellate courts are specifically identified in this table using the generic terms: "Public Service Commission," "Workers' Compensation Commission," and "Unemployment Insurance Commission." Other agencies are identified when appropriate.

To further enhance an understanding of the link between administrative law and conventional state courts, an "M" and "D" are used in lieu of the "X" employed in the previous tables. An "M" indicates a mandatory appeal coming from the specified source; a "D" means a discretionary appeal, and an "M/D" represents either a mandatory or discretionary appeal, depending on the situation. An "O" is used when an appeal cannot come directly from the specific source.

| State: Court name | Court type | An appeal of an administrative agency case comes to this court directly from the: | | | | | Trial court(s) | Inter- mediate appellate court |
|------------------------------------|---------------|--|---------------------------------------|---|--------------------------------|-----|-------------------|---|
| | | Public Service Comm. | Workers Compen- sation Comm. | Unemploy- ment Insurance Comm. | Other Agencies: | | | |
| ALABAMA: | | | | | | | | |
| Supreme Court | COLR | M | O | O | M | O | D | |
| Court of Civil Appeals | IAC | O | O | O | O | M | -- | |
| Court of Criminal Appeals | IAC | -- | -- | -- | -- | -- | -- | |
| ALASKA: | | | | | | | | |
| Supreme Court | COLR | O | O | O | O | M | O | |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | |
| ARIZONA: | | | | | | | | |
| Supreme Court | COLR | O | O | O | O | O | D | |
| Court of Appeals ... | IAC | O | M | D | O | M | -- | |
| ARKANSAS: | | | | | | | | |
| Supreme Court | COLR | O | M/D | O | ALCOHOL BEVERAGE CONTROL (M/D) | O | O | |
| Court of Appeals ... | COLR | O | O | M | O | O | -- | |
| CALIFORNIA: | | | | | | | | |
| Supreme Court | COLR | D | O | O | O | O | D | |
| Court of Appeals ... | IAC | O | D | O | M/D | M/D | -- | |
| COLORADO: | | | | | | | | |
| Supreme Court | COLR | M | O | O | O | O | D | |
| Court of Appeals ... | IAC | O | M | M | SEVERAL (M) | M | -- | |
| CONNECTICUT: | | | | | | | | |
| Supreme Court | COLR | O | O | O | O | O | M/D | |
| Appellate Court | IAC | O | M | O | O | M | -- | |
| DELAWARE: | | | | | | | | |
| Supreme Court | COLR | O | O | O | O | M | -- | |

Table 9: Route of appeals of administrative agency cases in state appellate courts, 1984. (continued)

| State: Court name | Court type | An appeal of an administrative agency case comes to this court directly from the: | | | | | Trial court(s) | Inter- mediate appellate court |
|---|---------------|--|---------------------------------------|---|---|--|-------------------|---|
| | | Public Service Comm. | Workers Compen- sation Comm. | Unemploy- ment Insurance Comm. | Other Agencies: | | | |
| DISTRICT OF COLUMBIA: Court of Appeals ... | COLR | M | M | M | ALL (M) | | 0 | -- |
| FLORIDA: Supreme Court | COLR | M | 0 | 0 | 0 | | 0 | M/D |
| District Court of Appeals | IAC | 0 | M | M | ALL (M) | | 0 | -- |
| GEORGIA: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M/D | M/D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | M/D | -- |
| HAWAII: Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | M/D |
| Intermediate Court of Appeals | IAC | M | M | M | ALL (M) | | 0 | -- |
| IDAHO: Supreme Court | COLR | M | M | M | 0 | | M | -- |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | 0 | -- |
| ILLINOIS: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M/D | M/D |
| Appellate Court | IAC | 0 | M | 0 | LABOR RELATIONS (M); BD. ELEC (M) POLLUTION CONTROL (M) | | M | -- |
| INDIANA: Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | D |
| Court of Appeals ... | IAC | M | M | M | ALL (M) | | M | -- |
| IOWA: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M | D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | M | -- |
| KANSAS: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M/D | D |
| Court of Appeals ... | IAC | M | 0 | 0 | TAX BOARD (M) | | M | -- |
| KENTUCKY: Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | M/D | -- |
| LOUISIANA: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M/D | M/D |
| Court of Appeals ... | IAC | M | 0 | 0 | CIVIL SERVICE COMM (M); ENVIR. PROT. (M); ETHICS COMM. (M) | | M | -- |
| MAINE: Supreme Judicial Court Sitting as Law Court | COLR | M | D | 0 | 0 | | M | -- |

Table 9: Route of appeals of administrative agency cases in state appellate courts, 1984. (continued)

| State: Court name | Court type | An appeal of an administrative agency case comes to this court directly from the: | | | | | Trial court(s) | Inter- mediate appellate court |
|---|---------------|--|---------------------------------------|---|--------------------|--|-------------------|---|
| | | Public Service Comm. | Workers Compen- sation Comm. | Unemploy- ment Insurance Comm. | Other Agencies: | | | |
| MARYLAND: | | | | | | | | |
| Court of Appeals ... | COLR | 0 | 0 | 0 | 0 | | M/D | M/D |
| Court of Special Appeals | IAC | 0 | 0 | 0 | 0 | | M | -- |
| MASSACHUSETTS: | | | | | | | | |
| Supreme Judicial Court | COLR | 0 | 0 | D | TAX BOARD (M) | | M/D | D |
| Appeals Court | IAC | 0 | 0 | 0 | LABOR RELATIONS(M) | | M | -- |
| MICHIGAN: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | D |
| Court of Appeals ... | IAC | M/D | M/D | M/D | ALL (M/D) | | D | -- |
| MINNESOTA: | | | | | | | | |
| Supreme Court | COLR | 0 | M | 0 | TAX COURT (M) | | 0 | D |
| Court of Appeals ... | IAC | M | 0 | M | ALL (M) | | M | -- |
| MISSISSIPPI: | | | | | | | | |
| Supreme Court | COLR | M | 0 | 0 | 0 | | M | -- |
| MISSOURI: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | REVENUE CASES (M) | | 0 | 0 |
| Court of Appeals ... | IAC | 0 | 0 | 0 | ALL (M) | | M | -- |
| MONTANA: | | | | | | | | |
| Supreme Court | COLR | D | D | D | ALL (D) | | D | -- |
| NEBRASKA: | | | | | | | | |
| Supreme Court | COLR | M/D | M/D | M/D | M/D | | M/D | -- |
| NEVADA: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | | M | -- |
| NEW HAMPSHIRE: | | | | | | | | |
| Supreme Court | COLR | D | D | D | ALL (D) | | 0 | -- |
| NEW JERSEY: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | M/D |
| Appellate Division of Superior Court . | IAC | M | M | M | ALL (M) | | 0 | -- |
| NEW MEXICO: | | | | | | | | |
| Supreme Court | COLR | M | 0 | M | ALL (M/D) | | M | 0 |
| Court of Appeals ... | IAC | 0 | 0 | 0 | ALL (M) | | M | -- |

Table 9: Route of appeals of administrative agency cases in state appellate courts, 1984. (continued)

| State: Court name | Court type | An appeal of an administrative agency case comes to this court directly from the: | | | | | Trial court(s) | Inter-mediate appellate court |
|--|------------|---|----------------------------|------------------------------|---|-----|----------------|-------------------------------|
| | | Public Service Comm. | Workers Compensation Comm. | Unemployment Insurance Comm. | Other Agencies: | | | |
| NEW YORK: | | | | | | | | |
| Court of Appeals ... | COLR | 0 | 0 | 0 | 0 | 0 | 0 | M/D |
| Appellate Division of Supreme Court .. | IAC | M* | M | M | ENVIRONMENTAL BD; (M); HUMAN RIGHTS APPEAL (M) | M | M | -- |
| Appellate Term of Supreme Court | IAC | -- | -- | -- | -- | -- | -- | -- |
| NORTH CAROLINA: | | | | | | | | |
| Supreme Court | COLR | M | 0 | 0 | 0 | 0 | 0 | M/D |
| Court of Appeals ... | IAC | 0 | M | 0 | PROPERTY TAX (M); COMM. INSURANCE (M); BD. STATE CONTRACT APPEALS (M) | M/D | M/D | -- |
| NORTH DAKOTA: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | 0 | M | -- |
| OHIO: | | | | | | | | |
| Supreme Court | COLR | M | 0 | 0 | BOARD TAX APPEALS (M); ELSE (M) | 0 | 0 | M |
| Court of Appeals ... | IAC | 0 | 0 | 0 | BOARD TAX APPEALS (M) | M | M | -- |
| OKLAHOMA: | | | | | | | | |
| Supreme Court | COLR | D | M | 0 | TAX COURT (M); BANKING BD (D); TAX COMM (D); BD PROPERTY/CASUALTY RATES (D) | D | D | -- |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | D | M | 0 | CASES TRANSFERRED FROM SUPREME COURT | D | D | -- |
| OREGON: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | TAX COURT APPEALS (M) | 0 | 0 | D |
| Court of Appeals ... | IAC | M | M | M | ALL (M) | 0 | 0 | -- |
| PENNSYLVANIA: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | LEGISLATIVE REAPPOR. COMM (M) | M | M | D |
| Superior Court | IAC | -- | -- | -- | -- | -- | -- | -- |
| Commonwealth Court . | IAC | M/D | M/D | M/D | ALL (M/D) | M/D | M/D | -- |
| PUERTO RICO: | | | | | | | | |
| Supreme Court | COLR | 0 | M | 0 | LABOR RELATIONS; COMM. MUNICIPAL COMPLAINTS; MIN. WAGE BD.; SUGAR BD (M) | M/D | M/D | -- |
| RHODE ISLAND: | | | | | | | | |
| Supreme Court | COLR | M | D | 0 | 0 | 0 | D | -- |
| SOUTH CAROLINA: | | | | | | | | |
| Supreme Court | COLR | 0 | 0 | 0 | 0 | D | D | D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | CASES TRANSFERRED FROM SUPREME COURT | M | M | -- |

Table 9: Route of appeals of administrative agency cases in state appellate courts, 1984. (continued)

| State: Court name | Court type | An appeal of an administrative agency case comes to this court directly from the: | | | | Other Agencies: | Trial court(s) | Inter-mediate appellate court |
|---------------------------------------|------------|---|----------------------------|------------------------------|---------------------------------|-----------------|----------------|-------------------------------|
| | | Public Service Comm. | Workers Compensation Comm. | Unemployment Insurance Comm. | | | | |
| SOUTH DAKOTA: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M | -- |
| TENNESSEE: Supreme Court | COLR | 0 | D | 0 | 0 | | 0 | D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | M | -- |
| Court of Criminal Appeals | IAC | -- | -- | -- | -- | | -- | -- |
| TEXAS: Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | 0 |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- | | -- | -- |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | M | -- |
| UTAH: Supreme Court | COLR | M | M | M | ELSE, EXCEPT TAX COMMISSION (M) | | M | -- |
| VERMONT: Supreme Court | COLR | M | M | M | (M) | | M | -- |
| VIRGINIA: Supreme Court | COLR | M | D | 0 | 0 | | D | -- |
| WASHINGTON: Supreme Court | COLR | 0 | 0 | 0 | 0 | | 0 | M/D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | D | -- |
| WEST VIRGINIA: Supreme Court | COLR | 0 | D | D | 0 | | D | -- |
| WISCONSIN: Supreme Court | COLR | 0 | 0 | 0 | 0 | | D | D |
| Court of Appeals ... | IAC | 0 | 0 | 0 | 0 | | M | -- |
| WYOMING: Supreme Court | COLR | 0 | 0 | 0 | 0 | | M | -- |

-- = Data element is inapplicable.
 ALL = All state agency cases.
 COLR = Court of last resort.
 ELSE = All other state agency cases.
 IAC = Intermediate appellate court.

Footnotes:

New York--Appellate Division of Supreme Court: Public Service Commission cases are applicable to the Third Department only.

Table 10. Contents of opinion counts in state appellate courts, 1984.

