

# **1984 STATE APPELLATE COURT JURISDICTION GUIDE FOR STATISTICAL REPORTING**

## **Summary Tables**

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with  
Mary E. Elsner  
and  
Victor E. Flango**

**100803**

**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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## 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 caseflow; 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 supple- mental justices (FTE)	Number of court clerks	Does court clerk do much legal work?	Law trained support personnel				
							Law clerks assigned to:		Central support personnel		
							Each chief justice/ judge	Each assc. justice/ judge	Each supple- mental justice/ judge	Total legal support personnel	
<b>ALABAMA:</b>											
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
<b>ALASKA:</b>											
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
<b>ARIZONA:</b>											
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
<b>ARKANSAS:</b>											
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
<b>CALIFORNIA:</b>											
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
<b>COLORADO:</b>											
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 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:	Each chief justice/judge	Each assc. justice/judge	Each judge	Total legal support personnel
<b>CONNECTICUT:</b>											
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
<b>DELAWARE:</b>											
Supreme Court .....	COLR	1	5	0	1	YES	1	1	--	0	5
<b>DISTRICT OF COLUMBIA:</b>											
Court of Appeals ...	COLR	1	9	1.3	1	YES	3	2	2	3	25
<b>FLORIDA:</b>											
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
<b>GEORGIA:</b>											
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
<b>HAWAII:</b>											
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
<b>IDAHO:</b>											
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
<b>ILLINOIS:</b>											
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
<b>INDIANA:</b>											
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
<b>IOWA:</b>											
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*
<b>KANSAS:</b>											
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
<b>KENTUCKY:</b>											
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 judges	Number of supple- mental judges (FTE)	Number of court clerks	Does court clerk do much legal work?	Law trained support personnel				Total legal support personnel
							Each chief justice/ judge	Each assc. justice/ judge	supple- mental justice/ judge	Each central support 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 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:	Each chief justice/ judge	Each assc. justice/ judge	Each supple- mental justice/ judge	Central judge	Total legal support personnel
<b>NEW JERSEY:</b>												
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	
<b>NEW MEXICO:</b>												
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	
<b>NEW YORK:</b>												
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	
<b>NORTH CAROLINA:</b>												
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	
<b>NORTH DAKOTA:</b>												
Supreme Court .....	COLR	1	5	0	1	NO	1	1	--	4	9	
<b>OHIO:</b>												
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	
<b>OKLAHOMA:</b>												
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	
<b>OREGON:</b>												
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	
<b>PENNSYLVANIA:</b>												
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	
<b>PUERTO RICO:</b>												
Supreme Court .....	COLR	1	7	0	1	YES	3	2	--	4	19	
<b>RHODE ISLAND:</b>												
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 judges	Number of supplemental 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:	Each chief justice/judge	Each associate justice/judge	Each supplemental 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 discre- tionary cases (none en banc)
<b>ALABAMA:</b>								
Supreme Court .....	COLR	2	5	PERM.	--	0	X	X
Court of Civil Appeals .....	IAC	--	--	--	--	--	--	--
Court of Criminal Appeals .....	IAC	--	--	--	--	--	--	--
<b>ALASKA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	--	--	--	--	--	--	--
<b>ARIZONA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	4*	3	ROTATE	3X YEAR	X	0	X
<b>ARKANSAS:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	COLR	--	--	--	--	--	--	--
<b>CALIFORNIA:</b>								
Supreme Court .....	COLR	--	--	ROTATE	DAILY	X	0	X
Court of Appeals ...	IAC	VARIABLES	3	--	--	--	--	--
<b>COLORADO:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	3	3	ROTATE	3X YEAR	X*	--	X
<b>CONNECTICUT:</b>								
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	Panels screen discre- tionary "on merits" cases w/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	VARIABLES	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	VARIABLES	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)
<b>MAINE:</b>								
Supreme Judicial Court Sitting as Law Court .....	COLR	VARIABLES	2* or 3*		--		X	X*
<b>MARYLAND:</b>								
Court of Appeals ...	COLR	--	--	--	--	--	--	--
Court of Special Appeals .....	IAC	VARIABLES	3	ROTATE	DAILY	0	X	X
<b>MASSACHUSETTS:</b>								
Supreme Judicial Court .....	COLR	1	3	PERM.	--	0	0	X
Appeals Court .....	IAC	4	3	ROTATE	DAILY	X	0	X
<b>MICHIGAN:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	6	3	ROTATE	MONTHLY	X	--	X
<b>MINNESOTA:</b>								
Supreme Court .....	COLR	VARIABLES	3	ROTATE	MONTHLY	0	X	0
Court of Appeals ...	IAC	4	3	ROTATE	MONTHLY	--	X	X
<b>MISSISSIPPI:</b>								
Supreme Court .....	COLR	3	3	ROTATE	MONTHLY	0	X	--
<b>MISSOURI:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	4	3	ROTATE	4X YEAR	X	0	--
<b>MONTANA:</b>								
Supreme Court .....	COLR	2*	5*	ROTATE	BY CASE	0	X	0
<b>NEBRASKA:</b>								
Supreme Court .....	COLR	2	5	ROTATE	DAILY	0	X	0
<b>NEVADA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>NEW HAMPSHIRE:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>NEW JERSEY:</b>								
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 w/en banc	Panels screen discre- tionary cases (none en banc)
<b>NEW MEXICO:</b>								
Supreme Court .....	COLR	VARIABLES	3	ROTATE	MONTHLY	0	X	0
Court of Appeals ...	IAC	VARIABLES	3	ROTATE	MONTHLY	X	0	X
<b>NEW YORK:</b>								
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
<b>NORTH CAROLINA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	4	3	ROTATE	EVERY 3RD SESSION	X	0	X
<b>NORTH DAKOTA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>OHIO:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	VARIABLES	3	ROTATE	BY CASE	X	0	--
<b>OKLAHOMA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Criminal Appeals .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	4	3	PERM.	--	X	0	--
<b>OREGON:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	3	3	PERM.	--	0	X	--
<b>PENNSYLVANIA:</b>								
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
<b>PUERTO RICO:</b>								
Supreme Court .....	COLR	--	3	--	--	--	--	--
<b>RHODE ISLAND:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>SOUTH CAROLINA:</b>								
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)
<b>SOUTH DAKOTA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>TENNESSEE:</b>								
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
<b>TEXAS:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Criminal Appeals .....	COLR	--*	--	--	--	--	--	--
Court of Appeals ...	IAC	VARIABLES	3	VARIABLES	VARIABLES	X	0	0
<b>UTAH:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>VERMONT:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>VIRGINIA:</b>								
Supreme Court .....	COLR	3	3	PERM.	--	0	X	X
<b>WASHINGTON:</b>								
Supreme Court .....	COLR	2	5	ROTATE	2 YEARS AS NEEDED	0	0	X
Court of Appeals ...	IAC	VARIABLES	3	ROTATE	--	X	0	SINGLE
<b>WEST VIRGINIA:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
<b>WISCONSIN:</b>								
Supreme Court .....	COLR	--	--	--	--	--	--	--
Court of Appeals ...	IAC	4	3	PERM.	--	X	0	X
<b>WYOMING:</b>								
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:			Court decides sua sponte
		unless waived by a party?	unless waived by both parties?	if requested by a party?	if requested by both parties?		
<b>ALABAMA:</b>							
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
<b>ALASKA:</b>							
Supreme Court .....	COLR	NO	NO	AUTOMATIC	NO		YES
Court of Appeals ...	IAC	NO	NO	AUTOMATIC	NO		YES
<b>ARIZONA:</b>							
Supreme Court .....	COLR	NO	NO	AUTOMATIC (M)	NO		
Court of Appeals ...	IAC	NO	NO	YES (D) CRIM.-YES	CIVIL-YES		
<b>ARKANSAS:</b>							
Supreme Court .....	COLR	NO	NO	AUTOMATIC	NO		NO
Court of Appeals ...	COLR	NO	NO	AUTOMATIC	NO		NO
<b>CALIFORNIA:</b>							
Supreme Court .....	COLR	NO	YES	NO	NO		NO
Court of Appeals ...	IAC	NO	YES	NO	NO		NO
<b>COLORADO:</b>							
Supreme Court .....	COLR	NO	NO	YES	NO		YES
Court of Appeals ...	IAC	NO	NO	NQ	NO		YES
<b>CONNECTICUT:</b>							
Supreme Court .....	COLR	NO	YES	NO	NO		NO
Appellate Court.....	IAC	NO	YES	NO	NO		NO
<b>DELAWARE:</b>							
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 ..... District Court of Appeals .....	COLR IAC	YES, IN DEATH CASES ONLY NO	NO	NO	NO	YES
GEORGIA: Supreme Court ..... Court of Appeals ...	COLR TAC	YES, IN DEATH CASES ONLY NO	NO	NO AUTOMATIC	NO	YES YES
HAWAII: Supreme Court ..... Intermediate Court of Appeals .....	COLR IAC	YES YES	NO NO	NO	NO	YES
IDAHO: Supreme Court ..... Court of Appeals ...	COLR TAC	YES YES	NO NO	NO NO	NO NO	YES YES
ILLINOIS: Supreme Court ..... Appellate Court ....	COLR IAC	NO NO	NO NO	YES YES	NO NO	YES YES
INDIANA: Supreme Court ..... Court of Appeals ...	COLR IAC	NO NO	NO NO	YES YES	NO NO	YES YES
IOWA: Supreme Court ..... Court of Appeals ...	COLR IAC	NO NO	NO NO	YES YES	NO NO	YES YES
KANSAS: Supreme Court ..... Court of Appeals ...	COLR IAC	YES YES	NO NO	AUTO-SUMMARY AUTO-SUMMARY	NO NO	NO NO
KENTUCKY: Supreme Court ..... Court of Appeals ...	COLR IAC	NO NO	NO NO	YES YES	NO NO	YES YES
LOUISIANA: Supreme Court ..... Court of Appeals ...	COLR IAC	YES NO	NO NO	NO YES	NO NO	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:		
		unless waived by a party?	unless waived by both parties?	if requested by a party?	if requested by both parties?	Court decides sua sponte
<b>MARYLAND:</b>						
Court of Appeals ...	COLR	YES	NO	NO	NO	NO
Court of Special Appeals .....	IAC	NO	NO	YES	NO	YES
<b>MASSACHUSETTS:</b>						
Supreme Judicial Court .....	COLR	EXCEPT FIRST MURDER MANDATORY		NO	NO	NO
Appeals Court .....	TAC	YES	NO	YES	NO	YES
<b>MICHIGAN:</b>						
Supreme Court .....	COLR	NO	NO	AUTOMATIC	NO	NO
Court of Appeals ...	IAC	YES	NO	NO	NO	POSSIBLE
<b>MINNESOTA:</b>						
Supreme Court .....	COLR	NO	NO	YES	NO	YES
Court of Appeals ...	IAC	NO	NO	YES	NO	YES
<b>MISSISSIPPI:</b>						
Supreme Court .....	COLR	NO	NO	YES	NO	YES
<b>MISSOURI:</b>						
Supreme Court .....	COLR	YES	NO	NO	NO	NO
Court of Appeals ...	IAC	YES	NO	NO	NO	NO
<b>MONTANA:</b>						
Supreme Court .....	COLR	NO	NO	YES	NO	YES
<b>NEBRASKA:</b>						
Supreme Court .....	COLR	NO	YES	NO	NO	NO
<b>NEVADA:</b>						
Supreme Court .....	COLR	NO	NO	YES	NO	YES
<b>NEW HAMPSHIRE:</b>						
Supreme Court .....	COLR	NO	NO	YES	NO	YES
<b>NEW JERSEY:</b>						
Supreme Court .....	COLR	YES	NO	NO	NO	NO
Appellate Division of Superior Court .	IAC	NO	NO	AUTOMATIC	NO	YES
<b>NEW MEXICO:</b>						
Supreme Court .....	COLR	NO	NO	YES	NO	YES
Court of Appeals ...	IAC	NO	NO	YES	NO	YES
<b>NEW YORK:</b>						
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:			Court decides sua sponte
		unless waived by a party?	unless waived by both parties?	if requested by a party?	if requested by both parties?		
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		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:		Court decides sua sponte
		unless waived by a party?	unless waived by both parties?	if requested by a party?	if requested by both parties?	
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	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	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
<b>ALABAMA:</b>									
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
<b>ALASKA:</b>									
Supreme Court .....	COLR	CUST	X	0	X	0	X	0	0
Court of Appeals ...	IAC	MD/SR	X	0	X	0	X	0	0
<b>ARIZONA:</b>									
Supreme Court .....	COLR	EL	0	0	X	0	0	0	0
Court of Appeals ...	IAC	CV	X	0	0	0	0	X	0
<b>ARKANSAS:</b>									
Supreme Court .....	COLR	CR	X	0	0	0	0	0	0
Court of Appeals ...	COLR	--	--	--	--	--	--	--	--
<b>CALIFORNIA:</b>									
Supreme Court .....	COLR	--	--	--	--	--	--	--	--
Court of Appeals ...	IAC	CV	0	X*	X*	0	X*	0	0
<b>COLORADO:</b>									
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
<b>CONNECTICUT:</b>									
Supreme Court .....	COLR	ALL	0	0	0	0	0	0	2
Appellate Court ....	IAC	CV	0	X	0	0	0	0	0
	IAC	ALL	0	0	0	0	0	0	2
	IAC	CV	0	X	0	0	0	0	0
<b>DELAWARE:</b>									
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	Expedited decision dates	Other
DISTRICT OF COLUMBIA: Court of Appeals ...	COLR	CV/ALL	0	X	0	0	X	0	1
FLORIDA: Supreme Court ..... District Court of Appeals .....	COLR IAC	DP/BD/ FD EW/I*	0 0	0 0	0 0	0 0	0 0	0 0	2 2,3
GEORGIA: Supreme Court ..... Court of Appeals ...	COLR IAC	ALL RARELY	X 0	0 0	X 0	0 0	X 0	X 0	0 2
HAWAII: Supreme Court ..... Intermediate Court of Appeals .....	COLR IAC	ED/CUST/ DC/EW ED/CUST DC/EW	X X	X X	X X	X X	0 0	X X	0 0
IDAHO: Supreme Court ..... Court of Appeals ...	COLR IAC	ALL ALL	X X	0 0	0 0	0 0	0 0	0 0	0 0
ILLINOIS: Supreme Court ..... Appellate Court ....	COLR IAC	ALL ALL	X X	0 X	X X	X X	X X	X X	1,2 1,2
INDIANA: Supreme Court ..... Court of Appeals ...	COLR IAC	PUC/ CR/EW CR/EW PUC	X X	0 CV	0 0	0 0	0 0	0 0	0 0
IOWA: Supreme Court ..... Court of Appeals ...	COLR IAC	CUST/ CR/DC CUST/ CR	X X	0 0	0 0	0 0	0 X	0 0	0 0
KANSAS: Supreme Court ..... Court of Appeals ...	COLR IAC	-- SUMMARY CALENDAR	-- X	-- 0	-- 0	-- 0	-- 0	-- 0	-- 1
KENTUCKY: Supreme Court ..... Court of Appeals ...	COLR IAC	-- ALL	-- 0	-- X	-- 0	-- 0	-- 0	-- 0	-- 1
LOUISIANA: Supreme Court ..... Court of Appeals ...	COLR IAC	EM/PUC/ EL/DP ALL	X X	0 0	X X	0 0	X X	0 X	1,4 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	Expedited brief-ing pro-cedures	Expedited com-pletion of record	Expedited oral argument procedures	Expedited decision dates	Other
<b>MARYLAND:</b>									
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
<b>MASSACHUSETTS:</b>									
Supreme Judicial Court .....	COLR	ALL	0	0	0	0	0	0	1
Appeals Court .....	IAC	ALL	0	0	0	0	0	0	1
<b>MICHIGAN:</b>									
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
<b>MINNESOTA:</b>									
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
<b>MISSISSIPPI:</b>									
Supreme Court .....	COLR	HC/EL PUB	X	0	0	0	0	0	0
<b>MISSOURI:</b>									
Supreme Court .....	COLR	ALL	0	0	0	0	0	0	1
Court of Appeals ...	IAC	ALL	0	X	0	0	0	0	0
<b>MONTANA:</b>									
Supreme Court .....	COLR	--	--	--	--	--	--	--	--
<b>NEBRASKA:</b>									
Supreme Court .....	COLR	CR/FD CUST/UN	X	X	0	0	0	0	0
<b>NEVADA:</b>									
Supreme Court .....	COLR	JV/DP CUST/IJ	0	0	X	0	X	0	0
<b>NEW HAMPSHIRE:</b>									
Supreme Court .....	COLR	ALL	0	0	0	0	0	0	2
<b>NEW JERSEY:</b>									
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
<b>NEW MEXICO:</b>									
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	Expedi- ted 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	0	X	X	0	X	0	0
JV			X	0	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	Expedited brief-ing pro-cedures	Expedited com-pletion of record	Expedited oral argument procedures	Expedited decision dates	Other
<b>TEXAS:</b>									
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 I/HC CV	0 X 0	0 0 0	X X 0	X 0 X	0 0 0	X-I	0
<b>UTAH:</b>									
Supreme Court .....	COLR	CR/UN	X	0	0	0	X	X	0
<b>VERMONT:</b>									
Supreme Court .....	COLR	--	--	--	--	--	--	--	--
<b>VIRGINIA:</b>									
Supreme Court .....	COLR	CR/WC	X	0	0	0	0	0	0
<b>WASHINGTON:</b>									
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
<b>WEST VIRGINIA:</b>									
Supreme Court .....	COLR	EL	0	0	0	0	0	0	1
<b>WISCONSIN:</b>									
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
<b>WYOMING:</b>									
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