One of the most misunderstood terms used in reporting an appellate court's workload is "opinion." Does the data represented by this term equal the number of written opinions, or the number of cases resolved by opinions? These are two different data elements, and Table 10 answers this question for statistical reporting in state appellate courts. One can assume that a "case count" will yield a larger number than a "written document count." A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

A second component of the opinion counting problem lies with identifying the various types of "opinions" reported in a state's opinion figure. In addition to signed majority opinions, does an opinion count include per curiam opinions (i.e., unsigned opinions), or memoranda/orders? Table 10 attempts to address this question. Although several states contend that they do not have memorandum decisions per se, when presented with an example of a memorandum decision, the contact person clearly indicated that these types of decisions were included in their opinion count. This was one of the more difficult tables to construct using generic terminology.

| State: Court name | Court type | Number of opinions reported equals: | | Contents of reported opinion count: | | |
|---------------------------------|------------|-------------------------------------|-----------------------------|-------------------------------------|--------------------|-------------------------------|
| | | Number of cases resolved by opinion | Number of written documents | Signed majority opinion | Per curiam opinion | "Memorandum" or "final order" |
| ALABAMA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Civil Appeals | IAC | X | 0 | X | X | X |
| Court of Criminal Appeals | IAC | X | 0 | X | -- | X |
| ALASKA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | X | 0 | 0 |
| ARIZONA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| ARKANSAS: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | COLR | X | 0 | X | 0 | 0 |
| CALIFORNIA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | IAC | X | X | X | X | X |
| COLORADO: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | -- | X |
| CONNECTICUT: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Appellate Court | IAC | X | 0 | X | X | X |
| DELAWARE: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| DISTRICT OF COLUMBIA: | | | | | | |
| Court of Appeals ... | COLR | X | 0 | X | X | 0 |

Table 10. Contents of opinion counts in state appellate courts, 1984. (continued).

| State: Court name | Court type | Number of opinions reported equals: | | Contents of reported opinion count: | | |
|---|------------|-------------------------------------|-----------------------------|-------------------------------------|--------------------|-------------------------------|
| | | Number of cases resolved by opinion | Number of written documents | Signed majority opinion | Per curiam opinion | "Memorandum" or "final order" |
| FLORIDA: | | | | | | |
| Supreme Court | COLR | N/A | N/A | N/A | N/A | N/A |
| District Court of Appeals | IAC | N/A | N/A | N/A | N/A | N/A |
| GEORGIA: | | | | | | |
| Supreme Court | COLR | 0 | X | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | 0 | 0 |
| HAWAII: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Intermediate Court of Appeals | IAC | X | 0 | X | X | X |
| IDAHO: | | | | | | |
| Supreme Court | COLR | 0 | X | X | X | X |
| Court of Appeals ... | IAC | 0 | X | X | X | 0 |
| ILLINOIS: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | -- |
| Appellate Court | IAC | X | X | X | X | X |
| INDIANA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| IOWA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | X | 0 | 0 |
| KANSAS: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| KENTUCKY: | | | | | | |
| Supreme Court | COLR | X | X | X | X | X |
| Court of Appeals ... | IAC | X | X | X | -- | X |
| LOUISIANA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | X* |
| Court of Appeals ... | IAC | X | 0 | X | -- | X |
| MAINE: | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | 0 | X | X | 0 | 0 |

Table 10. Contents of opinion counts in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of opinions reported equals: | | Contents of reported opinion count: | | |
|---|------------|--|-----------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| | | Number of cases resolved by opinion | Number of written documents | Signed majority opinion | Per curiam opinion | "Memorandum" or "final order" |
| MARYLAND: | | | | | | |
| Court of Appeals ... | COLR | X | 0 | X | X | -- |
| Court of Special Appeals | IAC | N/A | N/A | N/A | N/A | N/A |
| MASSACHUSETTS: | | | | | | |
| Supreme Judicial Court | COLR | X | X | X | 0 | 0 |
| Appeals Court | IAC | X | X | X | 0 | 0 |
| MICHIGAN: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| MINNESOTA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | -- | 0 |
| MISSISSIPPI: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | X |
| MISSOURI: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | IAC | X | X | X | X | X |
| MONTANA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| NEBRASKA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| NEVADA: | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 |
| NEW HAMPSHIRE: | | | | | | |
| Supreme Court | COLR | X | X | X | X | X |
| NEW JERSEY: | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 |
| Appellate Division of Superior Court . | IAC | X | 0 | X | X | X* |
| NEW MEXICO: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | X |
| Court of Appeals ... | IAC | X | 0 | X | -- | 0 |

Table 10. Contents of opinion counts in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of opinions reported equals: | | Contents of reported opinion count: | | |
|--|------------|-------------------------------------|-----------------------------|-------------------------------------|--------------------|-------------------------------|
| | | Number of cases resolved by opinion | Number of written documents | Signed majority opinion | Per curiam opinion | "Memorandum" or "final order" |
| NEW YORK: | | | | | | |
| Court of Appeals ... | COLR | 0 | X | X | 0 | 0 |
| Appellate Division of Supreme Court .. | IAC | N/A | N/A | N/A | N/A | N/A |
| Appellate Term of Supreme Court | IAC | X | 0 | X | 0 | 0 |
| NORTH CAROLINA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | X |
| Court of Appeals ... | IAC | X | 0 | X | -- | X |
| NORTH DAKOTA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| OHIO: | | | | | | |
| Supreme Court | COLR | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | X | 0 | X | 0 | X |
| OKLAHOMA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Criminal Appeals | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| OREGON: | | | | | | |
| Supreme Court | COLR | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | X | X | X | 0 | 0 |
| PENNSYLVANIA: | | | | | | |
| Supreme Court | COLR | N/A | N/A | N/A | N/A | N/A |
| Superior Court | IAC | X | 0 | X | X | X |
| Commonwealth Court . | IAC | 0 | X | X | X | X |
| PUERTO RICO: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| RHODE ISLAND: | | | | | | |
| Supreme Court | COLR | X | X | X | X | X |
| SOUTH CAROLINA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| SOUTH DAKOTA: | | | | | | |
| Supreme Court | COLR | X | X | X | X | 0 |

Table 10. Contents of opinion counts in state appellate courts, 1984. (continued)

| State: Court name | Court type | Number of opinions reported equals: | | Contents of reported opinion count: | | |
|---------------------------------|------------|-------------------------------------|-----------------------------|-------------------------------------|--------------------|-------------------------------|
| | | Number of cases resolved by opinion | Number of written documents | Signed majority opinion | Per curiam opinion | "Memorandum" or "final order" |
| TENNESSEE: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | IAC | X | 0 | X | X | 0 |
| Court of Criminal Appeals | IAC | X | 0 | X | X | 0 |
| TEXAS: | | | | | | |
| Supreme Court | COLR | 0 | X | X | 0 | 0 |
| Court of Criminal Appeals | COLR | X | 0 | X | 0 | 0 |
| Court of Appeals ... | IAC | X | 0 | X | 0 | 0 |
| UTAH: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| VERMONT: | | | | | | |
| Supreme Court | COLR | X | 0 | X | 0 | 0 |
| VIRGINIA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| WASHINGTON: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| Court of Appeals ... | IAC | X | 0 | X | X | X |
| WEST VIRGINIA: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | X |
| WISCONSIN: | | | | | | |
| Supreme Court | COLR | X | 0 | X | X | 0 |
| Court of Appeals ... | IAC | X | 0 | X | 0 | 0 |
| WYOMING: | | | | | | |
| Supreme Court | COLR | X | X | X | X | -- |

-- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.
 N/A = The data are unavailable.

Footnotes:

Louisiana--Supreme Court: There are only a few memos on appeals.

New Jersey--Appellate Division of Superior Court: Data include "Rule Affirmances."

Table 11. Data availability on manner of disposition in state appellate courts, 1984.

Table 11 answers two questions: "Which data are available regarding the various manners of disposition in state appellate courts; and in what form are these data presented?" A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

The responses to these questions may or may not be affected by an appellate court having its basic caseload and or case processing information in a machine readable form (i.e., on a computer). It might be interesting to know whether automated courts report more data than non-automated courts. The lack of any relationship, however, might be attributed to automated courts not collecting disposition information, or collecting it and simply not reporting the data; or the fact that courts with small caseloads might be able to easily record, compute and report such manner of disposition data.

The second column asks the question, "Are all opinions published?" The answer to this question will

have an impact on the case selection, analysis, and extent of generalizations that are possible for those researchers who do case work. Researchers who focus on the outcomes of decisions must know whether they are dealing with the entire universe of cases before generalizing about a court's behavior.

Finally, the various manners of disposition are listed in Table 11. An "I" indicates the data element is presented independently from the other elements. An "O" means that data are unavailable for that data element. The use of other abbreviations illustrates the extent to which the other data elements are reported under a single term. For example, a "MAJ" under the columns for majority opinion and memorandum indicates that all three types of opinion are included in the data reported for majority opinions (see the category codes below). Multiple codes in any column indicate that the data for the element represented by that column are dispersed among the various codes in the column.

| State: Court name | Court type | Are court case- load data auto- mated? | Are all opinions published | Which of the following data elements are reported independently from the other elements? | | | | | |
|------------------------------------|---------------|--|----------------------------------|---|--------------------------|-----------------------------|------------------|---|---------|
| | | | | Majority opinion | Per curiam opinion | Memor- andum or order | Trans- ferred | Dissenting or concurring opinion | Other |
| ALABAMA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | MAJ | -- | N/A | DWS |
| Court of Civil Appeals | IAC | NO | YES | MAJ | MAJ | MAJ | I | N/A | DWS |
| Court of Criminal Appeals | IAC | NO | NO | MAJ | -- | MAJ | -- | N/A | N/A |
| ALASKA: | | | | | | | | | |
| Supreme Court | COLR | YES | NO | I | I | I | -- | N/A | DWS |
| Court of Appeals ... | IAC | YES | NO | I | PC | PC | -- | N/A | DWS |
| ARIZONA: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | I/DWS | I | N/A | DWS |
| Court of Appeals ... | IAC | DIV.1 | YES | MAJ | MAJ | MAJ/OTH | I | N/A | OTH |
| ARKANSAS: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | MAJ | MAJ | MAJ | I | I | DWS/OTH |
| Court of Appeals ... | COLR | NO | NO | I | I | -- | I | I | DWS |
| CALIFORNIA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | MAJ/OTH | -- | N/A | OTH |
| Court of Appeals ... | IAC | SOME | NO | MAJ | MAJ | MAJ/OTH | -- | N/A | OTH |
| COLORADO: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | OTH | I | N/A | OTH |
| Court of Appeals ... | IAC | NO | NO | MAJ | -- | MAJ/OTH | I | N/A | OTH |

Table 11: Data availability on manner of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Are all opinions published | Which of the following data elements are reported independently from the other elements? | | | | | |
|--|---------------|--|----------------------------------|---|--------------------------|-----------------------------|------------------|---|---------|
| | | | | Majority opinion | Per curiam opinion | Memor- andum or order | Trans- ferred | Dissenting or concurring opinion | Other |
| CONNECTICUT: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | MAJ/OTH | I | N/A | DWS/OTH |
| Appellate Court | IAC | NO | YES | MAJ | MAJ | MAJ/OTH | I | N/A | DWS/OTH |
| DELAWARE: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | I | I | I | -- | N/A | DWS |
| DISTRICT OF COLUMBIA: | | | | | | | | | |
| Court of Appeals ... | COLR | YES | YES* | MAJ | MAJ | I/DWS | -- | N/A | DWS |
| FLORIDA: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | N/A | N/A | N/A | N/A | N/A | N/A |
| District Court of Appeals | IAC | NO | YES | N/A | N/A | N/A | N/A | N/A | N/A |
| GEORGIA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | I | I | N/A | DWS |
| Court of Appeals ... | IAC | NO | NO | MAJ | -- | I | I | N/A | DWS |
| HAWAII: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | MAJ/OTH | I | N/A | DWS/OTH |
| Intermediate Court of Appeals | IAC | YES | YES | MAJ | MAJ | MAJ | I | N/A | DWS/OTH |
| IDAHO: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | MAJ | I | N/A | OTH |
| Court of Appeals ... | IAC | YES | NO | MAJ | MAJ | N/A | N/A | N/A | N/A |
| ILLINOIS: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | N/A | N/A | N/A | N/A |
| Appellate Court | IAC | YES | YES | MAJ | MAJ | MAJ | I | I | DWS/OTH |
| INDIANA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | I | N/A | I | N/A |
| Court of Appeals ... | IAC | NO | NO | MAJ | MAJ | MAJ/ORD | I | I | N/A |
| IOWA: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | I | I | I | I | I | DWS |
| Court of Appeals ... | IAC | NO | NO | I | I | -- | -- | I | DWS |
| KANSAS: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | MAJ | MAJ | MAJ/OTH | -- | N/A | OTH |
| Court of Appeals ... | IAC | NO | NO | MAJ | MAJ | MAJ/OTH | I | N/A | OTH |
| KENTUCKY: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | MAJ | MAJ | MAJ/ORD | -- | N/A | ORD |
| Court of Appeals ... | IAC | NO | NO | MAJ | -- | MAJ/ORD | I | N/A | ORD |
| LOUISIANA: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | I | MAJ | I | N/A | N/A |
| Court of Appeals ... | IAC | SOME | MOST | MAJ | -- | MAJ | -- | N/A | DWS |

Table 11: Data availability on manner of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Are all opinions published | Which of the following data elements are reported independently from the other elements? | | | | | |
|--|---------------|--|----------------------------------|---|--------------------------|-----------------------------|------------------|---|------------|
| | | | | Majority opinion | Per curiam opinion | Memor- andum or order | Trans- ferred | Dissenting or concurring opinion | Other |
| MAINE: Supreme Judicial Court Sitting as Law Court | COLR | NO | YES | I | I | ORD/OTH | -- | N/A | OTH |
| MARYLAND: Court of Appeals ... Court of Special Appeals | COLR IAC | NO SOME | YES NO | I N/A | I N/A | N/A N/A | I I | I N/A | N/A N/A |
| MASSACHUSETTS: Supreme Judicial Court | COLR | NO | YES | I | PC | PC | I | N/A | DWS |
| Appeals Court | IAC | NO | YES | I | I | I | I | N/A | DWS |
| MICHIGAN: Supreme Court | COLR | YES | YES | MAJ | MAJ | I | -- | N/A | DWS |
| Court of Appeals ... | IAC | YES | NO | MAJ | MAJ | MAJ/ORD | ORD | N/A | DWS |
| MINNESOTA: Supreme Court | COLR | YES | YES | MAJ | MAJ | I | I | N/A | DWS |
| Court of Appeals ... | IAC | YES | YES | I | -- | I | I | N/A | DWS |
| MISSISSIPPI: Supreme Court | COLR | NO | NO | MAJ | I | MAJ | -- | I | -- |
| MISSOURI: Supreme Court | COLR | NO | YES | MAJ | MAJ | MAJ/ORD | I | N/A | DWS/OTH |
| Court of Appeals ... | IAC | YES | YES | MAJ | MAJ | MAJ | I | N/A | DWS/OTH |
| MONTANA: Supreme Court | COLR | NO | YES | I | OTH | OTH | -- | N/A | OTH |
| NEBRASKA: Supreme Court | COLR | NO | YES | MAJ | MAJ | MAJ | -- | N/A | N/A |
| NEVADA: Supreme Court | COLR | NO | YES | MAJ | MAJ | DWS | -- | N/A | DWS/OTH |
| NEW HAMPSHIRE: Supreme Court | COLR | YES | YES | MAJ | MAJ | MAJ | -- | N/A | DWS/OTH |
| NEW JERSEY: Supreme Court | COLR | NO | NO | MAJ | MAJ | N/A | N/A | N/A | N/A |
| Appellate Division of Superior Court . | IAC | YES | NO | MAJ | MAJ | MAJ | I | N/A | DWS |

Table 11: Data availability on manner of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Are all opinions published | Which of the following data elements are reported independently from the other elements? | | | | | |
|---|---------------|--|----------------------------------|---|--------------------------|-----------------------------|------------------|---|---------|
| | | | | Majority opinion | Per curiam opinion | Memor- andum or order | Trans- ferred | Dissenting or concurring opinion | Other |
| NEW MEXICO: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | I | MAJ | N/A | N/A | N/A |
| Court of Appeals ... | IAC | NO | NO | I | -- | ORD/DWS | I | N/A | DWS |
| NEW YORK: | | | | | | | | | |
| Court of Appeals ... | COLR | YES | YES | I | I | I | -- | I | N/A |
| Appellate Division of Supreme Court .. | IAC | NO | -- | N/A | N/A | N/A | N/A | N/A | N/A |
| Appellate Term of Supreme Court | IAC | YES | NO | I | PC | PC/ORD | -- | N/A | DWS/OTH |
| NORTH CAROLINA: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | PC | MAJ/PC | -- | N/A | DWS |
| Court of Appeals ... | IAC | NO | NO | MAJ | -- | MAJ | -- | N/A | DWS |
| NORTH DAKOTA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | ORD | -- | N/A | MAJ/ORD |
| OHIO: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | NO | NO | MAJ | PC/ORD | MAJ/PC/ ORD | N/A | N/A | N/A |
| OKLAHOMA: | | | | | | | | | |
| Supreme Court | COLR | YES | NO | MAJ | MAJ | I | N/A | DISSENTS | I |
| Court of Criminal Appeals | COLR | YES | NO | MAJ | MAJ | ORD | ORD | N/A | ORD |
| Court of Appeals ... | IAC | YES | NO | MAJ | MAJ | MAJ | N/A | N/A | DWS |
| OREGON: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | YES | YES | I | I | I | DWS | N/A | DWS |
| PENNSYLVANIA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | N/A | N/A | N/A | N/A | N/A | N/A |
| Superior Court | IAC | YES | NO | MAJ | MAJ | MAJ | N/A | N/A | N/A |
| Commonwealth Court . | IAC | NO | NO | MAJ | MAJ | MAJ | N/A | N/A | N/A |
| PUERTO RICO: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | I | I | I | -- | N/A | DWS/OTH |
| RHODE ISLAND: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | MAJ/ORD | -- | N/A | DWS |
| SOUTH CAROLINA: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | MAJ/ORD | MAJ/ORD | MAJ/ORD | I | N/A | DWS |
| Court of Appeals ... | IAC | NO | NO | MAJ/ORD | MAJ/ORD | MAJ/ORD | I | N/A | N/A |

Table 11: Data availability on manner of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Are all opinions published | Which of the following data elements are reported independently from the other elements? | | | | | |
|------------------------------------|---------------|--|----------------------------------|---|--------------------------|-----------------------------|------------------|---|---------|
| | | | | Majority opinion | Per curiam opinion | Memor- andum or order | Trans- ferred | Dissenting or concurring opinion | Other |
| SOUTH DAKOTA: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | I | -- | N/A | DWS/OTH |
| TENNESSEE: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | MAJ | MAJ | MAJ/ORD | ORD | N/A | N/A |
| Court of Appeals ... | IAC | NO | NO | MAJ | MAJ | I | I | I | DWS |
| Court of Criminal Appeals | IAC | NO | NO | MAJ | MAJ | I | I | I | DWS |
| TEXAS: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | I | I | -- | -- | I | N/A |
| Court of Criminal Appeals | COLR | SOME | YES | I | I | I | -- | I | N/A |
| Court of Appeals ... | IAC | MOST COURTS | NO | I | I | I | I | I | I |
| UTAH: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | I | I | I | -- | N/A | DWS |
| VERMONT: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | I | I | I | -- | N/A | DWS |
| VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | NO | NO | MAJ | MAJ | I | -- | N/A | N/A |
| WASHINGTON: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | MAJ | I | N/A | DWS/OTH |
| Court of Appeals ... | IAC | YES | NO | MAJ | MAJ | MAJ | I | N/A | DWS/OTH |
| WEST VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | YES | YES | MAJ | MAJ | MAJ/ORD | -- | N/A | DWS |
| WISCONSIN: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | ORD | ORD | N/A | ORD/DWS |
| Court of Appeals ... | IAC | NO | NO | I | I | I | -- | N/A | DWS |
| WYOMING: | | | | | | | | | |
| Supreme Court | COLR | NO | YES | MAJ | MAJ | MAJ/ORD | -- | I | DWS |

-- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.
 N/A = The data are unavailable.

Table 11: Data availability on manner of disposition in state appellate courts, 1984. (continued)

OTHER CODES USED IN TABLE 11:

- DWS = The data are reported under dismissed/withdrawn/settled
- I = The data are reported independently from the other elements.
- MAJ = The data are reported under majority opinions.
- ORD = The data are reported under memorandum/order.
- OTH = The data are reported under other dispositions.
- PC = The data are reported with per curiam opinions.

Footnotes:

District of Columbia--All opinions are published, except for "memo opinions and judgments."

Table 12. Data availability on type of disposition in state appellate courts, 1984.

Researchers have begun to study the outcomes of appeals in state appellate courts. Table 12 illustrates the availability of the type of disposition data elements in state appellate courts, and the form in which these data are presented. A variety of disposition types are listed across the top of Table 12.

An "O" indicates that data are unavailable. An "I" indicates that data for that element are reported

independently from the other elements. Other codes indicate the extent to which data for different variables are reported under the same term. For example, an "R" under both reversed and reversed/remanded represents a situation where both reversed and reversed/remanded cases are included under the term "reversed." A blank space indicates that no information was available for that data element. All codes used in this Table are defined at the end of this Table.

| State: Court name | Court type | Are court case-load data automated? | Which of the following data elements are reported in some form independently from the other elements? | | | | | | | | | | |
|---------------------------------|------------|-------------------------------------|---|---------------------------|----------|------------------------|-----------|------------|---------|-----------------------|-----------------------|-------|-----|
| | | | Affirmed or modified | Affirmed in part/reversed | Reversed | Reversed and re-manded | Re-manded | Dis-missed | Vacated | Review granted/denied | Relief granted/denied | Other | |
| ALABAMA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | N/A | N/A |
| Court of Civil Appeals | IAC | NO | I | I | R | R | R | N/A | N/A | -- | G/D | N/A | |
| Court of Criminal Appeals | IAC | NO | I | I | I | I | I | I | N/A | -- | G/D | N/A | |
| ALASKA: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | I | I | R | R | R | I | R | D | N/A | N/A | I |
| Court of Appeals ... | IAC | YES | I | I | R | R | R | I | R | N/A | N/A | N/A | I |
| ARIZONA: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | DIV.1 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| ARKANSAS: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | N/A | N/A | G/D | N/A | I |
| Court of Appeals ... | COLR | NO | I | I | I | I | I | I | N/A | -- | D | N/A | I |
| CALIFORNIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | | I | I | | I | N/A | G/D | N/A | N/A | N/A |
| Court of Appeals ... | IAC | SOME | I | | I | I | | I | N/A | G/D | N/A | N/A | N/A |
| COLORADO: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| CONNECTICUT: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Appellate Court | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| DELAWARE: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | N/A | I | I | I | I | I | N/A | D | N/A | I |
| DISTRICT OF COLUMBIA: | | | | | | | | | | | | | |
| Court of Appeals ... | COLR | YES | I | I | I | I | I | I | I | G/D | N/A | N/A | |

Table 12: Data availability on type of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Which of the following data elements are reported in some form independently from the other elements? | | | | | | | | | |
|---|---------------|--|--|---|---------------|---------------------------------------|---------------|----------------|---------|-----------------------------------|-----------------------------------|-------|
| | | | Affirm- ed or modi- fied | Affirm- ed in part/re- versed in part | Rever- sed | Rever- sed and re- manded | Re- manded | Dis- missed | Vacated | Review grant- ed/ denied | Relief grant- ed/ denied | Other |
| FLORIDA: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | I | N/A | I | I | I | N/A | N/A | N/A | N/A | N/A |
| District Court of Appeals | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| GEORGIA: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | N/A | G/D | N/A | I |
| Court of Appeals ... | IAC | NO | I | I | I | I | I | I | I | G/D | G/D | I |
| HAWAII: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | A | A | R | R | R | I | N/A | N/A | N/A | I |
| Intermediate Court of Appeals | IAC | YES | A | A | R | R | R | I | N/A | -- | N/A | I |
| IDAHO: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | I | I | I | I | I | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | YES | I | I | I | I | I | N/A | N/A | -- | N/A | N/A |
| ILLINOIS: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G | N/A | N/A |
| Appellate Court | IAC | YES | I | I | I | I | I | I | N/A | N/A | D | N/A |
| INDIANA: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | N/A | N/A |
| Court of Appeals ... | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| IOWA: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | A/R | R | R | A/R | I | N/A | G/D | -- | I |
| Court of Appeals ... | IAC | NO | I | A/R | R | R | A/R | I | N/A | -- | -- | N/A |
| KANSAS: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | I | G/D | G/D | I |
| Court of Appeals ... | IAC | NO | I | I | I | I | I | I | I | -- | -- | I |
| KENTUCKY: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | N/A | I | I | G/D | G/D | N/A |
| Court of Appeals ... | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| LOUISIANA: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | N/A | N/A |
| Court of Appeals ... | IAC | SOME | N/A | N/A | N/A | N/A | N/A | I | N/A | G/D | G/D | N/A |
| MAINE: | | | | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | NO | I | R | R | R | R | N/A | N/A | N/A | N/A | N/A |
| MARYLAND: | | | | | | | | | | | | |
| Court of Appeals ... | COLR | NO | I | I | R | R | I | I | I | G/D | N/A | N/A |
| Court of Special Appeals | IAC | YES | I | I | R | R | I | I | N/A | G/D | -- | I |

Table 12: Data availability on type of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Which of the following data elements are reported in some form independently from the other elements? | | | | | | | | | | |
|--|---------------|--|--|---|---------------|--|--------------------|---------------------|---------|-----------------------------------|-----------------------------------|-------|-----|
| | | | Affirm- ed or modi- fied | Affirm- ed in part/re- versed in part | Rever- sed | Rever- sed and re- man- ded | Re- man- ded | Dis- mis- sed | Vacated | Review grant- ed/ denied | Relief grant- ed/ denied | Other | |
| MASSACHUSETTS: | | | | | | | | | | | | | |
| Supreme Judicial Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | I | N/A | G | -- | N/A |
| Appeals Court | IAC | NO | I | R | R | R | OTH | I | N/A | N/A | N/A | N/A | OTH |
| MICHIGAN: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | N/A | N/A |
| Court of Appeals ... | IAC | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| MINNESOTA: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | I | I | I | G/D | G/D | N/A | N/A |
| Court of Appeals ... | IAC | YES | N/A | N/A | N/A | N/A | I | I | I | N/A | N/A | N/A | N/A |
| MISSISSIPPI: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | A | I | R | R | R | A | N/A | -- | | | N/A |
| MISSOURI: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | I | N/A | G/D | -- | N/A |
| Court of Appeals ... | IAC | YES | I | R | R | R | R | I | N/A | -- | D | | I |
| MONTANA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G | N/A | N/A |
| NEBRASKA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| NEVADA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | N/A | I | N/A | -- | G/D | | I |
| NEW HAMPSHIRE: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| NEW JERSEY: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | N/A | G | N/A | N/A | N/A |
| Appellate Division of Superior Court | IAC | YES | I | I | R | R | I | I | N/A | N/A | N/A | N/A | N/A |
| NEW MEXICO: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | I | A/R | R-A/R | R-A/R | I | I | I | N/A | N/A | N/A | I |
| Court of Appeals ... | IAC | NO | I | A/R | R-A/R | R-A/R | N/A | I | N/A | -- | G/D | | I |
| NEW YORK: | | | | | | | | | | | | | |
| Court of Appeals ... | COLR | YES | A | -- | R | R | A-R | I | N/A | G/D | -- | | N/A |
| Appellate Division of Supreme Court ... | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Appellate Term of Supreme Court | IAC | YES | A | R | R | R | A | I | N/A | N/A | N/A | N/A | N/A |

Table 12: Data availability on type of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Which of the following data elements are reported in some form independently from the other elements? | | | | | | | | | | |
|------------------------------------|---------------|--|--|--|---------------|--|--------------------|---------------------|---------|-----------------------------------|-----------------------------------|-------|-----|
| | | | Affirm- ed or modi- fied | Affirm- ed in part/re- versed | Rever- sed | Rever- sed and re- man- ded | Re- man- ded | Dis- mis- sed | Vacated | Review grant- ed/ denied | Relief grant- ed/ denied | Other | |
| NORTH CAROLINA: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | I | R | R | I | I | I | N/A | N/A | G/D | G/D | N/A |
| Court of Appeals ... | IAC | NO | I | I | R | R | I | N/A | N/A | N/A | G/D | G/D | I |
| NORTH DAKOTA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | I | N/A | -- | G/D | I |
| OHIO: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| OKLAHOMA: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | N/A | N/A |
| Court of Criminal Appeals | COLR | YES | I | R | R | R | | | I | N/A | G/D | G/D | I |
| Court of Appeals ... | IAC | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| OREGON: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| PENNSYLVANIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G | N/A | N/A |
| Superior Court | IAC | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Commonwealth Court . | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| PUERTO RICO: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | R | R | R | R | N/A | I | N/A | G/D | G/D | N/A |
| RHODE ISLAND: | | | | | | | | | | | | | |
| Supreme Court | COLR | YES | I | R | R | R | R | R | I | N/A | G/D | N/A | I |
| SOUTH CAROLINA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| SOUTH DAKOTA: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | R | R | I | I | I | N/A | G/D | G/D | N/A |
| TENNESSEE: | | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Court of Appeals ... | IAC | NO | I | I | I | I | I | I | N/A | N/A | N/A | N/A | N/A |
| Court of Criminal Appeals | IAC | NO | I | I | I | I | I | I | N/A | I | N/A | N/A | I |

Table 12: Data availability on type of disposition in state appellate courts, 1984. (continued)

| State: Court name | Court type | Are court case- load data auto- mated? | Which of the following data elements are reported in some form independently from the other elements? | | | | | | | | | |
|------------------------------------|---------------|--|--|---|---------------|--|----------------------|----------------|---------|-----------------------------------|-----------------------------------|-------|
| | | | Affirm- ed or modi- fied | Affirm- ed in part/re- versed in part | Rever- sed | Rever- sed and re- man- dated | Re- man- dated | Dis- missed | Vacated | Review grant- ed/ denied | Relief grant- ed/ denied | Other |
| TEXAS: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | N/A | I | N/A | G/D | G/D | N/A |
| Court of Criminal Appeals | COLR | SOME | I | I | I | I | I | I | I | G/D | G/D | I |
| Court of Appeals ... | IAC | MOST COURTS | I | I | I | I | N/A | I | N/A | -- | N/A | I |
| UTAH: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| VERMONT: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | I | N/A | -- | I |
| VIRGINIA: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | R | R | R | R | I | N/A | G/D | -- | I |
| WASHINGTON: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | D | N/A | N/A |
| Court of Appeals ... | IAC | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | D | N/A | N/A |
| WEST VIRGINIA: | | | | | | | | | | | | |
| Supreme Court | COLR | YES | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | G/D | N/A |
| WISCONSIN: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | N/A | N/A | N/A | N/A | N/A | N/A | N/A | G/D | -- | N/A |
| Court of Appeals ... | IAC | NO | I | I | I | I | I | I | N/A | G/D | G/D | I |
| WYOMING: | | | | | | | | | | | | |
| Supreme Court | COLR | NO | I | I | I | I | I | I | I | -- | G | I |

-- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.
 N/A = The data are unavailable.