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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
<b>ALABAMA:</b>									
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		
<b>ALASKA:</b>									
Supreme Court .....	COLR	X	0	0	X	0	IDENTIFIED SEPARATELY		
Court of Appeals ...	IAC	X	0	0	X	0	IDENTIFIED SEPARATELY		
<b>ARIZONA:</b>									
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	
<b>ARKANSAS:</b>									
Supreme Court .....	COLR	0	X	0	0	X	X	0	0
Court of Appeals ...	COLR	0	X	0	0	X	X	0	0
<b>CALIFORNIA:</b>									
Supreme Court .....	COLR	0	X	0	0	X	X	0	0
Court of Appeals ...	IAC	0	X	0	0	X	X	0	0
<b>COLORADO:</b>									
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
<b>CONNECTICUT:</b>									
Supreme Court .....	COLR	X	0	FEES PAID	X	0	X	0	0
Appellate Court ....	IAC	X	0	FEES PAID	X	0	X	0	0
<b>DELAWARE:</b>									
Supreme Court .....	COLR	X	0	0	0	0	X	0	0
<b>DISTRICT OF COLUMBIA:</b>									
Court of Appeals ...	COLR	X	0	0	X	0	0	0	X
<b>FLORIDA:</b>									
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
<b>GEORGIA:</b>									
Supreme Court .....	COLR	0	X	0	0	X	X	0	0
Court of Appeals ...	IAC	0	X	0	0	X	X	0	0
<b>HAWAII:</b>									
Supreme Court .....	COLR	0	X	0	0	X	X	0	0
Intermediate Court of Appeals .....	IAC	0	X	0	0	X	X	0	0
<b>IDAHO:</b>									
Supreme Court .....	COLR	X	0	0	X	0	X	0	0
Court of Appeals ...	IAC	0	0	TRANSFER	0	X	X	0	0
<b>ILLINOIS:</b>									
Supreme Court .....	COLR	X	0	0	X	0	X	0	0
Appellate Court ....	IAC	X	0	0	X	0	IDENTIFIED SEPARATELY		
<b>INDIANA:</b>									
Supreme Court .....	COLR	0	0	BRIEF	X	0	IDENTIFIED SEPARATELY		
Court of Appeals ...	IAC	0	0	BRIEF	X	0	IDENTIFIED SEPARATELY		
<b>IOWA:</b>									
Supreme Court .....	COLR	X	0	0	0	X	0	X	0
Court of Appeals ...	IAC	0	0	TRANSFER	0	X	X	0	0
<b>KANSAS:</b>									
Supreme Court .....	COLR	0	0	DOCKETING*	X	0	IDENTIFIED SEPARATELY		
Court of Appeals ...	IAC	0	0	DOCKETING*	X	0	IDENTIFIED SEPARATELY		
<b>KENTUCKY:</b>									
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
<b>LOUISIANA:</b>									
Supreme Court .....	COLR	0	X	0	0	X	0	X	0
Court of Appeals ...	IAC	0	X	0	0	X	0	X	0
<b>MAINE:</b>									
Supreme Judicial Court Sitting as Law Court .....	COLR	X	0	0	X	0	X	0	0
<b>MARYLAND:</b>									
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
<b>MASSACHUSETTS:</b>									
Supreme Judicial Court .....	COLR	0	X	0	X	0	0	X	0
Appeals Court .....	IAC	0	X	0	X	0	X	0	0
<b>MICHIGAN:</b>									
Supreme Court .....	COLR	0	0	BRIEF	0	X	0	0	X
Court of Appeals ...	IAC	X	0	0	0	X	0	X	0
<b>MINNESOTA:</b>									
Supreme Court .....	COLR	X	0	0	0	X	X	0	0
Court of Appeals ...	IAC	X	0	0	0	X	X	0	0
<b>MISSISSIPPI:</b>									
Supreme Court .....	COLR	0	X	0	X	0	IDENTIFIED SEPARATELY		
<b>MISSOURI:</b>									
Supreme Court .....	COLR	X	0	0	X	0	X	0	0
Court of Appeals ...	IAC	X	0	0	X	0	X	0	0
<b>MONTANA:</b>									
Supreme Court .....	COLR	X	0	0	X	0	0	X	0
<b>NEBRASKA:</b>									
Supreme Court .....	COLR	X	0	0	X	0	0	0	X
<b>NEVADA:</b>									
Supreme Court .....	COLR	0	X	0	X	0	X	0	0
<b>NEW HAMPSHIRE:</b>									
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
<b>NEW JERSEY:</b>									
Supreme Court .....	COLR	X	0	0	X	X-DP	0	X	0
Appellate Division of Superior Court .	IAC	X	0	0	0	X			IDENTIFIED SEPARATELY
<b>NEW MEXICO:</b>									
Supreme Court .....	COLR	0	0	TRANSCRIPT	0	X	X	0	0
Court of Appeals ...	IAC	0	0	TRANSCRIPT	0	X	X	0	0
<b>NEW YORK:</b>									
Court of Appeals ...	COLR	X	0	0	X	0	X	0	0
Appellate Division of Supreme Court ..	IAC	0	X	0	X	0	X	0	0
Appellate Term of Supreme Court .....	IAC	0	X	0	X-CV	X-CR	0	0	X
<b>NORTH CAROLINA:</b>									
Supreme Court .....	COLR	0	X	0	X	0	0	X	0
Court of Appeals ...	IAC	0	X	0	X	0	0	X	0
<b>NORTH DAKOTA:</b>									
Supreme Court .....	COLR	X	0	0	X	0	0	X	0
<b>OHIO:</b>									
Supreme Court .....	COLR	X	0	0	0	X*	X	0	0
Court of Appeals ...	IAC	X	0	0	X*	X*	X	0	X
<b>OKLAHOMA:</b>									
Supreme Court .....	COLR	X*	0	0	0	X	X*	0	X*
Court of Criminal Appeals .....	COLR	X*	0	0	0	X	X*	0	X*
Court of Appeals ...	IAC	0	0	TRANSFER	--	--	X*	0	X*
<b>OREGON:</b>									
Supreme Court .....	COLR	X	0	0	0	X	0	0	X
Court of Appeals ...	IAC	X	0	0	0	X	0	0	X
<b>PENNSYLVANIA:</b>									
Supreme Court .....	COLR	X	0	0	X-M*	X-D*	X	0	0
Superior Court .....	IAC	X	0	0	X	0	X	0	0
Commonwealth Court .	IAC	X	0	0	X	0	0	0	X
<b>PUERTO RICO:</b>									
Supreme Court .....	COLR	X	0	0	X-CR	X-CV			IDENTIFIED SEPARATELY
<b>RHODE ISLAND:</b>									
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.	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 .....	COLR	X	0	0	X	0	X	0	0
WISCONSIN:									
Supreme Court .....	COLR	0	0	ACCEPTS JURISDIC.	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.