OTHER CODES USED IN TABLE 12:

- A = The data are reported under affirmed.
- A/R = The data are reported under affirmed in part/reversed in part.
- D = Data are reported for denied review or relief only.
- G = Data are reported for granted review or relief only.
- G/D = Data are reported for both denied and granted review or relief.
- I = Data are reported independently from other elements.
- OTH = Data are reported under other dispositions.
- R = The data are reported under reversed.

- Table 13. Length of time, in days, within which intent to appeal (e.g., notice of appeal) must be filed from trial court judgment, 1984.
- Table 14. Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984.
- Table 15. Length of time, in days, within which the trial court record must be certified to the court of last resort, if the case comes from an intermediate appellate court, 1984.
- Table 16. Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984.
- Table 17. Time periods, in days, within which state appellate justices/judges must write opinions, 1984.

There is a growing belief among some members of the courts' community that time standards play an important role in controlling delay in the courts. Tables 13 through 17 display some of the time standards that have already been developed in state appellate courts. These tables control for as many of the important caveats as possible; however, they do not purport to control for every exception to the standards. Although future efforts will order such exceptions in a systematic way, these tables are the first attempt to provide an outline for such standards in state appellate courts.

Some of the variables that are controlled for in the tables are: the case type; the general starting point of any time standard (i.e., the point where the clock starts running); a crude measure of the frequency of extensions; the source or grantor of the extensions; the length of a single extension; and the types of penalties that might be available for failure to comply with the standards.

Time standards are a relatively new area of study, and a variety of ambiguities need refinement in future editions of this volume. For example, the components of a trial court record need to be identified more explicitly. Does the record include a full transcript, a partial transcript relevant to the appeal, or the briefs of all parties involved in the appeal? It might be worth an effort to specifically identify the grantor of the extensions--is it the trial court clerk, the appellate court sitting en banc, the appellate court clerk, or a single justice/judge of the court? Some attempt should be made to identify automatic extensions, the number of extensions possible per case, and a more precise measure describing the frequency of requests and requests that are granted.

A blank space indicates that no information was available for that data element. All codes used in these tables are defined at the end of each table.

Table 13. Length of time, in days, within which intent to appeal (e.g., notice of appeal) must be filed from trial court judgment, 1984.

| State: Court name | Court type | Civil | Criminal | Juvenile | State: Court name | Court type | Civil | Criminal | Juvenile |
|-------------------------------------|---------------|-------|----------|----------|---|---------------|-------|----------|----------|
| ALABAMA: | | | | | IDAHO: | | | | |
| Supreme Court | COLR | 42 | -- | -- | Supreme Court | COLR | 42 | 42 | 42 |
| Court of Civil Appeals | IAC | 42 | -- | 14 | Court of Appeals ... | IAC | -- | -- | -- |
| Court of Criminal Appeals | IAC | -- | 42* | 14 | <hr/> | | | | |
| <hr/> | | | | | ILLINOIS: | | | | |
| ALASKA: | | | | | Supreme Court | COLR | 30 | 30 | 30 |
| Supreme Court | COLR | 30 | -- | -- | Appellate Court | IAC | 30 | 30 | 30 |
| Court of Appeals ... | IAC | -- | 30* | 30* | <hr/> | | | | |
| <hr/> | | | | | INDIANA: | | | | |
| ARIZONA: | | | | | Supreme Court | COLR | 30 | 30 | 30 |
| Supreme Court | COLR | 30 | 20 | -- | Court of Appeals ... | IAC | 30 | 30 | 30 |
| Court of Appeals ... | IAC | 30 | 20 | 15 | <hr/> | | | | |
| <hr/> | | | | | IOWA: | | | | |
| ARKANSAS: | | | | | Supreme Court | COLR | 30 | 60 | 30 |
| Supreme Court | COLR | 30 | 30 | -- | Court of Appeals ... | IAC | -- | -- | -- |
| Court of Appeals ... | COLR | 30 | 30 | 30 | <hr/> | | | | |
| <hr/> | | | | | KANSAS: | | | | |
| CALIFORNIA: | | | | | Supreme Court | COLR | 30 | 130 | 10 |
| Supreme Court | COLR | -- | -- | -- | Court of Appeals ... | IAC | 30 | 130 | 10 |
| Court of Appeals ... | IAC | 60 | 60 | 60 | <hr/> | | | | |
| <hr/> | | | | | KENTUCKY: | | | | |
| COLORADO: | | | | | Supreme Court | COLR | 30 | 10 | 30 |
| Supreme Court | COLR | 45 | 45 | 45 | Court of Appeals ... | IAC | 30 | 10 | 30 |
| Court of Appeals ... | IAC | 45 | 45 | 45 | <hr/> | | | | |
| <hr/> | | | | | LOUISIANA: | | | | |
| CONNECTICUT: | | | | | Supreme Court | COLR | 30 | 30 | 30 |
| Supreme Court | COLR | 20 | 20 | 20 | Court of Appeals ... | IAC | 30 | 5 | 15 |
| Appellate Court..... | IAC | 20 | 20 | 20 | <hr/> | | | | |
| <hr/> | | | | | MAINE: | | | | |
| DELAWARE: | | | | | Supreme Judicial Court Sitting as Law Court | COLR | 30 | 20 | 20 |
| Supreme Court | COLR | 30 | 30 | -- | <hr/> | | | | |
| <hr/> | | | | | MARYLAND: | | | | |
| DISTRICT OF COLUMBIA: | | | | | Court of Appeals ... | COLR | 30 | 30 | 30 |
| Court of Appeals ... | COLR | 30 | 30 | 30 | Court of Special Appeals | IAC | 30 | 30 | 30 |
| <hr/> | | | | | <hr/> | | | | |
| FLORIDA: | | | | | MASSACHUSETTS: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Judicial Court | COLR | 30 | 30 | 30 |
| District Court of Appeals | IAC | 30 | 30 | 30 | Appeals Court | IAC | 30 | 30 | 30 |
| <hr/> | | | | | <hr/> | | | | |
| GEORGIA: | | | | | MICHIGAN: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Court | COLR | 21 | 21 | 21 |
| Court of Appeals ... | IAC | 30 | 30 | 30 | Court of Appeals ... | IAC | 20 | 60 | 20 |
| <hr/> | | | | | <hr/> | | | | |
| HAWAII: | | | | | MINNESOTA: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Court | COLR | 30* | 90 | -- |
| Intermediate Court of Appeals | IAC | 30 | 30 | 30 | Court of Appeals ... | IAC | 90 | 90 | 90 |
| <hr/> | | | | | <hr/> | | | | |

Table 13: Length of time, in days, within which intent to appeal (e.g., notice of appeal) must be filed from trial court judgment, 1984. (continued)

| State: Court name | Court type | Civil | Criminal | Juvenile | State: Court name | Court type | Civil | Criminal | Juvenile |
|---|---------------|------------|----------|----------|------------------------------------|---------------|--------------|----------|----------|
| MISSISSIPPI: | | | | | OREGON: | | | | |
| Supreme Court | COLR | 30 | 10 | 10 | Supreme Court | COLR | 30 | 30 | 30 |
| | | | | | Court of Appeals ... | IAC | 30 | 30 | 30 |
| MISSOURI: | | | | | PENNSYLVANIA: | | | | |
| Supreme Court | COLR | 10 | 10 | 10 | Supreme Court | COLR | 30 | 30 | 30 |
| Court of Appeals ... | IAC | 10 | 10 | 10 | Superior Court | IAC | 30 | 30 | 30 |
| | | | | | Commonwealth Court . | IAC | 30 | 30 | 30 |
| MONTANA: | | | | | PUERTO RICO: | | | | |
| Supreme Court | COLR | 40 | 40 | 40 | Supreme Court | COLR | 30 | 20 | 20 |
| NEBRASKA: | | | | | RHODE ISLAND: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Court | COLR | 20 | 20 | 20 |
| NEVADA: | | | | | SOUTH CAROLINA: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Court | COLR | 10 | 10 | 10 |
| | | | | | Court of Appeals ... | IAC | -- | -- | -- |
| NEW HAMPSHIRE: | | | | | SOUTH DAKOTA: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Court | COLR | 60* | 30 | 60* |
| NEW JERSEY: | | | | | TENNESSEE: | | | | |
| Supreme Court | COLR | | DP=45 | | Supreme Court | COLR | 30 | 30 | 30 |
| Appellate Division of Superior Court . | IAC | 45 | 45 | 45 | Court of Appeals ... | IAC | 30 | -- | 30 |
| | | | | | Court of Criminal Appeals | IAC | -- | 30 | 30 |
| NEW MEXICO: | | | | | TEXAS: | | | | |
| Supreme Court | COLR | I=10 30 | 10 | -- | Supreme Court | COLR | 30 | -- | -- |
| Court of Appeals ... | IAC | I=10 30 | 10 | 10 | Court of Criminal Appeals | COLR | -- | 15* | -- |
| | | | | | Court of Appeals ... | IAC | 30 | 15* | 30 |
| NEW YORK: | | | | | UTAH: | | | | |
| Court of Appeals ... | COLR | 60 | 60 | 60 | Supreme Court | COLR | 30 | 30 | 30 |
| Appellate Division of Supreme Court .. | IAC | 30 | 30 | 30 | VERMONT: | | | | |
| Appellate Term of Supreme Court | IAC | 30 | 30 | 30 | Supreme Court | COLR | 30 | 30 | 30 |
| NORTH CAROLINA: | | | | | VIRGINIA: | | | | |
| Supreme Court | COLR | 10 | 10 | 10 | Supreme Court | COLR | 30 | 30 | 30 |
| Court of Appeals ... | IAC | 10 | 10 | 10 | WASHINGTON: | | | | |
| NORTH DAKOTA: | | | | | WASHINGTON: | | | | |
| Supreme Court | COLR | 60 | 10 | 60 | Supreme Court | COLR | 30 | 30 | 30 |
| | | | | | Court of Appeals ... | IAC | 30 | 30 | 30 |
| OHIO: | | | | | WEST VIRGINIA: | | | | |
| Supreme Court | COLR | 30 | 30 | 30 | Supreme Court | COLR | 240 | 240 | 240 |
| Court of Appeals ... | IAC | 30 | 30 | 30 | OKLAHOMA: | | | | |
| | | | | | Supreme Court | COLR | NOT REQUIRED | | |
| | | | | | Court of Criminal Appeals | COLR | -- | 10 | 10 |
| | | | | | Court of Appeals ... | IAC | -- | -- | -- |

Table 13: Length of time, in days, within which intent to appeal (e.g., notice of appeal) must be filed from trial court judgment, 1984. (continued)

| State: | Court | | | | State: | Court | | | |
|----------------------|-------|-------|----------|----------|---------------------|-------|-------|----------|----------|
| Court name | type | Civil | Criminal | Juvenile | Court name | type | Civil | Criminal | Juvenile |
| WISCONSIN: | | | | | WYOMING: | | | | |
| Supreme Court | COLR | -- | -- | -- | Supreme Court | COLR | 15 | 15 | 15 |
| Court of Appeals ... | IAC | 45 | 20 | 45 | | | | | |

DP = Death penalty
 I = Interlocutory appeals
 -- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.

Footnotes:

Alabama--Interlocutories in the Court of Criminal Appeals must be filed within seven days.

Alaska--Court of Appeals: Intent to appeal in misdemeanors must be filed within 15 days.

Minnesota--Supreme Court: The civil time standard is for Worker's Compensation and Tax Court cases only.

South Dakota--The number of days are from the entry of judgment.

Texas--Criminal time standards start from date of sentencing.

Table 14. Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984.

| State: Court name | Court type | Start- ing point | Civil | Crim- inal | Juv- enile | Frequency of exten- sions: | Grantor of exten- sions: | Length of exten- sions: | Comments: |
|--|---------------|------------------------|-------|---------------|---------------|----------------------------------|--------------------------------|-------------------------------|-----------------------------------|
| ALABAMA: | | | | | | | | | |
| Supreme Court | COLR | A | 63* | -- | -- | DEPENDS* | TL/APP | -- | |
| Court of Civil Appeals | IAC | A | 63* | -- | 63* | RARE | TL/APP | | |
| Court of Criminal Appeals | IAC | D | -- | 56 | 56 | FREQ. | APP | VARIES | |
| ALASKA: | | | | | | | | | |
| Supreme Court | COLR | A | 40 | -- | -- | INFREQ. | APP | 30 | |
| Court of Appeals ... | IAC | A | -- | 40 | 40 | INFREQ. | APP | 30 | |
| ARIZONA: | | | | | | | | | |
| Supreme Court | COLR | A | 40 | 45 | -- | FREQ. | TL/APP | 30 | |
| Court of Appeals ... | IAC | A | 40 | 45 | 25 | FREQ. | TL/APP | | |
| ARKANSAS: | | | | | | | | | |
| Supreme Court | COLR | E | 210 | 210 | -- | FREQ. | TL/APP | | "90 FROM NOTICE OF APPEAL" |
| Court of Appeals ... | COLR | E | 210 | 210 | 210 | FREQ. | TL/APP | | |
| CALIFORNIA: | | | | | | | | | |
| Supreme Court | COLR | E | -- | 20 | -- | FREQ. | APP | | |
| Court of Appeals ... | IAC | G | 40 | 30 | | FREQ. | TL/APP | | |
| COLORADO: | | | | | | | | | |
| Supreme Court | COLR | A | 90 | 90* | 90 | FREQ. | APP | | |
| Court of Appeals ... | IAC | A | 90 | 90 | 90 | FREQ. | APP | | |
| CONNECTICUT: | | | | | | | | | |
| Supreme Court | COLR | F | 10 | 10 | 10 | NONE | -- | -- | |
| Appellate Court..... | IAC | F | 10 | 10 | 10 | NONE | -- | -- | |
| DELAWARE: | | | | | | | | | |
| Supreme Court | COLR | A | 50* | 50* | -- | FREQ. | APP | -- | |
| DISTRICT OF COLUMBIA: | | | | | | | | | |
| Court of Appeals ... | COLR | A | 60 | 60 | 60 | FREQ. | APP | | |
| FLORIDA: | | | | | | | | | |
| Supreme Court | COLR | A | 110 | 50 | -- | FREQ. | TL/APP | VARIES | |
| District Court of Appeals | IAC | A | 110 | 50 | 110 | FREQ. | APP | VARIES | 60 IN WORKERS' COMPENSA. CASES |
| GEORGIA: | | | | | | | | | |
| Supreme Court | COLR | A | 35* | 35* | 35* | INFREQ. | APP | | |
| Court of Appeals ... | IAC | A | 35* | 35* | 35* | INFREQ. | TL | -- | |
| HAWAII: | | | | | | | | | |
| Supreme Court | COLR | A | 40 | 40 | 40 | FREQ. | APP | -- | |
| Intermediate Court of Appeals | IAC | A | 40 | 40 | 40 | FREQ. | APP | -- | |

Table 14: Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Start- ing point | Civil | Crim- inal | Juv- enile | Frequency of exten- sions: | Grantor of exten- sions: | Length of exten- sions: | Comments: | |
|---|---------------|------------------------|--|---------------|---------------|----------------------------------|--------------------------------|-------------------------------|--|---|
| IDAHO: | | | | | | | | | | |
| Supreme Court | COLR | A | 42 | 42 | 42 | FREQ. | APP | VARIES | 70 DAYS IF RE- PORTER'S TRANS- SCRIPT IS REQUESTED. -- | |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- | | |
| ILLINOIS: | | | | | | | | | | |
| Supreme Court | COLR | A | 63 | 63 | 63 | FREQ. | APP | VARIES | | |
| Appellate Court | IAC | A | 63 | 63 | 63 | FREQ. | APP | VARIES | | |
| INDIANA: | | | | | | | | | | |
| Supreme Court | COLR | A | 120 | 120 | 120 | FREQ. | | | | |
| Court of Appeals ... | IAC | C | 120 | 120 | 120 | FREQ. | | | | |
| IOWA: | | | | | | | | | | |
| Supreme Court | COLR | J | 7 | 7 | 7 | FREQ. | APP | | | |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- | | |
| KANSAS: | | | | | | | | | | |
| Supreme Court | COLR | L | 10 | 10 | 10 | INFREQ. | APP | VARIES | PREPARED WITHIN 10 DAYS OF NOTICE CASE HAS BEEN DOCKETED, AND CALLED FOR WHEN CASE IS SET FOR HEARING. | |
| Court of Appeals ... | IAC | L | 10 | 10 | 10 | INFREQ. | APP | VARIES | | |
| KENTUCKY: | | | | | | | | | | |
| Supreme Court | COLR | A | 60 | 60 | 60 | FREQ. | APP | 60 | | |
| Court of Appeals ... | IAC | A | 60 | 60 | 60 | FREQ. | APP | 60 | | |
| LOUISIANA: | | | | | | | | | | |
| Supreme Court | COLR | | TIME LIMITS SET INDIVIDUALLY BY TRIAL COURT. | | | | | | -- | -- DEPENDS ON TRANSCRIPT AVAILABILITY. |
| Court of Appeals ... | IAC | H | 30/45 | 60 | 30/45 | FREQ. | TL/APP | 30 | | |
| MAINE: | | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | A | 21 | 21 | 21 | INFREQ. | APP | | | |
| MARYLAND: | | | | | | | | | | |
| Court of Appeals ... | COLR | M | 60 | 60 | 60 | INFREQ. | APP | 60 | | |
| Court of Special Appeals | IAC | A | 60 | 60 | 60 | FREQ. | APP | VARIES | | |
| MASSACHUSETTS: | | | | | | | | | | |
| Supreme Judicial Court | COLR | A | 40 | 40 | 40 | FREQ. | APP | 14/30 | | |
| Appeals Court | IAC | A | 50 | 50 | 50 | FREQ. | TL/APP | VARIES | | |

Table 14: Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Start- ing point | Civil | Crim- inal | Juv- enile | Frequency of exten- sions: | Grantor of exten- sions: | Length of exten- sions: | Comments: | |
|---|---------------|------------------------|--|---------------|---------------|----------------------------------|--------------------------------|-------------------------------|------------------|--|
| MICHIGAN: Supreme Court | COLR | | | | | | | | | |
| Court of Appeals ... | IAC | A | 90 | 90 | 90 | FREQ. | APP | -- VARIES | TRANSCRIPT FILED | |
| RECORD AUTOMATICALLY SENT FROM COURT OF APPEALS | | | | | | | | | | |
| MINNESOTA: Supreme Court | COLR | J | 10* | 10* | 10* | -- | APP | 10 | | |
| Court of Appeals ... | IAC | J | 10 | 10 | 10 | INFREQ. | APP | -- | | |
| MISSISSIPPI: Supreme Court | COLR | A | 60 | 60 | 60 | FREQ. | TL | 30 | | |
| MISSOURI: Supreme Court | COLR | A | 90 | 90 | 90 | FREQ. | APP | VARIES | | |
| Court of Appeals ... | IAC | A | 90 | 90 | 90 | FREQ. | APP | 1-90 | | |
| MONTANA: Supreme Court | COLR | A | 40 | 60 | 40 | FREQ. | APP | VARIES | | |
| NEBRASKA: Supreme Court | COLR | A | 3 to 6 weeks | | | | INFREQ. | APP | 30 | |
| NEVADA: Supreme Court | COLR | A | 40 | 40 | 40 | FREQ. | TL/APP | TL=90 | | |
| NEW HAMPSHIRE: Supreme Court | COLR | N | 60 | 60 | 60 | FREQ. | APP | 1-15 | | |
| NEW JERSEY: Supreme Court | COLR | | TRIAL COURT RECORD NOT CERTIFIED TO APPELLATE COURTS | | | | | | | |
| Appellate Division of Superior Court . | IAC | A | 30 | 30 | 30 | FREQ. | APP | 30 | | |
| NEW MEXICO: Supreme Court | COLR | E | 90 | 90 | 90 | INFREQ. | TL/APP | VARIES | | |
| Court of Appeals ... | IAC | MIXED | A-90 | L-10 | A-90 | INFREQ. | TL/APP | 30 | | |
| NEW YORK: Court of Appeals ... | COLR | M | 60 | 60 | 60 | INFREQ. | APP | VARIES | | |
| Appellate Division of Supreme Court .. | IAC | A | 30 | 30 | 30 | FREQ. | APP | | | |
| Appellate Term of Supreme Court | IAC | A | 30 | 30 | 30 | FREQ. | APP | 30 | | |
| NORTH CAROLINA: Supreme Court | COLR | A | 150 | 150 | 150 | FREQ. | TL/APP | VARIES | | |
| Court of Appeals ... | IAC | A | 150 | 150 | 150 | FREQ. | TL/APP | VARIES | | |
| NORTH DAKOTA: Supreme Court | COLR | A | 50 | 50 | 50 | FREQ. | TL | 30 | | |

Table 14: Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Start- ing point | Civil | Crim- inal | Juv- enile | Frequency of exten- sions: | Grantor of exten- sions: | Length of exten- sions: | Comments: |
|------------------------------------|---------------|------------------------------|-------|-------------------|-------------------|----------------------------------|--------------------------------|-------------------------------|---------------------------------|
| OHIO: | | | | | | | | | |
| Supreme Court | COLR | | | | | | | | |
| Court of Appeals ... | IAC | A | 40 | 40 | 40 | FREQ. | TL/APP | VARIES | |
| OKLAHOMA: | | | | | | | | | |
| Supreme Court | COLR | D | 180 | -- | 180 | FREQ. | APP | | |
| Court of Criminal Appeals | COLR | E | -- | 180-FEL 120-MD | 180-FEL 120-MD | INFREQ. | APP | | |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- | -- |
| OREGON: | | | | | | | | | |
| Supreme Court | COLR | A | 30 | 30 | 30 | NONE | -- | -- | -- |
| Court of Appeals ... | IAC | A | 30 | 30 | 30 | NONE | -- | -- | -- |
| PENNSYLVANIA: | | | | | | | | | |
| Supreme Court | COLR | A | 40 | 40 | 40 | INFREQ. | | | |
| Superior Court | IAC | A | 40 | 40 | 40 | NONE | -- | -- | -- |
| Commonwealth Court . | IAC | A | 40 | 40 | 40 | INFREQ. | -- | -- | -- |
| PUERTO RICO: | | | | | | | | | |
| Supreme Court | COLR | A | 30 | 30 | 30 | INFREQ. | -- | -- | -- |
| RHODE ISLAND: | | | | | | | | | |
| Supreme Court | COLR | A | 30 | 30 | 30 | FREQ. | TL | 60 | LIMIT OF ONE EXTENSION |
| SOUTH CAROLINA: | | | | | | | | | |
| Supreme Court | COLR | A | 188 | 188 | 188 | FREQ. | APP | 30 | |
| Court of Appeals ... | IAC | -- | -- | -- | -- | -- | -- | -- | -- |
| SOUTH DAKOTA: | | | | | | | | | |
| Supreme Court | COLR | A | 105* | 105* | 105* | FREQ. | S | 15 | FOR BRIEFS |
| TENNESSEE: | | | | | | | | | |
| Supreme Court | COLR | A | 45 | 45 | 45 | FREQ. | APP | 60 | |
| Court of Appeals ... | IAC | A | 45 | 45 | 45 | FREQ. | APP | 60 | |
| Court of Criminal Appeals | IAC | A | 45 | 45 | 45 | FREQ. | APP | 60 | |
| TEXAS: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | UPON APPROVAL OF TRIAL COURT | | | | | | | |
| Court of Appeals ... | IAC | E | 60 | -- | 60 | FREQ. | APP | VARIES | UPON APPROVAL BY TRIAL COURT |
| | | D | 15 | -- | 15 | FREQ. | APP | VARIES | |
| UTAH: | | | | | | | | | |
| Supreme Court | COLR | A | 30 | 30 | 30 | FREQ. | TL | 60 | |
| VERMONT: | | | | | | | | | |
| Supreme Court | COLR | A | 40 | 40 | 40 | INFREQ. | APP | 30 | |

Table 14: Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Start- ing point | Civil | Crim- inal | Juv- enile | Frequency of exten- sions: | Grantor of exten- sions: | Length of exten- sions: | Comments: |
|----------------------|---------------|------------------------|-------|---------------|---------------|----------------------------------|--------------------------------|-------------------------------|--|
| VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | E | 90 | 90 | 90 | FREQ.-CR | TL | 30 | |
| WASHINGTON: | | | | | | | | | |
| Supreme Court | COLR | A | 90 | 90 | 90 | FREQ. | APP | 30 | ADDITIONAL FOR GOOD CAUSE ADDIT. FOR EXTRAOR. CIRCUMST. |
| Court of Appeals ... | IAC | A | 90 | 90 | 90 | FREQ. | APP | 1ST=30 2ND=15 | |
| WEST VIRGINIA: | | | | | | | | | |
| Supreme Court | COLR | E | 240 | 240 | 240 | FREQ. | TL/APP | 120 | |
| WISCONSIN: | | | | | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- | -- | -- | -- | -- |
| Court of Appeals ... | IAC | A | 90 | 40 | 90 | INFREQ. | APP | 30 | -- |
| WYOMING: | | | | | | | | | |
| Supreme Court | COLR | A | 40 | 40 | 40 | INFREQ. | APP | VARIES | -- |

-- = Data element is inapplicable.
COLR = Court of last resort.
IAC = Intermediate appellate court.

STARTING POINT:

A = Notice of appeal.
B = Completion of appellee's (i.e.,
respondent's) brief.
C = Filing/completion of court reporter's
transcript/record.
D = Denial of motion for a new trial/or
sentencing.
E = Date of judgment.
G = Payment of reporter's fees.
H = Payment of all fees.
J = Filing of respondent's brief.
K = Decision of the intermediate appellate court.
L = Docketing of the case.
M = Granting of discretionary review.
N = Scheduling order.

GRANTOR:

APP = Appellate Court personnel.
S = Stipulation of parties.
TL = Trial Court personnel.

Footnotes:

Alabama--The Supreme Court and Court of Civil Appeals have a deferred filing system for the record. The clerk has 28 days from the notice of appeal, the reporter has 56 days from notice of appeal, then the clerk has seven days to bind the portions together and certify completion of record. The record is then sent 14 days after appellee's brief is filed. Numerous extensions are granted to reporters. Rarely are other extensions requested.