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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 ques. from federal courts	Original proceed- ings			
		Appeals from final judgments												
		Death penalty	Civil criminal	Other criminal	Adminis- trative agency	Juvenile	Disciplinary Lawyer	Judge						
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	0	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								
		Appeals from final judgments			Admis- trative agency	Juvenile	Disciplinary		Advisory opinion from state (exec./ legis.)	Certify ques. from federal courts
		Civil	Criminal	Lawyer			Judge	Original proceedings		
<b>ALABAMA:</b>										
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
<b>ALASKA:</b>										
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
<b>ARIZONA:</b>										
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
<b>ARKANSAS:</b>										
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
<b>CALIFORNIA:</b>										
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
<b>COLORADO:</b>										
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
<b>CONNECTICUT:</b>										
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
<b>DELAWARE:</b>										
Supreme Court .....	COLR	X	X	0	--	0	0	0	X	I
<b>DISTRICT OF COLUMBIA:</b>										
Court of Appeals ...	COLR	X	X	0	0	0	0	0	0	X+I
<b>FLORIDA:</b>										
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
<b>GEORGIA:</b>										
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									
		Appeals from final judgments					Disciplinary				
		Death penalty	Civil criminal	Other criminal	Adminis- trative agency	Juvenile	Lawyer	Judge	(exec./ legis.)	Advisory opinion from state	Certify from federal courts
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	MURDER	X	0	0	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				Disciplinary Lawyer	Disciplinary Judge							
		Civil	Criminal	Administrative agency	Juvenile									
<b>HAWAII:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	0	0	X+I			
Intermediate Court of Appeals .....	IAC	0	0	0	0	0	0	0	0	0	0			
<b>IDAHO:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	X	X	X+I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	0			
<b>ILLINOIS:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	X	X	X+I			
Appellate Court ....	IAC	X	0	0	0	0	0	0	0	0	I			
<b>INDIANA:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	X	X	X			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	I			
<b>IOWA:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	0	0	X+I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	0			
<b>KANSAS:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	0	0	X+I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	I			
<b>KENTUCKY:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	0	X	X	X+I			
Court of Appeals ...	IAC	X	X	X	X	0	0	0	0	0	X			
<b>LOUISIANA:</b>														
Supreme Court .....	COLR	X	X	X	X	0	0	X	X	X	I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	X			
<b>MAINE:</b>														
Supreme Judicial Court Sitting as Law Court .....	COLR	0	X	X	0	0	0	0	0	0	X			
<b>MARYLAND:</b>														
Court of Appeals ...	COLR	X	X	X	X	0	0	0	0	0	I			
Court of Special Appeals .....	IAC	X	X	0	0	0	0	0	0	0	X			
<b>MASSACHUSETTS:</b>														
Supreme Judicial Court .....	COLR	X	X	X	X	0	0	0	0	0	I			
Appeals Court .....	IAC	0	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									
		Appeals from final judgments					Advisory opinion from Adminis- trative agency				
		Death penalty	Civil criminal	Other juvenile	Disciplinary Lawyer	Judge	(exec./ federal legis.)	Certify from state federal courts	Original proceed- ings		
<b>MICHIGAN:</b>											
Supreme Court .....	COLR	0	--	0	0	0	X	0	0	0	0
Court of Appeals ...	IAC	X	--	X	X	X	0	0	0	0	0
<b>MINNESOTA:</b>											
Supreme Court .....	COLR	0	--	X-1ST-DEG.	MURDER	X	0	X	X	0	0
Court of Appeals ...	IAC	X	--	X	X	X	0	0	0	0	0
<b>MISSISSIPPI:</b>											
Supreme Court .....	COLR	X	X	X	X	X	X	X	0	0	X+I
<b>MISSOURI:</b>											
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
<b>MONTANA:</b>											
Supreme Court .....	COLR	X	X	X	0	X	X	X	0	0	0
<b>NEBRASKA:</b>											
Supreme Court .....	COLR	X	X	X	X	X	X	X	0	0	X
<b>NEVADA:</b>											
Supreme Court .....	COLR	X	X	X	X	X	X	0	0	0	X
<b>NEW HAMPSHIRE:</b>											
Supreme Court .....	COLR	0	0	0	0	0	0	0	0	0	0
<b>NEW JERSEY:</b>											
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
<b>NEW MEXICO:</b>											
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
<b>NEW YORK:</b>											
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
<b>NORTH CAROLINA:</b>											
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							
		Appeals from final judgments				Advisory opinion from state (exec./ legis.)			
		Civil	Criminal	Adminis- trative agency	Juvenile	Disciplinary Lawyer	Judge	Certify ques. from federal courts	Original proceedings
<b>MICHIGAN:</b>									
Supreme Court .....	COLR	X	X	X	X	X	0	X	X
Court of Appeals ...	IAC	X	X	X	X	0	0	0	X+I
<b>MINNESOTA:</b>									
Supreme Court .....	COLR	X	X	X	X	0	0	0	X
Court of Appeals ...	IAC	X	X	X	X	0	0	0	X
<b>MISSISSIPPI:</b>									
Supreme Court .....	COLR	0	0	0	0	0	0	X	0
<b>MISSOURI:</b>									
Supreme Court .....	COLR	X	X	X	X	X	0	0	X
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0
<b>MONTANA:</b>									
Supreme Court .....	COLR	0	0	X	0	0	0	X	X+I
<b>NEBRASKA:</b>									
Supreme Court .....	COLR	X	0	X	0	0	0	X	X+I
<b>NEVADA:</b>									
Supreme Court .....	COLR	0	0	0	0	0	0	0	0
<b>NEW HAMPSHIRE:</b>									
Supreme Court .....	COLR	X	X	X	X	X	X	0	X+I
<b>NEW JERSEY:</b>									
Supreme Court .....	COLR	X	X	X	X	X	X	0	I
Appellate Division of Superior Court .	IAC	0	0	0	0	0	0	0	I
<b>NEW MEXICO:</b>									
Supreme Court .....	COLR	X	X	X	X	0	0	X	0
Court of Appeals ...	IAC	0	0	0	0	0	0	0	I
<b>NEW YORK:</b>									
Court of Appeals ...	COLR	X	X	X	X	0	X	0	X
Appellate Division of Supreme Court ..	IAC	X	X	0	X	0	0	0	X+I
Appellate Term of Supreme Court .....	IAC	0	X	0	X	0	0	0	I-CR
<b>NORTH CAROLINA:</b>									
Supreme Court .....	COLR	X	X	X	X	0	0	0	X+I
Court of Appeals ...	IAC	X	X	X	X	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	Certify ques. from federal courts	Original proceed- ings			
		Appeals from final judgments				Adminis- trative agency	Juvenile	Disciplinary Lawyer						
		Death penalty	Civil criminal	Other criminal	X									
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				Administrative agency	Juvenile	Disciplinary Lawyer						
		Civil	Criminal											
NORTH DAKOTA:														
Supreme Court .....	COLR	0	0	0	0			0	0	0	0			
OHIO:														
Supreme Court .....	COLR	X	X	0	X	0	0	0	0	0	X+I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	0			
OKLAHOMA:														
Supreme Court .....	COLR	X	0	X	X	0	0	0	0	0	I			
Court of Criminal Appeals .....	COLR	0	0	0	0	0	0	0	0	0	I			
Court of Appeals ...	IAC	0	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	0	X+I			
Superior Court ....	IAC	X	X	0	X	0	0	0	0	0	X+I			
Commonwealth Court .	IAC	X	0	X	0	0	0	0	0	0	I			
PUERTO RICO:														
Supreme Court .....	COLR	X	X	X	X	X	X	X	X	X	X+I			
RHODE ISLAND:														
Supreme Court .....	COLR	0	0	X	0	0	0	0	0	0	X+I			
SOUTH CAROLINA:														
Supreme Court .....	COLR	X	X	X	X	0	0	0	0	0	X+I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	0			
SOUTH DAKOTA:														
Supreme Court .....	COLR	0	0	0	0	0	0	X-EXEC	X	X	X+I			
TENNESSEE:														
Supreme Court .....	COLR	X	X	X-WC	X	0	0	0	0	0	X+I			
Court of Appeals ...	IAC	0	0	0	0	0	0	0	0	0	I			
Court of Criminal Appeals .....	IAC	0	0	0	0	0	0	0	0	0	I			
TEXAS:														
Supreme Court .....	COLR	X	--	X	X	0	0	0	X	X	X			
Court of Criminal Appeals .....	COLR	--	X	--	--	--	--	--	--	--	X			
Court of Appeals ...	IAC	0	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													
		Death penalty	Civil Other criminal	Adminis- trative agency	Juvenile	Disciplinary Lawyer	Judge								
UTAH:															
Supreme Court .....	COLR	X	X	X	X	X	X	0	0	0	0	X			
VERMONT:															
Supreme Court .....	COLR	X	X	X	X	X	X	X	0	0	0	X+I			
VIRGINIA:															
Supreme Court .....	COLR	0	X	0	X	0	X	0	0	0	0	0			
WASHINGTON:															
Supreme Court .....	COLR	X	X	X	X	X	0	0	0	X	0	0			
	Court of Appeals ...	IAC	X	0	X	X	0	0	0	0	X	X			
WEST VIRGINIA:															
Supreme Court .....	COLR	0	--	0	0	0	0	0	0	0	0	0			
WISCONSIN:															
Supreme Court .....	COLR	X	--	X	0	0	X	X	0	X	0	X			
	Court of Appeals ...	IAC	X	--	X	X	0	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				Juvenile	Disciplinary Lawyer	Judge						
		Civil	Criminal	Administrative agency										
UTAH:														
Supreme Court .....	COLR	0	0	0	0	0	0	0	0	0	I			
VERMONT:														
Supreme Court .....	COLR	0	0	0	0	0	0	0	0	0	I			
VIRGINIA:														
Supreme Court .....	COLR	X	X	X	X	0	X	0	0		X+I			
WASHINGTON:														
Supreme Court .....	COLR	X	X	X	X	X	X	0	0		X+I			
Court of Appeals ...	IAC	0	0	X	0	0	0	0	0		I			
WEST VIRGINIA:														
Supreme Court .....	COLR	X	X	X	X	X	X	0	X		X+I			
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		I			
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 ..... District Court of Appeals .....	COLR	PANEL	4/5	NO
	IAC	PANEL	2/3	--
GEORGIA: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	4/7 3/3	NO --
HAWAII: Supreme Court ..... Intermediate Court of Appeals .....	COLR	EN BANC	3/5	NO
	IAC	--	--	--
IDAHO: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC	3/5 --	-- --
ILLINOIS: Supreme Court ..... Appellate Court ....	COLR IAC	EN BANC PANEL	4/7 2/3	NO --
INDIANA: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	3/5	NO --
IOWA: Supreme Court ..... Court of Appeals ...	COLR IAC	PANEL	2/3 --	NO --
KANSAS: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC EN BANC	3/7 4/7	NO --
KENTUCKY: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	4/7 2/3	NO --
LOUISIANA: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	4/7 2/3	NO --
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)

<u>State:</u> <u>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>
MARYLAND: Court of Appeals ... Court of Special Appeals .....	COLR IAC	EN BANC PANEL	3/7 --	NO --
MASSACHUSETTS: Supreme Judicial Court ..... Appeals Court .....	COLR IAC	PANEL EN BANC PANEL	3/3* 4/7* 1/3	NO --
MICHIGAN: Supreme Court .... Court of Appeals ...	COLR IAC	EN BANC PANEL	4/7 2/3	NO --
MINNESOTA: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	3/9 2/3	NO --
MISSISSIPPI: Supreme Court .....	COLR	--	--	--
MISSOURI: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC --	4/7 --	YES, IF DISSENTING JUDGE CERTIFIES CASE TO COLR.
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 ..... Appellate Division of Superior Court .	COLR IAC	EN BANC PANEL	3/7 2/2 or 3/3	YES --
NEW MEXICO: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	2/5 2/2 or 2/3	NO --
NEW YORK: Court of Appeals ... Appellate Division of Supreme Court .. Appellate Term of Supreme Court .....	COLR IAC IAC	CV-EN BANC CR-SINGLE PANEL PANEL	2/7 3/4 1/3	YES -- --

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

<u>State:</u> <u>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>
NORTH CAROLINA: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC PANEL	4/7 2/3	YES --
NORTH DAKOTA: Supreme Court .....	COLR	--	--	--
OHIO: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC --	4/7 --	NO --
OKLAHOMA: Supreme Court ..... Court of Criminal Appeals ..... Court of Appeals ...	COLR COLR IAC	EN BANC EN BANC --	5/9 2/3 --	NO -- --
OREGON: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC --	3/7 --	-- --
PENNSYLVANIA: Supreme Court ..... Superior Court ..... Commonwealth Court .	COLR IAC IAC	EN BANC EN BANC EN BANC	2/7 11/22* 5/9	NO -- --
PUERTO RICO: Supreme Court .....	COLR	EN BANC*	4/7	--
RHODE ISLAND: Supreme Court .....	COLR	EN BANC	1/5	--
SOUTH CAROLINA: Supreme Court ..... Court of Appeals ...	COLR IAC	EN BANC --	2/5 --	NO --
SOUTH DAKOTA: Supreme Court .....	COLR	EN BANC	3/5 or 1/5*	--
TENNESSEE: Supreme Court ..... Court of Appeals ... Court of Criminal Appeals .....	COLR IAC IAC	EN BANC PANEL PANEL	3/5 2/3 2/3	NO -- --
TEXAS: Supreme Court ..... Court of Criminal Appeals ..... Court of Appeals ...	COLR COLR IAC	EN BANC EN BANC --	3/9 4/9 --	NO NO --

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

<u>State:</u> <u>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>
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	
Court of Appeals ...	IAC	PANEL COMM	1/1	NO --
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 pos- sible in appellee court where sentence length is only issue?	Restrictions on sentence review:		
				None	Sentence must exceed statutory maximum	Other:
<b>ALABAMA:</b>						
Supreme Court .....	COLR	NO	YES	X	0	0
Court of Civil Appeals .....	IAC	--	--	--	--	--
Court of Criminal Appeals .....	IAC	NO	YES	X	0	0
<b>ALASKA:</b>						
Supreme Court .....	COLR	YES	YES	X	0	0
Court of Appeals ...	IAC	YES	YES	X	0	0
<b>ARIZONA:</b>						
Supreme Court .....	COLR	NO	YES	X	0	0
Court of Appeals ...	IAC	NO	YES	X	0	0
<b>ARKANSAS:</b>						
Supreme Court .....	COLR	NO	YES	0	X	0
Court of Appeals ...	COLR	NO	YES	0	X	0
<b>CALIFORNIA:</b>						
Supreme Court .....	COLR	YES*	YES	X	0	0
Court of Appeals ...	IAC	YES*	YES	X	0	0
<b>COLORADO:</b>						
Supreme Court .....	COLR	NO	YES	0	X	0
Court of Appeals ...	IAC	NO	YES	0	X	0
<b>CONNECTICUT:</b>						
Supreme Court .....	COLR	YES	NO	--	--	--
Appellate Court ....	IAC	YES	NO	--	--	--
<b>DELAWARE:</b>						
Supreme Court .....	COLR	NO	NO	--	--	--
<b>DISTRICT OF COLUMBIA:</b>						
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 appellee 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	LESS THAN 10 YRS
Court of Appeals ...	IAC	NO	YES	0	0	
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 MUST BE EXCESSIVE
Court of Appeals ...	IAC	NO	YES	0	0	
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)

<u>State:</u> <u>Court name</u>	<u>Court type</u>	<u>Is there a formal sentence review procedure at trial court?</u>	<u>Is review possible in appellate court where sentence length is only issue?</u>	<u>Restrictions on sentence review:</u>
				Sentence must exceed statutory maximum
				None
MASSACHUSETTS: Supreme Judicial Court .....	COLR IAC	YES YES	NO YES	-- 0 X -- 0
MICHIGAN: Supreme Court ..... Court of Appeals ...	COLR IAC	NO NO	YES YES	X 0 X 0 0
MINNESOTA: Supreme Court ..... Court of Appeals ...	COLR IAC	NO NO	YES YES	X 0 X 0 0
MISSISSIPPI: Supreme Court .....	COLR	NO	YES	X 0 0
MISSOURI: Supreme Court ..... Court of Appeals ...	COLR IAC	NO NO	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 ..... Court of Appeals ...	COLR IAC	YES YES	YES YES	0 X 0 0
NEW YORK: Court of Appeals ... Appellate Division of Supreme Court .. Appellate Term of Supreme Court .....	COLR IAC IAC	NO NO NO	YES YES YES	X 0 0 WAIVES ROUTINE PROCEDURES 0
NORTH CAROLINA: Supreme Court ..... Court of Appeals ...	COLR IAC	YES YES	YES YES	0 0 G 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 appellee ate 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	X	0	0
Superior Court .....	IAC	YES	YES	--	--	--
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)

<u>State: Court name</u>	<u>Court type</u>	<u>Is there a formal sentence review procedure at trial court?</u>	<u>Is review pos- sible in appellee- ate court where sentence length is only issue?</u>	<u>Restrictions on sentence review:</u>	
				<u>Sentence must exceed statutory maximum</u>	<u>Other:</u>
VIRGINIA: Supreme Court .....	COLR	NO	YES	0	X 0
WASHINGTON: Supreme Court .....	COLR	NO	YES	0	X 0
Court of Appeals ...	IAC	NO	YES	0	X 0
WEST VIRGINIA: Supreme Court .....	COLR	NO	YES	0	X 0
WISCONSIN: Supreme Court .....	COLR	NO	NO	--	--
Court of Appeals ...	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.