Delaware--The reporter has 40 days to complete the transcript, and the transcript must be certified to the Supreme Court within 10 days after the transcript is completed. The record must be certified to the Supreme Court within 20 days from the notice of appeal for cases without transcripts.

Table 14: Length of time, in days, within which the trial court record must be certified to first level appellate court. Frequency, grantor and length of extensions, 1984. (continued)

Colorado--Supreme Court: Criminal interlocutory appeals are due ten days after the notice of appeal is filed.

Georgia--Supreme Court: Thirty-five days is for situations where a transcript is required. If a transcript is not required, the record must be certified within twenty days from the filing of the notice of appeal.

Minnesota--Supreme Court: These figures are for mandatory jurisdiction cases only. For other cases the record is automatically sent from the Court of Appeals.

South Dakota--The time frame is 150 days if transcript is required.

Table 15. Length of time, in days, within which the trial court record must be certified to the court of last resort, if the case comes from an intermediate appellate court, 1984.

| <u>State:</u> <u>Court name</u> | <u>Court type</u> | <u>Starting point</u> | <u>Civil</u> | <u>Criminal</u> | <u>Juvenile</u> | <u>Comments:</u> |
|-------------------------------------|-------------------|-----------------------|--------------|-----------------|-----------------|--|
| ALABAMA: Supreme Court | COLR | C | 0 | 0 | 0 | |
| ALASKA: Supreme Court | COLR | B | 40 | 15 | 15 | |
| ARIZONA: Supreme Court | COLR | C | -- | -- | -- | FORTHWITH |
| ARKANSAS: Supreme Court | COLR | A | 17 | 17 | -- | |
| CALIFORNIA: Supreme Court | COLR | A | 40 | 40 | 40 | FORTHWITH |
| COLORADO: Supreme Court | COLR | B | 30 | 30 | 30 | |
| CONNECTICUT: Supreme Court | COLR | A | 10 | 10 | 10 | |
| FLORIDA: Supreme Court | COLR | C | 60 | 60 | 60 | |
| GEORGIA: Supreme Court | COLR | B | 20* | 20* | 20* | |
| HAWAII: Supreme Court | COLR | -- | -- | -- | -- | |
| IDAHO: Supreme Court | COLR | -- | -- | -- | -- | |
| ILLINOIS: Supreme Court | COLR | A or B | 35 | 35 | 35 | STARTING POINT MAY VARY DEPENDING ON WHETHER PETITION FOR REHEARING IS FILED |
| INDIANA: Supreme Court | COLR | B | 30 | 30 | 30 | |
| IOWA: Supreme Court | COLR | -- | -- | -- | -- | |
| KANSAS: Supreme Court | COLR | -- | -- | -- | -- | DEPENDS ON TRANSFER |
| KENTUCKY: Supreme Court | COLR | C | 20 | 20 | 20 | NECESSARY TO PERFECT APPEAL |

Table 15: Length of time, in days, within which the trial court record must be certified to the court of last resort, if the case comes from an intermediate appellate court, 1984. (continued)

| State: Court name | Court type | Starting point | Civil | Criminal | Juvenile | Comments: |
|---|---------------|-------------------|-------|----------|----------|--|
| LOUISIANA: Supreme Court | COLR | C | 14 | 14 | 14 | |
| MARYLAND: Court of Appeals ... | COLR | A | 15 | 15 | 15 | |
| MASSACHUSETTS: Supreme Judicial Court | COLR | A | 20 | 20 | 20 | |
| MICHIGAN: Supreme Court | COLR | A | 21 | 21 | 21 | |
| MINNESOTA: Supreme Court | COLR | C | 30 | 30 | 30 | RECORD IS ALREADY CERTIFIED FROM TRIAL COURT TO IAC--NO NEED FOR VERIFICATION. |
| MISSOURI: Supreme Court | COLR | B | 15 | 15 | 15 | |
| NEW JERSEY: Supreme Court | COLR | -- | -- | -- | -- | |
| NEW MEXICO: Supreme Court | COLR | A | 20 | 20 | 20 | |
| NEW YORK: Court of Appeals ... | COLR | C | 60 | 60 | 60 | |
| NORTH CAROLINA: Supreme Court | COLR | A | 15 | 15 | 15 | |
| OHIO: Supreme Court | COLR | | 30 | 30 | 30 | |
| OKLAHOMA: Supreme Court | COLR | B | 20 | 20 | 20 | THESE TIMES REFER TO TIME FOR FILING FOR REVIEW IN COLR. |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- | |
| OREGON: Supreme Court | COLR | A | 35 | 35 | 35 | |
| PENNSYLVANIA: Supreme Court | COLR | B | 30 | 30 | 30 | |
| SOUTH CAROLINA: Supreme Court | COLR | B | 10 | 10 | 10 | |

Table 15: Length of time, in days, within which the trial court record must be certified to the court of last resort, if the case comes from an intermediate appellate court, 1984. (continued)

| <u>State:</u> <u>Court name</u> | <u>Court type</u> | <u>Starting point</u> | <u>Civil</u> | <u>Criminal</u> | <u>Juvenile</u> | <u>Comments:</u> |
|------------------------------------|-------------------|-----------------------|--------------|-----------------|-----------------|------------------|
| TENNESSEE: Supreme Court | COLR | A | 30 | 30 | 30 | |
| TEXAS: Supreme Court | COLR | B | 30 | 30 | 30 | |
| Court of Criminal Appeals | COLR | A | -- | 15 | -- | |
| WASHINGTON: Supreme Court | COLR | B | 30 | 30 | 30 | |
| WISCONSIN: Supreme Court | COLR | C | 0 | 0 | 0 | |

-- = Data element is inapplicable.

COLR = Court of last resort.

IAC = Intermediate appellate court.

STARTING POINT:

A = Delivery of the intermediate appellate court opinion/decision.

B = Denial of reconsideration at the intermediate appellate court.

C = Granting of discretionary review.

Footnotes:

Georgia--Notice of appeal is a prerequisite, and must be filed in the Court of Appeals within ten days of the denial of rehearing, with petition for review filed in the Supreme Court within twenty days of the denial of a rehearing.

Table 16. Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984.

| State: Court name | Court type | Case type | Begin- ning event | to | Appel- lant's opening brief | to | Respon- dent's brief | to | Appel- lant's reply brief | Fre- quency of ex- tensions | Grant- or of exten- sions | Length of exten- sions | Avail- able penal- ties |
|------------------------------------|---------------|--------------|-------------------------|----------|--------------------------------------|----------|----------------------------|----|------------------------------------|--|------------------------------------|---------------------------------|----------------------------------|
| ALABAMA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 28 | 21 | 14 | | | | FREQ. | APP | 7+ | DS/ OR/BF |
| Court of Civil Appeals | IAC | ALL | C | 28 | 21 | 14 | | | | FREQ. | APP | 7 | DS |
| Court of Criminal Appeals | IAC | ALL | C | 28 | 21 | -- | | | | FREQ. | APP | VARIES | OR |
| ALASKA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 30 | 20 | | | | FREQ. | APP | 30 | |
| Court of Appeals ... | IAC | MD | C | 20 | 20 | 10 | | | | FREQ. | APP | 30 | DS/FN/ BF/RD |
| | | SR | C | 15 | 15 | -- | | | | FREQ. | APP | | |
| | | FL | C | 30 | 30 | 20 | | | | FREQ. | APP | | |
| ARIZONA: | | | | | | | | | | | | | |
| | | CV | C | 30 | 30 | 15 | | | | RARE | APP | 30 | BF/DS/FN/ OR/RD |
| Supreme Court | COLR | CR | C | 25 | 20 | 10 | | | | FREQ. | APP | 30 | BF/DS/FN/ OR/RD |
| Court of Appeals ... | IAC | CV | C | 30 | 30 | 15 | | | | FREQ. | APP | | BF/DS/FN/ OR/RD |
| | | CR | C | 25 | 20 | 10 | | | | FREQ. | APP | | BF/DS/FN/ OR/RD |
| | | JV | A | 0 | 0 | 0 | | | | -- | APP | | BF/DS/FN/ OR/RD |
| ARKANSAS: | | | | | | | | | | | | | |
| Supreme Court | COLR | CR/CV | C | 40 | 30 | 15 | | | | FREQ. | APP | VARIES | DS/BF |
| Court of Appeals ... | COLR | CV/CR | C | 40 | 30 | 15 | | | | FREQ. | APP | VARIES | DS/BF |
| CALIFORNIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 30 | 30 | | | | NEW BRIEFS IN DEATH CASES, OTHERWISE SAME BRIEFS AS IN IAC. | | | |
| Court of Appeals ... | IAC | ALL | C | 30 | 30 | 20 | | | | FREQ. | S APP | NO LIMIT | DS/BF |
| COLORADO: | | | | | | | | | | | | | |
| Supreme Court | COLR | I ELSE | C C | 10 40 | 10 30 | 5 14 | | | | INFREQ. FREQ. | APP APP | | DS/OR |
| Court of Appeals ... | IAC | ALL | C | 40 | 30 | 14 | | | | | | | |
| CONNECTICUT: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | A | 45 | 30 | 20 | | | | FREQ. | APP | NO LIMIT | FN |
| Appellate Court..... | IAC | ALL | A | 45 | 30 | 20 | | | | FREQ. | APP | NO LIMIT | FN |
| DELAWARE: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30* | 30* | 15* | | | | FREQ. | APP | NO LIMIT | FN |
| DISTRICT OF COLUMBIA: | | | | | | | | | | | | | |
| Court of Appeals ... | COLR | ALL | C | 40 | 30 | 14 | | | | FREQ. | APP | 30 | DS/RD |
| FLORIDA: | | | | | | | | | | | | | |
| Supreme Court | COLR | DP ELSE | C A | 60 70 | 45 20 | 30 20 | | | | FREQ. FREQ. | APP APP | VARIES VARIES | RD |
| District Court of Appeals | IAC | CR ELSE | A A | 80 70 | 20 20 | 20 20 | | | | FREQ. FREQ. | APP APP | | FN/DS/RD |

Table 16: Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Case type | Begin- ning event | to | Appel- lant's opening brief | to | Respon- dent's brief | to | Appel- lant's reply brief | Fre- quency of ex- tensions | Grant- or of exten- sions | Length of exten- sions | Avail- able penal- ties |
|---|---------------|--------------|-------------------------|----------|--------------------------------------|----|----------------------------|-----------------------|------------------------------------|--------------------------------------|------------------------------------|---------------------------------|----------------------------------|
| GEORGIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | L | 20 | 20 | | | | | INFREQ. | APP | VARIES | DS/RD |
| Court of Appeals ... | IAC | ALL | L | 20 | 20 | | | | | FREQ. | APP | -- | DS |
| HAWAII: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | L | 40 | 40 | | | 10 | | | APP | -- | DS/BF/FN |
| Intermediate Court of Appeals | IAC | ALL | L | 40 | 40 | | | 10 | | | APP | -- | DS/BF/FN |
| IDAHO: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 35 | 28 | | | 21 | | FREQ. | APP | VARIES | DS/OR |
| Court of Appeals ... | IAC | ALL | C | 35 | 28 | | | 21 | | INFREQ. | APP | VARIES | DS/OR |
| ILLINOIS: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 35 | 35 | | | 14 | | FREQ. | APP | VARIES | BF/DS |
| Appellate Court | IAC | ALL | C | 35 | 35 | | | 14 | | FREQ. | APP | VARIES | BF/DS |
| INDIANA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | A | 30 | 30 | | | 15 | | FREQ. | APP | VARIES | DS/OR |
| Court of Appeals ... | IAC | I ELSE | C C | 10 30 | 10 30 | | | 5 15 | | FREQ. FREQ. FREQ. | APP APP APP | VARIES VARIES VARIES | DS |
| IOWA: | | | | | | | | | | | | | |
| Supreme Court | COLR | PRIORITY | L | 25 | 15 | | | 7 | | FREQ. | APP | | |
| Court of Appeals ... | IAC | ELSE -- | L -- | 50 -- | 30 -- | | | 14 -- | | FREQ. -- | APP -- | -- | -- |
| KANSAS: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | A | 40 | 30 | | | 20 | | INFREQ. | APP | 30/PER | DS |
| Court of Appeals ... | IAC | ALL | A | 40 | 30 | | | 20 | | FREQ. | S/APP | 30/PER | DS |
| KENTUCKY: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 30 | | | 15 | | FREQ. | APP | 60-90 | FN |
| Court of Appeals ... | IAC | ALL | C | 30 | 30 | | | 15 | | FREQ. | APP | 30 | FN |
| LOUISIANA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 60 | | | UP TO ORAL ARG. | | INFREQ. | APP | VARIES | OR/RD |
| Court of Appeals ... | IAC | ALL | C | 25 | 45 | | | 10 | | FREQ. | APP | | DS/OR |
| MAINE: | | | | | | | | | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | CV CR | C C | 40 30 | 30 30 | | | 14 14 | | FREQ. | APP | | DS/OR BF |
| MARYLAND: | | | | | | | | | | | | | |
| Court of Appeals ... | COLR | ALL | C | 40 | 30 | | | 20 | | FREQ. | S/APP | VARIES | DS/OR |
| Court of Special Appeals | IAC | ALL | C | 40 | 30 | | | 20 | | FREQ. | S/APP | VARIES | DS/OR |