		An appeal of an administrative agency case comes to this court directly from the:							
State: Court name	Court type	Workers Public Service Comm.	Unemploy- ment Compen- sation Comm.	Insurance Comm.	Other Agencies:		Trial court(s)	Inter- mediate appellate court	
		COLR	M	O	O	M		O	D
<b>ALABAMA:</b>									
Supreme Court .....	IAC	0	0	0		0	M	--	--
Court of Civil Appeals .....	IAC	--	--	--		--	--	--	--
Court of Criminal Appeals .....									
<b>ALASKA:</b>									
Supreme Court .....	COLR	0	0	0		0	M	0	D
Court of Appeals ...	IAC	--	--	--		--	--	--	--
<b>ARIZONA:</b>									
Supreme Court .....	COLR	0	0	0		0	O	D	
Court of Appeals ...	IAC	0	M	D		0	M	--	--
<b>ARKANSAS:</b>									
Supreme Court .....	COLR	0	M/D	O	ALCOHOL BEVERAGE CONTROL (M/D)		O	0	
Court of Appeals ...	COLR	0	O	M	0		0	--	
<b>CALIFORNIA:</b>									
Supreme Court .....	COLR	D	O	O		0	O	D	
Court of Appeals ...	IAC	O	D	O		M/D	M/D	--	
<b>COLORADO:</b>									
Supreme Court .....	COLR	M	O	O		0	O	D	
Court of Appeals ...	IAC	O	M	M		SEVERAL (M)	M	--	
<b>CONNECTICUT:</b>									
Supreme Court .....	COLR	O	O	O		0	O	M/D	
Appellate Court ....	IAC	O	M	O		0	M	--	
<b>DELAWARE:</b>									
Supreme Court .....	COLR	O	O	O		0	M	--	

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

		An appeal of an administrative agency case comes to this court directly from the:							
State:	Court name	Court type	Workers Comp.	Unemployment Comp.	Public Service Comm.	Insurance Comm.	Other Agencies:	Trial court(s)	Intermediate appellate court
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)	Intermediate appellate court
		Workers Public Service Comm.	Unemploy- ment Compens- ation Comm.	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) LABOR RELATIONS(M)	M/D	D
Appeals Court .....	IAC	0	0	0		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) ALL (M)	0	D
Court of Appeals ...	IAC	M	0	M		M	--
MISSISSIPPI:							
Supreme Court .....	COLR	M	0	0	0	M	--
MISSOURI:							
Supreme Court .....	COLR	0	0	0	REVENUE CASES (M) ALL (M)	0	0
Court of Appeals ...	IAC	0	0	0		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) ALL (M)	M	0
Court of Appeals ...	IAC	0	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)	Intermediate appellate court
		Workers Public Service Comm.	Unemploy- ment Compensa- tion Comm.	Insurance Comm.	Other Agencies:				
NEW YORK:									
Court of Appeals ...	COLR	0	0	0		0		0	M/D
Appellate Division of Supreme Court ..	IAC	M*	M	M	ENVIRONMENTAL BD; (M); HUMAN RIGHTS APPEAL (M)		M	--	
Appellate Term of Supreme Court .....	IAC	--	--	--			--	--	
NORTH CAROLINA:									
Supreme Court .....	COLR	M	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	--	
NORTH DAKOTA:									
Supreme Court .....	COLR	0	0	0		0		M	--
OHIO:									
Supreme Court .....	COLR	M	0	0	BOARD TAX APPEALS (M); ELSE (M)		0	M	
Court of Appeals ...	IAC	0	0	0	BOARD TAX APPEALS (M)		M	--	
OKLAHOMA:									
Supreme Court .....	COLR	D	M	0	TAX COURT (M); BANKING BD (D); TAX COMM (D); BD PROPERTY/ CASUALTY RATES (D)		D	--	
Court of Criminal Appeals .....	COLR	--	--	--			--	--	
Court of Appeals ...	IAC	D	M	0	CASES TRANSFERRED FROM SUPREME COURT		D	--	
OREGON:									
Supreme Court .....	COLR	0	0	0	TAX COURT APPEALS (M)		0	D	
Court of Appeals ...	IAC	M	M	M	ALL (M)		0	--	
PENNSYLVANIA:									
Supreme Court .....	COLR	0	0	0	LEGISLATIVE REAPPOR. COMM (M)		M	D	
Superior Court .....	IAC	--	--	--			--	--	
Commonwealth Court .	IAC	M/D	M/D	M/D	ALL (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	--	
RHODE ISLAND:									
Supreme Court .....	COLR	M	D	0		0		D	--
SOUTH CAROLINA:									
Supreme Court .....	COLR	0	0	0		0		D	
Court of Appeals ...	IAC	0	0	0	CASES TRANSFERRED FROM SUPREME COURT		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)	Intermediate appellate court
		Public Service Comm.	Workers Comp. Comm.	Unemployment Insurance Comm.	Other Agencies:			
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"
<b>ALABAMA:</b>						
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
<b>ALASKA:</b>						
Supreme Court .....	COLR	X	0	X	0	0
Court of Appeals ...	IAC	X	0	X	0	0
<b>ARIZONA:</b>						
Supreme Court .....	COLR	X	0	X	X	0
Court of Appeals ...	IAC	X	0	X	X	X
<b>ARKANSAS:</b>						
Supreme Court .....	COLR	X	0	X	X	X
Court of Appeals ...	COLR	X	0	X	0	0
<b>CALIFORNIA:</b>						
Supreme Court .....	COLR	X	0	X	X	X
Court of Appeals ...	IAC	X	X	X	X	X
<b>COLORADO:</b>						
Supreme Court .....	COLR	X	0	X	X	0
Court of Appeals ...	IAC	X	0	X	--	X
<b>CONNECTICUT:</b>						
Supreme Court .....	COLR	X	0	X	X	X
Appellate Court ....	IAC	X	0	X	X	X
<b>DELAWARE:</b>						
Supreme Court .....	COLR	X	0	X	0	0
<b>DISTRICT OF COLUMBIA:</b>						
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	C

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
<b>ALABAMA:</b>									
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
<b>ALASKA:</b>									
Supreme Court .....	COLR	YES	NO	I	I	I	--	N/A	DWS
Court of Appeals ...	IAC	YES	NO	I	PC	PC	--	N/A	DWS
<b>ARIZONA:</b>									
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
<b>ARKANSAS:</b>									
Supreme Court .....	COLR	NO	NO	MAJ	MAJ	MAJ	I	I	DWS/OTH
Court of Appeals ...	COLR	NO	NO	I	--	--	I	I	DWS
<b>CALIFORNIA:</b>									
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
<b>COLORADO:</b>									
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?						Dissenting or concurring opinion	Other
				Majority opinion	Per curiam opinion	Memor- andum or order	Trans- ferred				
<b>CONNECTICUT:</b>											
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		
<b>DELAWARE:</b>											
Supreme Court .....	COLR	NO	YES	I	I	I	--	N/A	DWS		
<b>DISTRICT OF COLUMBIA:</b>											
Court of Appeals ...	COLR	YES	YES*	MAJ	MAJ	I/DWS	--	N/A	DWS		
<b>FLORIDA:</b>											
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		
<b>GEORGIA:</b>											
Supreme Court .....	COLR	NO	YES	MAJ	MAJ	I	I	N/A	DWS		
Court of Appeals ...	IAC	NO	NO	--	I	I	N/A	N/A	DWS		
<b>HAWAII:</b>											
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		
<b>IDAHO:</b>											
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		
<b>ILLINOIS:</b>											
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		
<b>INDIANA:</b>											
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	I	N/A	
<b>IOWA:</b>											
Supreme Court .....	COLR	NO	NO	I	I	I	--	I	I	DWS	
Court of Appeals ...	IAC	NO	NO	I	I	--	I	I	I	DWS	
<b>KANSAS:</b>											
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		
<b>KENTUCKY:</b>											
Supreme Court .....	COLR	NO	NO	MAJ	MAJ	MAJ/ORD	--	N/A	ORD		
Court of Appeals ...	IAC	NO	NO	MAJ	MAJ	MAJ/ORD	I	N/A	ORD		
<b>LOUISIANA:</b>											
Supreme Court .....	COLR	YES	YES	MAJ	I	MAJ	I	N/A	N/A		
Court of Appeals ...	IAC	SOME	MOST	MAJ	--	MAJ	--	N/A	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	NO	YES	I	I	N/A	I	I	N/A
	IAC	SOME	NO	N/A	N/A	N/A	I	N/A	N/A
MASSACHUSETTS: Supreme Judicial Court ..... Appeals Court .....	COLR IAC	NO NO	YES YES	I I	PC I	PC I	I I	N/A N/A	DWS DWS
MICHIGAN: Supreme Court ..... Court of Appeals ...	COLR IAC	YES YES	YES NO	MAJ MAJ	MAJ MAJ	I MAJ/ORD	-- ORD	N/A N/A	DWS DWS
MINNESOTA: Supreme Court ..... Court of Appeals ...	COLR IAC	YES YES	YES YES	MAJ I	MAJ --	I I	I I	N/A N/A	DWS DWS
MISSISSIPPI: Supreme Court .....	COLR	NO	NO	MAJ	I	MAJ	--	I	--
MISSOURI: Supreme Court ..... Court of Appeals ...	COLR IAC	NO YES	YES YES	MAJ MAJ	MAJ MAJ	MAJ/ORD MAJ	I I	N/A N/A	DWS/OTH 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 .....	CGLR	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 ..... Appellate Division of Superior Court .	COLR IAC	NO YES	NO NO	MAJ MAJ	MAJ MAJ	N/A MAJ	N/A I	N/A N/A	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 automated?	Are all opinions published	Which of the following data elements are reported independently from the other elements?					
				Majority opinion	Per curiam opinion	Memorandum or order	Transferred	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	MAJ	N/A	ORD
Court of Appeals ...	IAC	YES	NO	MAJ	MAJ	N/A	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 MOST COURTS	YES	I	I	I	--	I	N/A
Court of Appeals ...	IAC	NO	I	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:

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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 auto- type	Are court case- load data modi- fied	Which of the following data elements are reported in some form independently from the other elements?								
			Affirm- ed in part/re- versed in part	Affirm- ed or modi- fied	Rever- sed	Rever- sed	Re- manded	Dis- missed	Vacated	Review grant- ed/	Relief grant- ed/
ALABAMA:											
Supreme Court .....	COLR	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	G/D	N/A
Court of Civil Appeals .....	IAC	NO	I	I	R	R	R	N/A	N/A	--	G/D
Court of Criminal Appeals .....	IAC	NO	I	I	I	I	I	I	N/A	--	G/D
ALASKA:											
Supreme Court .....	COLR	YES	I	I	R	R	R	I	R	D	N/A
Court of Appeals ...	IAC	YES	I	I	R	R	R	I	R	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
Court of Appeals ...	IAC	DIV.1	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
Court of Appeals ...	COLR	NO	I	I	I	I	I	I	N/A	--	D
CALIFORNIA:											
Supreme Court .....	COLR	NO	I		I	I		I	N/A	G/D	N/A
Court of Appeals ...	IAC	SOME	I		I	I		I	N/A	G/D	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
Court of Appeals ...	IAC	NO	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
Appellate Court ....	IAC	NO	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
DISTRICT OF COLUMBIA:											
Court of Appeals ...	COLR	YES	I	I	I	I	I	I	I	G/D	N/A

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

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

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

State: Court name	Are court case- load data Court auto- type 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	Rever- sed in part	Rever- sed	Rever- sed and re- manded	Re- manded	Dis- missed	Vacated	Review grant- ed/	Relief grant- ed/
MASSACHUSETTS:											
Supreme Judicial Court .....	COLR IAC	NO NO	N/A I	N/A R	N/A R	N/A R	N/A OTH	I I	N/A N/A	G N/A	-- N/A
Appeals Court .....											N/A OTH
MICHIGAN:											
Supreme Court .....	COLR IAC	YES YES	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	G/D N/A	N/A N/A
Court of Appeals ...											
MINNESOTA:											
Supreme Court .....	COLR IAC	YES YES	N/A N/A	N/A N/A	N/A N/A	N/A N/A	I I	I I	I N/A	G/D N/A	G/D N/A
Court of Appeals ...											
MISSISSIPPI:											
Supreme Court .....	COLR	NO	A	I	R	R	R	A	N/A	--	N/A
MONTANA:											
Supreme Court .....	COLR	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	G	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
NEVADA:											
Supreme Court .....	COLR	NO	I	I	I	I	N/A	I	N/A	--	G/D
NEW HAMPSHIRE:											
Supreme Court .....	COLR	YES	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
Appellate Division of Superior Court	IAC	YES	I	I	R	R	I	I	N/A	N/A	N/A
NEW MEXICO:											
Supreme Court .....	COLR IAC	YES NO	I	A/R A/R	R-A/R R-A/R	R-A/R R-A/R	I N/A	I I	I N/A	N/A --	N/A G/D
Court of Appeals ...											
NEW YORK:											
Court of Appeals ...	COLR IAC	YES NO	A	--	R	R	A-R	I	N/A	G/D	--
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
Appellate Term of Supreme Court .....	IAC	YES	A	R	R	R	A	I	N/A	N/A	N/A

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

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

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

State: Court name	Are court case- load data Court auto- type	Affirm- ed or modified	Which of the following data elements are reported in some form independently from the other elements?									
			Affirm- ed in part/re- versed in part	Rever- sed	Re- manded	Re- manded	Dis- missed	Vacated	Review granted/ denied	Relief granted/ 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
	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
	IAC	NO	I	I	I	I	I	I	I	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
<b>ALABAMA:</b>									
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					
<b>ALASKA:</b>									
Supreme Court .....	COLR	30	--	--	Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	--	30*	30*	Court of Appeals ...	IAC	30	30	30
<b>ARIZONA:</b>									
Supreme Court .....	COLR	30	20	--	Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	30	20	15	Court of Appeals ...	IAC	--	--	--
<b>ARKANSAS:</b>									
Supreme Court .....	COLR	30	30	--	Supreme Court .....	COLR	30	130	10
Court of Appeals ...	COLR	30	30	30	Court of Appeals ...	IAC	30	130	10
<b>CALIFORNIA:</b>									
Supreme Court .....	COLR	--	60	--	Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	60	60	60	Court of Appeals ...	IAC	30	5	15
<b>COLORADO:</b>									
Supreme Court .....	COLR	45	45	45	Supreme Court .....	COLR	30	10	30
Court of Appeals ...	IAC	45	45	45	Court of Appeals ...	IAC	30	10	30
<b>CONNECTICUT:</b>									
Supreme Court .....	COLR	20	20	20	Supreme Judicial Court Sitting as Law Court .....	COLR	30	20	20
Appellate Court.....	IAC	20	20	20					
<b>DELAWARE:</b>									
Supreme Court .....	COLR	30	30	--					
<b>DISTRICT OF COLUMBIA:</b>									
Court of Appeals ...	COLR	30	30	30					
<b>FLORIDA:</b>									
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
<b>GEORGIA:</b>									
Supreme Court .....	COLR	30	30	30					
Court of Appeals ...	IAC	30	30	30					
<b>HAWAII:</b>									
Supreme Court .....	COLR	30	30	30	Supreme Court .....	COLR	21	21	21
Intermediate Court of Appeals .....	IAC	30	30	30	Court of Appeals ...	IAC	20	60	20
<b>ILLINOIS:</b>									
Supreme Court .....	COLR	30	30	30					
Appellate Court ....	IAC	30	30	30					
<b>INDIANA:</b>									
Supreme Court .....	COLR	30	30	30	Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	30	30	30	Court of Appeals ...	IAC	30	30	30
<b>IOWA:</b>									
Supreme Court .....	COLR	30	60	30	Supreme Court .....	COLR	--	--	--
Court of Appeals ...	IAC	--	--	--	Court of Appeals ...	IAC	--	--	--
<b>KANSAS:</b>									
Supreme Court .....	COLR	30	130	10	Supreme Court .....	COLR	30	130	10
Court of Appeals ...	IAC	30	130	10	Court of Appeals ...	IAC	30	130	10
<b>KENTUCKY:</b>									
Supreme Court .....	COLR	30	10	30	Supreme Court .....	COLR	30	10	30
Court of Appeals ...	IAC	30	10	30	Court of Appeals ...	IAC	30	10	30
<b>LOUISIANA:</b>									
Supreme Court .....	COLR	30	30	30	Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	30	5	15	Court of Appeals ...	IAC	30	5	15
<b>MAINE:</b>									
Supreme Judicial Court Sitting as Law Court .....	COLR	30	20	20	Supreme Judicial Court Sitting as Law Court .....	COLR	30	20	20
<b>MARYLAND:</b>									
Court of Appeals ...	COLR	30	30	30	Court of Appeals ...	COLR	30	30	30
Court of Special Appeals .....	IAC	30	30	30	Court of Special Appeals .....	IAC	30	30	30
<b>MASSACHUSETTS:</b>									
Supreme Judicial Court .....	COLR	30	30	30	Supreme Judicial Court .....	COLR	30	30	30
Appeals Court .....	IAC	30	30	30	Appeals Court .....	IAC	30	30	30
<b>MICHIGAN:</b>									
Supreme Court .....	COLR	21	21	21	Supreme Court .....	COLR	21	21	21
Court of Appeals ...	IAC	20	60	20	Court of Appeals ...	IAC	20	60	20
<b>MINNESOTA:</b>									
Supreme Court .....	COLR	30*	90	--	Supreme Court .....	COLR	30*	90	--
Court of Appeals ...	IAC	90	90	90	Court of Appeals ...	IAC	90	90	90

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: Supreme Court .....	COLR	30	10	10	OREGON: Supreme Court .....	COLR	30	30	30
					Court of Appeals ...	IAC	30	30	30
MISSOURI: Supreme Court .....	COLR	10	10	10	PENNSYLVANIA: Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	10	10	10	Superior Court .....	IAC	30	30	30
MONTANA: Supreme Court .....	COLR	40	40	40	Commonwealth Court .	IAC	30	30	30
NEBRASKA: Supreme Court .....	COLR	30	30	30	PUERTO RICO: Supreme Court .....	COLR	30	20	20
NEVADA: Supreme Court .....	COLR	30	30	30	RHODE ISLAND: Supreme Court .....	COLR	20	20	20
NEW HAMPSHIRE: Supreme Court .....	COLR	30	30	30	SOUTH CAROLINA: Supreme Court .....	COLR	10	10	10
					Court of Appeals ...	IAC	--	--	--
NEW JERSEY: Supreme Court .....	COLR		DP=45		SOUTH DAKOTA: Supreme Court .....	COLR	60*	30	60*
Appellate Division of Superior Court .	IAC	45	45	45					
NEW MEXICO: Supreme Court .....	COLR	I=10			TENNESSEE: Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	30	10	--	Court of Appeals ...	IAC	30	--	30
		I=10			Court of Criminal Appeals .....	IAC	--	30	30
		30	10	10					
NEW YORK: Court of Appeals ...	COLR	60	60	60	TEXAS: Supreme Court .....	COLR	30	--	--
Appellate Division of Supreme Court ..	IAC	30	30	30	Court of Criminal Appeals .....	COLR	--	15*	--
Appellate Term of Supreme Court .....	IAC	30	30	30	Court of Appeals ...	IAC	30	15*	30
NORTH CAROLINA: Supreme Court .....	COLR	10	10	10	UTAH: Supreme Court .....	COLR	30	30	30
Court of Appeals ...	IAC	10	10	10					
					Vermont: Supreme Court .....	COLR	30	30	30
NORTH DAKOTA: Supreme Court .....	COLR	60	10	60					
					VIRGINIA: Supreme Court .....	COLR	30	30	30
OHIO: Supreme Court .....	COLR	30	30	30					
Court of Appeals ...	IAC	30	30	30	WASHINGTON: Supreme Court .....	COLR	30	30	30
					Court of Appeals ...	IAC	30	30	30
OKLAHOMA: Supreme Court .....	COLR		NOT REQUIRED						
Court of Criminal Appeals .....	COLR	--	10	10	WEST VIRGINIA: Supreme Court .....	COLR	240	240	240
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 name	Court type	Civil	Criminal	Juvenile	State: Court name	Court type	Civil	Criminal	Juvenile
<b>WISCONSIN:</b>									
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:
<b>ALABAMA:</b>									
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	
<b>ALASKA:</b>									
Supreme Court .....	COLR	A	40	--	--	INFREQ. INFREQ.	APP APP	30	
Court of Appeals ...	IAC	A	--	40	40			30	
<b>ARIZONA:</b>									
Supreme Court .....	COLR	A	40	45	--	FREQ.	TL/APP	30	
Court of Appeals ...	IAC	A	40	45	25	FREQ.	TL/APP		
<b>ARKANSAS:</b>									
Supreme Court .....	COLR	E	210	210	--	FREQ.	TL/APP		
Court of Appeals ...	COLR	E	210	210	210	FREQ.	TL/APP		"90 FROM NOTICE OF APPEAL"
<b>CALIFORNIA:</b>									
Supreme Court .....	COLR	E	--	20	--	FREQ.	APP		
Court of Appeals ...	IAC	G	40	30	--	FREQ.	TL/APP		
<b>COLORADO:</b>									
Supreme Court .....	COLR	A	90	90*	90	FREQ.	APP		
Court of Appeals ...	IAC	A	90	90	90	FREQ.	APP		
<b>CONNECTICUT:</b>									
Supreme Court .....	COLR	F	10	10	10	NONE	--	--	
Appellate Court.....	IAC	F	10	10	10	NONE	--	--	
<b>DELAWARE:</b>									
Supreme Court .....	COLR	A	50*	50*	--	FREQ.	APP	--	
<b>DISTRICT OF COLUMBIA:</b>									
Court of Appeals ...	COLR	A	60	60	60	FREQ.	APP		
<b>FLORIDA:</b>									
Supreme Court .....	COLR	A	110	50	--	FREQ.	TL/APP	VARIES	
District Court of Appeals .....	IAC	A	110	50	110	FREQ.	APP	VARIES	GO IN WORKERS' COMPENSA. CASES
<b>GEORGIA:</b>									
Supreme Court .....	COLR	A	35*	35*	35*	INFREQ.	APP		
Court of Appeals ...	IAC	A	35*	35*	35*	INFREQ.	TL	--	
<b>HAWAII:</b>									
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:
<b>IDAHO:</b>									
Supreme Court .....	COLR	A	42	42	42	FREQ.	APP	VARIES	70 DAYS IF RE- PORTER'S TRANS- SCRIPT IS REQUESTED.
Court of Appeals ...	IAC	--	--	--	--	--	--	--	--
<b>ILLINOIS:</b>									
Supreme Court .....	COLR	A	63	63	63	FREQ.	APP	VARIES	
Appellate Court ....	IAC	A	63	63	63	FREQ.	APP	VARIES	
<b>INDIANA:</b>									
Supreme Court .....	COLR	A	120	120	120	FREQ.			
Court of Appeals ...	IAC	C	120	120	120	FREQ.			
<b>IOWA:</b>									
Supreme Court .....	COLR	J	7	7	7	FREQ.	APP		
Court of Appeals ...	IAC	--	--	--	--	--	--	--	--
<b>KANSAS:</b>									
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	
<b>KENTUCKY:</b>									
Supreme Court .....	COLR	A	60	60	60	FREQ.	APP	60	
Court of Appeals ...	IAC	A	60	60	60	FREQ.	APP	60	
<b>LOUISIANA:</b>									
Supreme Court .....	COLR	TIME LIMITS SET INDIVIDUALLY BY TRIAL COURT.							
Court of Appeals ...	IAC	H	30/45	60	30/45	FREQ.	TL/APP	30	DEPENDS ON TRANSCRIPT AVAILABILITY.
<b>MAINE:</b>									
Supreme Judicial Court Sitting as Law Court .....	COLR	A	21	21	21	INFREQ.	APP		
<b>MARYLAND:</b>									
Court of Appeals ...	COLR	M	60	60	60	INFREQ.	APP	60	
Court of Special Appeals .....	IAC	A	60	60	60	FREQ.	APP	VARIES	
<b>MASSACHUSETTS:</b>									
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:
<b>MICHIGAN:</b>									
Supreme Court .....	COLR	RECORD	AUTOMATICALLY	SENT FROM COURT OF APPEALS			--		
Court of Appeals ...	IAC	A	90	90	90	FREQ.	APP	VARIES	TRANSCRIPT FILED
<b>MINNESOTA:</b>									
Supreme Court .....	COLR	J	10*	10*	10*	--	APP	10	
Court of Appeals ...	IAC	J	10	10	10	INFREQ.	APP	--	
<b>MISSISSIPPI:</b>									
Supreme Court .....	COLR	A	60	60	60	FREQ.	TL	30	
<b>MISSOURI:</b>									
Supreme Court .....	COLR	A	90	90	90	FREQ.	APP	VARIES	
Court of Appeals ...	IAC	A	90	90	90	FREQ.	APP	1-90	
<b>MONTANA:</b>									
Supreme Court .....	COLR	A	40	60	40	FREQ.	APP	VARIES	
<b>NEBRASKA:</b>									
Supreme Court .....	COLR	A	3 to 6 weeks			INFREQ.	APP	30	
<b>NEVADA:</b>									
Supreme Court .....	COLR	A	40	40	40	FREQ.	TL/APP	TL=90	
<b>NEW HAMPSHIRE:</b>									
Supreme Court .....	COLR	N	60	60	60	FREQ.	APP	1-15	
<b>NEW JERSEY:</b>									
Supreme Court .....	COLR	TRIAL COURT RECORD NOT CERTIFIED TO APPELLATE COURTS							
Appellate Division of Superior Court .	IAC	A	30	30	30	FREQ.	APP	30	
<b>NEW MEXICO:</b>									
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	
<b>NEW YORK:</b>									
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	
<b>NORTH CAROLINA:</b>									
Supreme Court .....	COLR	A	150	150	150	FREQ.	TL/APP	VARIES	
Court of Appeals ...	IAC	A	150	150	150	FREQ.	TL/APP	VARIES	
<b>NORTH DAKOTA:</b>									
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:
<b>OHIO:</b>									
Supreme Court .....	COLR	A	40	40	40	FREQ.	TL/APP	VARIABLES	
Court of Appeals ...	IAC								
<b>OKLAHOMA:</b>									
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	--	--	--	--	--	--	--	--
<b>OREGON:</b>									
Supreme Court .....	COLR	A	30	30	30	NONE	--	--	--
Court of Appeals ...	IAC	A	30	30	30	NONE	--	--	--
<b>PENNSYLVANIA:</b>									
Supreme Court .....	COLR	A	40	40	40	INFREQ.			
Superior Court .....	IAC	A	40	40	40	NONE	--	--	--
Commonwealth Court .	IAC	A	40	40	40	INFREQ.	--	--	--
<b>PUERTO RICO:</b>									
Supreme Court .....	COLR	A	30	30	30	INFREQ.	--	--	--
<b>RHODE ISLAND:</b>									
Supreme Court .....	COLR	A	30	30	30	FREQ.	TL	60	LIMIT OF ONE EXTENSION
<b>SOUTH CAROLINA:</b>									
Supreme Court .....	COLR	A	188	188	188	FREQ.	APP	30	
Court of Appeals ...	IAC	--	--	--	--	--	--	--	--
<b>SOUTH DAKOTA:</b>									
Supreme Court .....	COLR	A	105*	105*	105*	FREQ.	S	15	FOR BRIEFS
<b>TENNESSEE:</b>									
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	
<b>TEXAS:</b>									
Supreme Court .....	COLR	--	--	--	--	--	--	--	--
Court of Criminal Appeals .....	COLR	UPON APPROVAL OF TRIAL COURT							
Court of Appeals ...	IAC	E	60	--	60	FREQ.	APP	VARIABLES	UPON APPROVAL BY TRIAL COURT
	D	15	--	15	15	FREQ.	APP	VARIABLES	
<b>UTAH:</b>									
Supreme Court .....	COLR	A	30	30	30	FREQ.	TL	60	
<b>VERMONT:</b>									
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.
Court of Appeals ...	IAC	A	90	90	90	FREQ.	APP	1ST=30 2ND=15	FOR EXTRAOR. CIRCUMST.
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	VARIABLES	--

-- = 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)

<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>
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	
	COLR	--	--	--	--	THESE TIMES REFER TO TIME FOR FILING FOR REVIEW IN 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: 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	Respon- dent's brief	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	VARIABLES	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	VARIABLES	DS/BF
Court of Appeals ...	COLR	CV/CR	C	40	30	15		FREQ.	APP	VARIABLES	DS/BF
CALIFORNIA:								NEW BRIEFS IN DEATH CASES, OTHERWISE SAME BRIEFS AS IN IAC.			
Supreme Court .....	COLR	ALL	C	30	30	30		FREQ.	S	CV=60	
Court of Appeals ...	IAC	ALL	C	30	30	20		APP	NO LIMIT		DS/BF
COLORADO:											
Supreme Court .....	COLR	I	C	10	10	5		INFREQ.	APP		DS/OR
Court of Appeals ...	IAC	ELSE	C	40	30	14		FREQ.	APP		
		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	C	60	45	30		FREQ.	APP	VARIABLES	
District Court of Appeals .....	IAC	ELSE	A	70	20	20		FREQ.	APP	VARIABLES	RD
		CR	A	80	20	20		FREQ.	APP		FN/DS/RD
		ELSE	A	70	20	20		FREQ.	APP		

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)