Table 16: Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Case type | Begin- ning event | to | Appel- lant's opening brief | to | Respon- dent's brief | to | Appel- lant's reply brief | Fre- quency of ex- tensions | Grant- or of exten- sions | Length of exten- sions | Avail- able penal- ties |
|---|---------------|--------------|-------------------------|-----|--------------------------------------|-----|----------------------------|------|------------------------------------|--------------------------------------|------------------------------------|---------------------------------|----------------------------------|
| MASSACHUSETTS: | | | | | | | | | | | | | |
| Supreme Judicial Court | COLR | ALL | L | 40 | | 30 | | 14 | | FREQ. | S/APP | 14/30 | |
| Appeals Court | IAC | ALL | L | 40 | | 30 | | 14 | | FREQ. | APP | VARIES | DS |
| MICHIGAN: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | M | 91 | | 56 | | NONE | | INFREQ. | APP | VARIES | OR |
| Court of Appeals ... | IAC | ALL | C | 60 | | 45 | | NONE | | FREQ. | APP | VARIES | OR/FN |
| MINNESOTA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | A | 30 | | 30 | | 10 | | INFREQ. | APP | 10-15 | BF/DS/OR |
| Court of Appeals ... | IAC | CV | C | 30 | | 30 | | 10 | | INFREQ. | APP | -- | DS/BF/ FN/OR |
| | | CR | C | 60 | | 45 | | 15 | | INFREQ. | APP | -- | |
| MISSISSIPPI: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 40 | | 20 | | 10 | | FREQ. | APP | 15 | DS/RV |
| MISSOURI: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 60 | | 30 | | 15 | | FREQ. | APP | VARIES | DS |
| Court of Appeals ... | IAC | ALL | C | 60 | | 30 | | 15 | | FREQ. | APP | 1-60 | DS/FB |
| MONTANA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | | 30 | | 15 | | FREQ. | APP | VARIES | OR |
| NEBRASKA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | A | 60 | | 30 | | 14 | | FREQ. | APP | 60 | NONE |
| NEVADA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 40 | | 30 | | 30 | | FREQ. | S | 30 | DS |
| NEW HAMPSHIRE: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | N | 30 | | 30 | | 3* | | FREQ. | APP | 10 | NONE |
| NEW JERSEY: | | | | | | | | | | | | | |
| Supreme Court | COLR | MAND | C | 45 | | 30 | | 10 | | FREQ. | S | 30 | DS/FN |
| | | CERT | C | 10 | | 15 | | 10 | | | | | |
| Appellate Division of Superior Court . | IAC | ALL | C | 45 | | 30 | | 10 | | FREQ. | S/APP | 30 | DS/FN |
| NEW MEXICO: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | | 30 | | 10 | | INFREQ. | APP | 7-28 | |
| | | CV | C | 30 | | 30 | | 10 | | FREQ. | APP | VARIES | DS/ FN/RD |
| | | CR | C | 20 | | 20 | | 7 | | FREQ. | | | |
| NEW YORK: | | | | | | | | | | | | | |
| Court of Appeals ... | COLR | ALL | A | 60 | | 45 | | 10 | | FREQ. | APP | 20 | DS/OR |
| Appellate Division of Supreme Court .. | IAC | ALL | A | 20 | | 30 | | 7 | | FREQ. | APP | | NONE |
| Appellate Term of Supreme Court | IAC | ALL | -- | 25* | | 14* | | 7* | | FREQ. | APP | 30 | |

Table 16: Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Case type | Begin- ning event | to | Appel- lant's opening brief | to | Respon- dent's brief | to | Appel- lant's reply brief | Fre- quency of ex- tensions | Grant- or of exten- sions | Length of exten- sions | Avail- able penal- ties |
|------------------------------------|---------------|--------------|-------------------------|----|--------------------------------------|----|----------------------------|----|------------------------------------|--------------------------------------|------------------------------------|---------------------------------|----------------------------------|
| NORTH CAROLINA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 20 | 20 | | NONE | | | INFREQ. | | | |
| Court of Appeals ... | IAC | ALL | C | 20 | 20 | | NONE | | | FREQ. | APP | 20 | DS |
| NORTH DAKOTA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 40 | 30 | | 14 | | | FREQ. | APP | | |
| OHIO: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 20 | 20 | | 10 | | | VARIES | | | |
| Court of Appeals ... | IAC | ALL | A | 20 | 20 | | 10 | | | VARIES | | | |
| OKLAHOMA: | | | | | | | | | | | | | |
| Supreme Court | COLR | I | B | 20 | 10 | | 5 | | | | | | |
| Court of Criminal | | ELSE | B | 60 | 40 | | 20 | | | FREQ. | APP | 20 | DS/OR |
| Appeals | COLR | CR | B | 60 | 60 | | NONE | | | | | | |
| Court of Appeals ... | IAC | JV | B | 60 | 30 | | NONE | | | FREQ. | APP | 10 | OR |
| | | I | B | 20 | 10 | | 5 | | | | | | |
| | | ELSE | B | 60 | 40 | | 20 | | | INFREQ. | APP | 20 | |
| OREGON: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 49 | 49 | | 21 | | | FREQ. | APP | 28 | DS/OR |
| Court of Appeals ... | IAC | ALL | C | 49 | 49 | | 21 | | | FREQ. | APP | 28 | DS/OR |
| PENNSYLVANIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 40 | 30 | | 14 | | | FREQ. | | | DS/OR |
| Superior Court | IAC | ALL | C | 40 | 30 | | 14 | | | FREQ. | APP | 30 | DS/OR |
| Commonwealth Court . | IAC | ALL | C | 40 | 30 | | 14 | | | FREQ. | APP | 30 | DS/RD |
| PUERTO RICO: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 30 | | NONE | | | FREQ. | APP | 20 | DS |
| RHODE ISLAND: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | L | 40 | 20 | | 5 | | | FREQ. | APP | | DS/OR |
| SOUTH CAROLINA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 30 | | 10 | | | FREQ. | TL | 30 | |
| Court of Appeals ... | IAC | -- | -- | -- | -- | | -- | | | -- | -- | -- | -- |
| SOUTH DAKOTA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | A/C | 45 | 45 | | 15 | | | FREQ. | S/APP | VARIES | DS/BA |
| TENNESSEE: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | 30 | | 14 | | | FREQ. | APP | | BF/DS/ OR/RD |
| Court of Appeals ... | IAC | ALL | C | 30 | 30 | | 14 | | | FREQ. | APP | | BF/DS/ OR/RD |
| Court of Criminal Appeals | IAC | ALL | C | 30 | 30 | | 14 | | | FREQ. | APP | | BF/DS/ OR/RD |

Table 16: Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984. (continued)

| State: Court name | Court type | Case type | Begin- ning event | to | Appel- lant's opening brief | to | Respon- dent's brief | to | Appel- lant's reply brief | Fre- quency of ex- tensions | Grant- or of exten- sions | Length of exten- sions | Avail- able penal- ties |
|------------------------------------|---------------|--------------|-------------------------|----------|--------------------------------------|----------|----------------------------|--------------|------------------------------------|--------------------------------------|------------------------------------|---------------------------------|----------------------------------|
| TEXAS: | | | | | | | | | | | | | |
| Supreme Court | COLR | CV- CERT | O | 30 | | 15 | | NONE | | INFREQ. | APP | VARIES | BF/ OR/DS |
| Court of Criminal Appeals | COLR | CR- CERT | M | 30 | | 30 | | NONE | | INFREQ. | APP | VARIES | BF/OR BF/OR/ DS |
| Court of Appeals ... | IAC | CV CR | C C | 30 30 | | 25 30 | | NONE NONE | | FREQ. FREQ. | APP APP | VARIES VARIES | DS BF/OR |
| UTAH: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | | 30 | | 30 | | FREQ. | S | 30 | DS/OR |
| VERMONT: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | | 21 | | 10 | | FREQ. | S/APP | 30 | DS/OR |
| VIRGINIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | M | 40 | | 25 | | 14 | | FREQ. | TL | VARIES | DS/OR |
| WASHINGTON: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 45 | | 30 | | 30* | | FREQ. | APP | 30 | DS/FN |
| Court of Appeals ... | IAC | ALL | C | 45 | | 30 | | 30* | | FREQ. | APP | 1ST=30 2ND=15 | DS |
| WEST VIRGINIA: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | | 30 | | 15 | | FREQ. | APP | -- | OR |
| WISCONSIN: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | C | 30 | | 20 | | 10 | | INFREQ. | APP | 10 | |
| Court of Appeals ... | IAC | ALL | C | 40 | | 30 | | 15 | | INFREQ. | APP | 15 | DS/BF |
| WYOMING: | | | | | | | | | | | | | |
| Supreme Court | COLR | ALL | L | 30 | | 30 | | 10 | | FREQ. | APP | 30 | DS |

-- = Data element is inapplicable.
 COLR = Court of last resort.
 IAC = Intermediate appellate court.

CASE TYPE CODES:

- BD = Bond validation
- CERT = Discretionary case
- CM = Commitment
- CR = Criminal
- CUST = Child custody
- CV = Civil
- DC = Disciplinary
- DJ = Double jeopardy
- DP = Death penalty
- DR = Domestic relations
- ED = Eminent domain
- EL = Elections
- EM = Emergency
- FD = Federal court asking for certified state question
- FL = Felony
- HC = Extraordinary writs

Table 16: Length of time, in days, within which legal briefs must be filed in state appellate courts. Frequency, grantor and length of extensions, 1984. (continued)

IJ = Injunctions
I = Interlocutory appeals
JV = Juvenile
MAND = Appeals as of right
MD = Misdemeanor
PUC = Public Utility Commission
SA = State appeals
SR = Sentence review
UN = Unemployment
WC = Workers' compensation

STARTING POINT:

A = Notice of appeal.
B = Completion of appellee's (i.e., respondent's) brief.
C = Filing/completion of court reporter's transcript/record.
D = Denial of motion for a new trial/or sentencing.
E = Date of judgment.
G = Payment of reporter's fees.
H = Payment of all fees.
J = Filing of respondent's brief.
K = Decision of the intermediate appellate court.
L = Docketing of the case.
M = Granting of discretionary review.
N = Scheduling order.
O = Overruling of motion for rehearing in IAC.

GRANTOR:

APP = Appellate Court personnel.
S = Stipulation of parties.
TL = Trial Court personnel.

AVAILABLE PENALTIES:

BA = Brief of appellant only.
BF = Decision without briefs.
DS = Dismissal of appellant's case.
FN = Fine
OR = Decision based without oral argument.
RD = Reprimand/discipline.
RV = Reversal on appellant's prima facie case.

Footnotes:

Delaware--These time limits are for cases with transcripts only.

New York--Appellate Terms of the Supreme Court: There is no starting point, but briefs must be filed by the specified number of days before the first day of the term.

Table 17. Time periods, in days, within which state appellate justices/judges must write opinions, 1984.

| State: Court name | Court type | Established by rule, standard or statute | Beginning event | Number of days | Type of penalty available for failure to comply |
|--|---------------|--|--|-------------------|--|
| ALABAMA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | TWICE A YEAR JUDGES MUST REPORT ALL CASES UNDER SUBMISSION FOR SIX MONTHS. |
| Court of Civil Appeals | IAC | -- | -- | -- | |
| Court of Criminal Appeals | IAC | -- | -- | -- | |
| ALASKA: | | | | | |
| Supreme Court | COLR | STATUTE | DRAFT CIRCULATED 6 MONTHS AFTER ASSIGNED. DRAFT CIRCULATED 6 MONTHS AFTER ASSIGNED. | | PAY WITHHELD |
| Court of Appeals ... | IAC | STATUTE | | | PAY WITHHELD |
| ARIZONA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| ARKANSAS: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | COLR | -- | -- | -- | -- |
| CALIFORNIA: | | | | | |
| Supreme Court | COLR | CONSTITUTION AND STATUTE | SUBM | 90 | PAY WITHHELD |
| Court of Appeals ... | IAC | CONSTITUTION AND STATUTE | SUBM | 90 | PAY WITHHELD |
| COLORADO: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| CONNECTICUT: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Appellate Court..... | IAC | -- | -- | -- | -- |
| DELAWARE: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| DISTRICT OF COLUMBIA: | | | | | |
| Court of Appeals ... | COLR | -- | -- | -- | -- |
| FLORIDA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| District Court of Appeals | IAC | -- | -- | -- | -- |
| GEORGIA: | | | | | |
| Supreme Court | COLR | CONSTITUTION | D | | DISPOSITION MUST OCCUR BY THE END OF SECOND TERM FROM DOCKETING, NO LATER THAN TERM FOLLOWING ORAL ARGUMENT. |
| Court of Appeals ... | IAC | CONSTITUTION | O | | |
| HAWAII: | | | | | |
| Supreme Court | COLR | RULE | 0 | 365 | NONE |
| Intermediate Court of Appeals | IAC | RULE | 0 | 365 | NONE |

Table 17: Time periods, in days, within which state appellate justices/judges must write opinions, 1984.
(continued)

| State: Court name | Court type | Established by rule, standard or statute | Beginning event | Number of days | Type of penalty available for failure to comply |
|---|---------------|--|--------------------|-------------------|--|
| IDAHO: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| ILLINOIS: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Appellate Court | IAC | -- | -- | -- | -- |
| INDIANA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| IOWA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| KANSAS: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| KENTUCKY: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| LOUISIANA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| MAINE: | | | | | |
| Supreme Judicial Court Sitting as Law Court | COLR | -- | -- | -- | -- |
| MARYLAND: | | | | | |
| Court of Appeals ... | COLR | CONSTITUTION | 0 | 90 | NONE |
| Court of Special Appeals | IAC | RULE | 0 | 60 | NONE |
| MASSACHUSETTS: | | | | | |
| Supreme Judicial Court | COLR | STANDARD | 0 | 130 | NONE |
| Appeals Court | IAC | STANDARD | 0 | 130 | NONE |
| MICHIGAN: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| MINNESOTA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | STATUTE | SUBM | 90 | -- |

Table 17: Time periods, in days, within which state appellate justices/judges must write opinions, 1984.
(continued)

| State: Court name | Court type | Established by rule, standard or statute | Beginning event | Number of days | Type of penalty available for failure to comply |
|---|---------------|--|--------------------|-------------------|--|
| MISSISSIPPI: Supreme Court | COLR | -- | -- | -- | -- |
| MISSOURI: Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| MONTANA: Supreme Court | COLR | RULE | DECISION | 120 | NONE |
| NEBRASKA: Supreme Court | COLR | -- | -- | -- | -- |
| NEVADA: Supreme Court | COLR | STANDARD | SUBM | 90 | NONE |
| NEW HAMPSHIRE: Supreme Court | COLR | -- | -- | -- | -- |
| NEW JERSEY: Supreme Court | COLR | -- | -- | -- | -- |
| Appellate Division of Superior Court | IAC | -- | -- | -- | -- |
| NEW MEXICO: Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | STANDARD | SUBM | 30 | NONE |
| NEW YORK: Court of Appeals ... | COLR | -- | -- | -- | -- |
| Appellate Division of Supreme Court .. | IAC | -- | -- | -- | -- |
| Appellate Term of Supreme Court | IAC | -- | -- | -- | -- |
| NORTH CAROLINA: Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | STANDARD | 0 | 90 | NONE |
| NORTH DAKOTA: Supreme Court | COLR | -- | -- | -- | -- |
| OHIO: Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| OKLAHOMA: Supreme Court | COLR | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |

Table 17: Time periods, in days, within which state appellate justices/judges must write opinions, 1984.
(continued)

| State: Court name | Court type | Established by rule, standard or statute | Beginning event | Number of days | Type of penalty available for failure to comply |
|------------------------------------|---------------|--|--------------------|-------------------|--|
| OREGON: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| PENNSYLVANIA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Superior Court | IAC | -- | -- | -- | -- |
| Commonwealth Court . | IAC | -- | -- | -- | -- |
| PUERTO RICO: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| RHODE ISLAND: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| SOUTH CAROLINA: | | | | | |
| Supreme Court | COLR | STATUTE | 0 | 90 | NONE |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| SOUTH DAKOTA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| TENNESSEE: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| Court of Criminal Appeals | IAC | -- | -- | -- | -- |
| TEXAS: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Criminal Appeals | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| UTAH: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| VERMONT: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| VIRGINIA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| WASHINGTON: | | | | | |
| Supreme Court | COLR | STATUTE | 0 | 180 | PAY WITHHELD |
| Court of Appeals ... | IAC | STATUTE | 0 | 90 | PAY WITHHELD |
| WEST VIRGINIA: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |

Table 17: Time periods, in days, within which state appellate justices/judges must write opinions, 1984.
(continued)

| State: Court name | Court type | Established by rule, standard or statute | Beginning event | Number of days | Type of penalty available for failure to comply |
|----------------------|---------------|--|--------------------|-------------------|--|
| WISCONSIN: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |
| Court of Appeals ... | IAC | -- | -- | -- | -- |
| WYOMING: | | | | | |
| Supreme Court | COLR | -- | -- | -- | -- |

-- = Data element is inapplicable.
COLR = Court of last resort.
IAC = Intermediate appellate court.

BEGINNING EVENT:

D = Docketing.
O = Oral argument.
SUBM = At submission.

Appendices

Appendix A

Prototype court profile of the State Appellate Court Jurisdiction

Guide for Statistical Reporting

The Clerk of the Court:
 participates in legal briefing and screening
 does no legal work for the Court.
 Number justices/judges
 Number of law trained support personnel:
 1. Chief justice
 2. Associate justices(per.)
 3. Central staff
 Total

1984
 STATE: NAME OF COURT
 Court of last resort/Intermediate Appellate Court

Court organization [panels (rotating)/en banc; IAC variation (in number and procedures/jurisdiction)]:

Procedure for granting discretionary review:

Jurisdiction:

When is an appeal counted as filed (at notice of appeal, completion of record, filing of briefs)? _____
 Is the appeal filed in the trial court or this court? _____
 What is the length of time in which an appeal must be filed after the trial court judgment?
 Civil? _____ Criminal? _____ Juvenile? _____
 Within what period of time must the court record be certified to the appellate court? _____
 Are extensions permitted? _____
 If the case comes from the IAC, within what period of time must the record be certified to the COLR? _____
 Notice of appeal to Appellant's brief _____ days.
 Appellant's brief to Respondent's brief _____ days.
 Respondent's brief to Appellant's reply brief _____ days.
 Appellant's reply to respondent's reply _____ days.
 Are extensions permitted? _____
 Are there any penalties for failure to comply with these standards? _____
 Within what period of time must the appellate judges write the opinion? _____ Penalty for non-compliance? _____
 What other time limits exist for case events in this court? _____

CASELOAD INVENTORY

Please indicate on the following matrix how the case terminology reported by this court corresponds to the CSIM case terminology listed across the top of matrix:

CSIM CASE TERMINOLOGY

Discretionary Jurisdiction

| <u>This court's case terminology</u> | <u>Civil appeal</u> | <u>Criminal appeal</u> | <u>Administrative agency appeal</u> | <u>Juvenile appeal</u> | <u>Disciplinary (lawyer and/or judge)</u> | <u>Advisory opinion</u> | <u>Original proceedings*</u> |
|--------------------------------------|---------------------|------------------------|-------------------------------------|------------------------|---|-------------------------|------------------------------|
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |

Are discretionary cases decided by the full court? _____ If not, by whom? _____
 Does the number of discretionary petitions solely represent the decision to grant or deny review? () yes () no, it may include some decisions on the merits.
 Are "requests to appeal" granted refiled as appeals, or do they keep same docket number? _____
 Are granted requests to appeal (discretionary) reported separately from mandatory appeals? _____ If so, what is terminology? _____
 If the court has discretionary jurisdiction, but reports only appeals, are requests to appeal denied counted in with these appeals? _____

Mandatory Jurisdiction

| <u>This court's case terminology</u> | <u>Civil appeal</u> | <u>Death penalty appeal</u> | <u>Other criminal appeal</u> | <u>Administrative agency appeal</u> | <u>Juvenile appeal</u> | <u>Disciplinary (lawyer and/or judge)</u> | <u>Advisory opinion</u> | <u>Original proceedings*</u> |
|--------------------------------------|---------------------|-----------------------------|------------------------------|-------------------------------------|------------------------|---|-------------------------|------------------------------|
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |

*Original proceedings include original jurisdiction, postconviction remedy, and interlocutory appeals.

STATE: NAME OF COURT
 Court of last resort/Intermediate appellate court

Administrative agency appeals come to this court directly from: () trial court, () agency, board, etc., () IAC

Is there a separate sentence review procedure at the trial court level? _____
 Can a defendant appeal the length of the sentence only to this court? _____
 Where are sentence review only cases reported? _____

Does this court count reopened/reinstated/rehearing cases as new filings? _____
 Does this court give review on the merits to all appeals of right? _____ Is oral argument mandatory in all cases? _____
 If no, explain: _____
 Does this court have a separate case management procedure to expedite certain cases? _____ If so, what kinds of cases and what procedure? _____
 What percentage of cases are processed in this manner? _____
 Are interlocutory appeals included in this court's appeals filings? _____ In original jurisdiction? _____ Elsewhere? _____
 What matters other than the above does this court report (e.g., motions, rehearing requests, administrative matters)?
 Please specify. _____

MANNER OF DISPOSITION

| CSIM classification | What terminology does this court use for these manners of disposition? | Source/comments |
|---|--|-----------------|
| Opinion (majority) | _____ | _____ |
| Per curiam opinions | _____ | _____ |
| Decision without opinion: (Memorandum, or order). | _____ | _____ |
| Dismissed/withdrawn/settled | _____ | _____ |
| Transferred | _____ | _____ |
| Other | _____ | _____ |

What does this court include in the category "opinion": () Signed majority opinion? () Per curiam opinion?
 () The number of concurring or dissenting opinions written?
 Does this court's opinion count include unpublished opinions? _____
 Do the "number of opinions" reported represent:
 () the number of cases resolved by opinion (e.g., 2 consolidated cases resolved by 1 opinion, are reported as 2 opinions).
 () the number of actual opinions rendered (e.g., 2 consolidated cases resolved by 1 opinion, are reported as 1 opinion).

What terminology does this court report for the following decisions?
 Affirmed _____
 Modified _____
 Reversed _____
 Reversed and remanded _____
 Remanded _____
 Dismissed _____
 Relief Granted _____
 Relief Denied _____
 Discretionary Review Granted _____
 Discretionary Review Denied _____
 Other _____

If there is an IAC, does the COLR transfer down a significant proportion of COLR filings? _____

Make organization chart match up with appellate routes (attach '82 chart).
 Does the information above differ from the jurisdiction in 1983? _____

Contact person who completed the above: _____ Phone number _____

Additional comments: (1) Is the court automated?
 (2) Are there pre-argument settlement conferences?
 (3) Is there a rule requiring review in the COLR when there is a dissenting vote in the IAC?

COLR = Court of last resort
 IAC = Intermediate appellate court
 N/A = Not applicable
 ND = No data available
 X = Data for CSIM case type is reported under this court's term listed in the court terminology column.

Appendix B

Survey sources

Jurisdiction Guide Final Verification List

The following entries are in alphabetical order, by state.

Ms. Mollie Jordan
Clerk, Court of Criminal Appeals
Box 351
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Mr. John H. Wilkerson, Clerk
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Phoenix, AZ 85007

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Phoenix, AZ 85007

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Tallahassee, FL 32304

Mr. Raymond E. Rhodes
Clerk, 1st District Court
of Appeals
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Ms. Margaret Edwards
Administrative Office of
the Courts
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Tallahassee, FL 32301

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Topeka, KS 66612

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215 North Sanders
Helena, MT 59620

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Trenton, NJ 08625

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Appendix C

Final verification was received for these courts by publication date.

| <u>State/court</u> | <u>Verification received</u> |
|-------------------------------------|------------------------------|
| ALABAMA: | |
| Supreme Court | X |
| Court of Civil Appeals | X |
| Court of Criminal Appeals | X |
| ALASKA: | |
| Supreme Court | X |
| Court of Appeals | X |
| ARIZONA: | |
| Supreme Court | X |
| Court of Appeals | X |
| ARKANSAS: | |
| Supreme Court | X |
| Court of Appeals | X |
| CALIFORNIA: | |
| Supreme Court | X |
| Court of Appeals | X |
| COLORADO: | |
| Supreme Court | X |
| Court of Appeals | X |
| CONNECTICUT: | |
| Supreme Court | X |
| Appellate Court | X |
| DELAWARE: | |
| Supreme Court | X |
| DISTRICT OF COLUMBIA: | |
| Court of Appeals ... (phone) | X |
| FLORIDA: | |
| Supreme Court | X |
| District Court of Appeals | X |
| GEORGIA: | |
| Supreme Court | X |
| Court of Appeals | X |
| HAWAII: | |
| Supreme Court | X |
| Intermediate Court of Appeals | X |
| IDAHO: | |
| Supreme Court | X |
| Court of Appeals | X |
| ILLINOIS: | |
| Supreme Court | X |
| Appellate Court | X |
| INDIANA: | |
| Supreme Court | X |
| Court of Appeals | X |
| IOWA: | |
| Supreme Court | X |
| Court of Appeals | X |

| <u>State/court</u> | <u>Verification received</u> |
|---|------------------------------|
| KANSAS: | |
| Supreme Court | X |
| Court of Appeals | X |
| KENTUCKY: | |
| Supreme Court | X |
| Court of Appeals | X |
| LOUISIANA: | |
| Supreme Court | X |
| Court of Appeals | X |
| MAINE: | |
| Supreme Judicial Court Sitting as Law Court | X |
| MARYLAND: | |
| Court of Appeals | X |
| Court of Special Appeals | X |
| MASSACHUSETTS: | |
| Supreme Judicial Court | X |
| Appellate Court | X |
| MICHIGAN: | |
| Supreme Court | X |
| Court of Appeals ... (phone) | X |
| MINNESOTA: | |
| Supreme Court | X |
| Court of Appeals ... (phone) | X |
| MISSISSIPPI: | |
| Supreme Court (phone) | X |
| MISSOURI: | |
| Supreme Court | X |
| Court of Appeals | X |
| MONTANA: | |
| Supreme Court | X |
| NEBRASKA: | |
| Supreme Court | X |
| NEVADA: | |
| Supreme Court | X |
| NEW HAMPSHIRE: | |
| Supreme Court | X |
| NEW JERSEY: | |
| Supreme Court | X |
| Appellate Division of Superior Court | X |
| NEW MEXICO: | |
| Supreme Court | X |
| Court of Appeals | X |
| NEW YORK: | |
| Court of Appeals ... (phone) | X |
| Appellate Division of Supreme Court | X |
| Appellate Term of Supreme Court | X |

| <u>State/court</u> | <u>Verification received</u> |
|---------------------------------|------------------------------|
| NORTH CAROLINA: | |
| Supreme Court(phone) | X |
| Court of Appeals | X |
| NORTH DAKOTA: | |
| Supreme Court(phone) | X |
| OHIO: | |
| Supreme Court | X |
| Court of Appeals | X |
| OKLAHOMA: | |
| Supreme Court | X |
| Court of Criminal Appeals | X |
| Court of Appeals | X |
| OREGON: | |
| Supreme Court | X |
| Court of Appeals | X |
| PENNSYLVANIA: | |
| Supreme Court(phone) | X |
| Superior Court | X |
| Commonwealth Court | X |
| PUERTO RICO: | |
| Supreme Court | X |
| RHODE ISLAND: | |
| Supreme Court | X |
| SOUTH CAROLINA: | |
| Supreme Court | X |
| Court of Appeals | X |
| SOUTH DAKOTA: | |
| Supreme Court | X |

| <u>State/court</u> | <u>Verification received</u> |
|---------------------------------|------------------------------|
| TENNESSEE: | |
| Supreme Court | X |
| Court of Appeals | X |
| Court of Criminal Appeals | X |
| TEXAS: | |
| Supreme Court | X |
| Court of Criminal Appeals | X |
| Court of Appeals | X |
| UTAH: | |
| Supreme Court | X |
| VERMONT: | |
| Supreme Court | X |
| VIRGINIA: | |
| Supreme Court | X |
| WASHINGTON: | |
| Supreme Court | X |
| Court of Appeals | X |
| WEST VIRGINIA: | |
| Supreme Court | X |
| WISCONSIN: | |
| Supreme Court | X |
| Court of Appeals | X |
| WYOMING: | |
| Supreme Court | X |

X = Final verification was received by October 10, 1985.