<u>State: Court name</u>	<u>Court type</u>	<u>Case type</u>	<u>Begin- ning event</u>	<u>Appel- lant's opening brief</u>	<u>Respon- dent's brief</u>	<u>Appel- lant's reply brief</u>	<u>Fre- quency of ex- tensions</u>	<u>Grant- or of exten- sions</u>	<u>Length of exten- sions</u>	<u>Avail- able penal- ties</u>
<b>GEORGIA:</b>										
Supreme Court .....	COLR	ALL	L	20	20	--	INFREQ.	APP	VARIEST	DS/RD
Court of Appeals ...	IAC	ALL	L	20	20	--	FREQ.	APP	--	DS
<b>HAWAII:</b>										
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
<b>IDAHO:</b>										
Supreme Court .....	COLR	ALL	C	35	28	21	FREQ.	APP	VARIEST	DS/OR
Court of Appeals ...	IAC	ALL	C	35	28	21	INFREQ.	APP	VARIEST	DS/OR
<b>ILLINOIS:</b>										
Supreme Court .....	COLR	ALL	C	35	35	14	FREQ.	APP	VARIEST	BF/DS
Appellate Court ....	IAC	ALL	C	35	35	14	FREQ.	APP	VARIEST	BF/DS
<b>INDIANA:</b>										
Supreme Court .....	COLR	ALL	A	30	30	15	FREQ.	APP	VARIEST	DS/OR
Court of Appeals ...	IAC	I	C	10	10	5	FREQ.	APP	VARIEST	DS
	ELSE	C	30	30	15		FREQ.	APP	VARIEST	
<b>IOWA:</b>										
Supreme Court .....	COLR	PRIORITY	L	25	15	7	FREQ.	APP		
Court of Appeals ...	IAC	ELSE	L	50	30	14	FREQ.	APP		
	--	--	--	--	--	--	--	--	--	--
<b>KANSAS:</b>										
Supreme Court .....	COLR	ALL	A	40	30	20	INFREQ.	APP	30/PER	DS
Court of Appeals ...	IAC	ALL	A	40	30	20	INFREQ.	S/APP	30/PER	DS
<b>KENTUCKY:</b>										
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
<b>LOUISIANA:</b>										
Supreme Court .....	COLR	ALL	C	30	60	UP TO ORAL ARG.	INFREQ.	APP	VARIEST	OR/RD
Court of Appeals ...	IAC	ALL	C	25	45	10	INFREQ.	APP	VARIEST	DS/OR
<b>MAINE:</b>										
Supreme Judicial Court Sitting as Law Court .....	COLR	CV	C	40	30	14	FREQ.	APP		DS/OR
	CR	C	30	30	14					BF
<b>MARYLAND:</b>										
Court of Appeals ...	COLR	ALL	C	40	30	20	FREQ.	S/APP	VARIEST	DS/OR
Court of Special Appeals .....	IAC	ALL	C	40	30	20	FREQ.	S/APP	VARIEST	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	Appel- lant's opening brief	Respon- dent's brief	Appel- lant's reply	Fre- quency of ex- tensions	Grant- or of exten- sions	Length of exten- sions	Avail- able penal- ties
<b>MASSACHUSETTS:</b>										
Supreme Judicial Court .....	COLR IAC	ALL ALL	L L	40 40	30 30	14 14	FREQ. FREQ.	S/APP APP	14/30 VARIES	DS
<b>MICHIGAN:</b>										
Supreme Court .....	COLR IAC	ALL ALL	M C	91 60	56 45	NONE NONE	INFREQ. FREQ.	APP APP	VARIES VARIES	OR OR/FN
<b>MINNESOTA:</b>										
Supreme Court .....	COLR IAC	ALL CV	A C	30 30	30 30	10 10	INFREQ. INFREQ.	APP APP	10-15 --	BF/DS/OR DS/BF/ FN/OR
			CR	C	60	45	INFREQ.	APP	--	
<b>MISSISSIPPI:</b>										
Supreme Court .....	COLR	ALL	C	40	20	10	FREQ.	APP	15	DS/RV
<b>MISSOURI:</b>										
Supreme Court .....	COLR IAC	ALL ALL	C C	60 60	30 30	15 15	FREQ. FREQ.	APP APP	VARIES 1-60	DS DS/FB
<b>MONTANA:</b>										
Supreme Court .....	COLR	ALL	C	30	30	15	FREQ.	APP	VARIES	OR
<b>NEBRASKA:</b>										
Supreme Court .....	COLR	ALL	A	60	30	14	FREQ.	APP	60	NONE
<b>NEVADA:</b>										
Supreme Court .....	COLR	ALL	C	40	30	30	FREQ.	S	30	DS
<b>NEW HAMPSHIRE:</b>										
Supreme Court .....	COLR	ALL	N	30	30	3*	FREQ.	APP	10	NONE
<b>NEW JERSEY:</b>										
Supreme Court .....	COLR CERT	MAND C	C	45 10	30 15	10 10	FREQ.	S	30	DS/FN
Appellate Division of Superior Court .	IAC	ALL	C	45	30	10	FREQ.	S/APP	30	DS/FN
<b>NEW MEXICO:</b>										
Supreme Court .....	COLR IAC CV	ALL C C	C	30 30 20	30 30 20	10 10 7	INFREQ. FREQ. FREQ.	APP APP APP	7-28 VARIES	DS/ FN/RD
<b>NEW YORK:</b>										
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)

<u>State: Court name</u>	<u>Court type</u>	<u>Case type</u>	<u>Begin- ning event</u>	<u>Appel- lant's opening brief</u>	<u>Respon- dent's brief</u>	<u>Appel- lant's reply to brief</u>	<u>Fre- quency of ex- tensions</u>	<u>Grant- or of exten- sions</u>	<u>Length of exten- sions</u>	<u>Avail- able penal- ties</u>
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 Appeals .....	COLR	ELSE	B	60	40	20	FREQ.	APP	20	DS/OR
Court of Appeals ...	IAC	CR	B	60	60	NONE	FREQ.	APP	10	OR
IAC	JV	B	60	30	NONE					
IAC	I	B	20	10	5					
ELSE	B	60	40	20			INFREQ.	APP	20	
OREGON:										
Supreme Court .....	COLR	ALL	C	49	49	21	FREQ.			
Court of Appeals ...	IAC	ALL	C	49	49	21	FREQ.	APP	28	DS/OR
PENNSYLVANIA:										
Supreme Court .....	COLR	ALL	C	40	30	14	FREQ.			
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 open- ing of brief	Appel- lant's brief	Respon- dent's brief	Appel- lant's reply to 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	VARIABLES	BF/OR/DS
Court of Criminal Appeals .....	COLR	CR-CERT	M	30	30	NONE		INFREQ.	APP	VARIABLES	BF/OR/BF/OR/
Court of Appeals ...	IAC	CV-CR	C	30 30	25 30	NONE NONE		FREQ. FREQ.	APP APP	VARIABLES VARIABLES	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	VARIABLES	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.

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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.		PAY WITHHELD
Court of Appeals ...	IAC	STATUTE	DRAFT CIRCULATED 6 MONTHS AFTER ASSIGNED.		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
Court of Appeals ...	IAC	CONSTITUTION	D		SECOND TERM FROM DOCKETING, NO LATER THAN TERM FOLLOWING ORAL ARGUMENT.
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)

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

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

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

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

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

\*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  
Montgomery, AL 36101

Mr. John H. Wilkerson, Clerk  
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303 K Street  
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Arkansas Court of Appeals  
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Justice Bldg, West 7th St  
Little Rock, AR 72201

Mr. Glen D. Clark, Clerk  
Division 1, Arizona Court of Appeals  
1700 W. Washington  
SW Wing, State Capitol Building  
Phoenix, AZ 85007

Mr. S. Alan Cook, Clerk  
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201 West Wing, State Cap. Bldg.  
Phoenix, AZ 85007

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Phoenix, AZ 85007

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Hartford, CT 06106-0000

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Tallahassee, FL 32304

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Indianapolis, IN 46204

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State House  
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Boston, MA 02108

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## **Appendix C**

**Final verification was received for these courts by publication date.**

<u>State/court</u>	<u>Verification received</u>	<u>State/court</u>	<u>Verification received</u>
ALABAMA:		KANSAS:	
Supreme Court .....	X	Supreme Court .....	X
Court of Civil Appeals .....	X	Court of Appeals .....	X
Court of Criminal Appeals .....	X	KENTUCKY:	
Supreme Court .....	X	Supreme Court .....	X
Court of Appeals .....	X	Court of Appeals .....	X
ARIZONA:		LOUISIANA:	
Supreme Court .....	X	Supreme Court .....	X
Court of Appeals .....	X	Court of Appeals .....	X
ARKANSAS:		MAINE:	
Supreme Court .....	X	Supreme Judicial Court Sitting as Law Court .....	X
Court of Appeals .....	X	MARYLAND:	
CALIFORNIA:		Court of Appeals .....	X
Supreme Court .....	X	Court of Special Appeals .....	X
Court of Appeals .....	X	MASSACHUSETTS:	
COLORADO:		Supreme Judicial Court .....	X
Supreme Court .....	X	Appeals Court .....	X
Court of Appeals .....	X	MICHIGAN:	
CONNECTICUT:		Supreme Court .....	X
Supreme Court .....	X	Court of Appeals ... (phone) X	X
Appellate Court .....	X	MINNESOTA:	
DELAWARE:		Supreme Court .....	X
Supreme Court .....	X	Court of Appeals ... (phone) X	X
DISTRICT OF COLUMBIA:		MISSISSIPPI:	
Court of Appeals ... (phone)	X	Supreme Court .... (phone) X	X
FLORIDA:		MISSOURI:	
Supreme Court .....	X	Supreme Court .....	X
District Court of Appeals .....	X	Court of Appeals .....	X
GEORGIA:		MONTANA:	
Supreme Court .....	X	Supreme Court .....	X
Court of Appeals .....	X	NEBRASKA:	
HAWAII:		Supreme Court .....	X
Supreme Court .....	X	NEVADA:	
Intermediate Court of Appeals .....	X	Supreme Court .....	X
IDAHO:		NEW HAMPSHIRE:	
Supreme Court .....	X	Supreme Court .....	X
Court of Appeals .....	X	NEW JERSEY:	
ILLINOIS:		Supreme Court .....	X
Supreme Court .....	X	Appellate Division of Superior Court .....	X
Appellate Court .....	X	NEW MEXICO:	
INDIANA:		Supreme Court .....	X
Supreme Court .....	X	Court of Appeals .....	X
Court of Appeals .....	X	NEW YORK:	
IOWA:		Court of Appeals ... (phone) X	X
Supreme Court .....	X	Appellate Division of Supreme Court .....	X
Court of Appeals .....	X	Appellate Term of Supreme Court .....	X

<u>State/court</u>	<u>Verification received</u>	<u>State/court</u>	<u>Verification received</u>
NORTH CAROLINA:		TENNESSEE:	
Supreme Court .....(phone) X		Supreme Court ..... X	
Court of Appeals ..... X		Court of Appeals ..... X	
NORTH DAKOTA:		Court of Criminal	
Supreme Court .....(phone) X		Appeals ..... X	
OHIO:		TEXAS:	
Supreme Court ..... X		Supreme Court ..... X	
Court of Appeals ..... X		Court of Criminal	
OKLAHOMA:		Appeals ..... X	
Supreme Court ..... X		Court of Appeals ..... X	
Court of Criminal		UTAH:	
Appeals ..... X		Supreme Court ..... X	
Court of Appeals ..... X		VERMONT:	
OREGON:		Supreme Court ..... X	
Supreme Court ..... X		VIRGINIA:	
Court of Appeals ..... X		Supreme Court ..... X	
PENNSYLVANIA:		WASHINGTON:	
Supreme Court .....(phone) X		Supreme Court ..... X	
Superior Court ..... X		Court of Appeals ..... X	
Commonwealth Court ..... X		WEST VIRGINIA:	
PUERTO RICO:		Supreme Court ..... X	
Supreme Court ..... X		WISCONSIN:	
RHODE ISLAND:		Supreme Court ..... X	
Supreme Court ..... X		Court of Appeals ..... X	
SOUTH CAROLINA:		WYOMING:	
Supreme Court ..... X		Supreme Court ..... X	
Court of Appeals ..... X			
SOUTH DAKOTA:			
Supreme Court ..... X			

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