

NORTH CAROLINA COURTS

Statistical and Operational Report



APPELLATE COURTS

July 1, 2009 – June 30, 2010

SUPREME COURT

2009–2010 Caseload

The first two tables in the Supreme Court subsection give 10-year trend data for appeals docketed and disposed and petitions docketed and disposed. The table following presents the Court's caseload inventory for FY 2009–2010, broken down by the types of cases the court hears. The following two tables summarize case activity in those cases reaching the decision stage, and the disposition of petitions for review. The next table shows the various methods of dispositions of appeals—signed opinion, per curiam opinion (unsigned),

and dismissal or withdrawal—as well as the types of disposition (e.g., affirmed, reversed, etc.). The final table gives Supreme Court processing times for appeals disposed by signed or per curiam opinion. For more information on the Supreme Court, see the summary on in the North Carolina judicial branch structure section of this report.

APPEALS DOCKETED AND DISPOSED

Fiscal Year	Appeals docketed	Appeals disposed
2009–2010	127	105
2008–2009	147	118
2007–2008	204	204
2006–2007	246	214
2005–2006	204	196
2004–2005	234	239
2003–2004	182	192
2002–2003	138	142
2001–2002	144	131
2000–2001	130	89

PETITIONS DOCKETED AND DISPOSED

Fiscal Year	Petitions docketed	Petitions disposed
2009–2010	642	648
2008–2009	589	618
2007–2008	569	590
2006–2007	539	530
2005–2006	672	687
2004–2005	547	574
2003–2004	678	664
2002–2003	677	718
2001–2002	662	601
2000–2001	634	635

CASELOAD INVENTORY

Cases filed	Begin Pending (7/1/09)	Filed	Disposed	End Pending (6/30/10)
PETITIONS FOR REVIEW*				
Civil domestic	2	8	10	0
Juvenile	7	30	32	5
Other civil	79	262	246	65
Criminal (death sentence)	8	8	13	3
Other criminal	76	330	316	90
Administrative agency decision	0	0	0	0
Total petitions for review	172	642	648	166
APPEALS**				
Civil domestic	0	3	0	3
Petitions for review granted that became civil domestic appeals	0	1	1	0
Juvenile	1	2	3	0
Petitions for review granted that became juvenile appeals	0	7	1	6
Other civil	27	36	41	22
Petitions for review granted that became other civil appeals	0	10	9	1
Criminal, defendant sentenced to death	8	9	9	8
Other criminal	15	38	32	21
Petitions for review granted that became other criminal appeals	0	18	6	12
Administrative agency decision	1	0	1	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
Total appeals	53	127	105	75
OTHER PROCEEDINGS				
Rule 16(b) additional issues		9	11	
Motions		506	511	
Total other proceedings		515	522	

*Petitions for review are cases in which the court is asked to accept discretionary review of decisions of the Court of Appeals as well as other tribunals. **The Appeals category comprises cases within the Court's appellate jurisdiction.

SUBMISSION OF CASES REACHING DECISION STAGE

Cases argued	Number of cases	Submission without arguments	Number of cases
Civil domestic	0	By motion of the parties [Appellate Rule 30(d)]	0
Juvenile	5	By motion of the court [Appellate Rule 30(f)]	0
Other civil	36	Total submissions without arguments	0
Criminal (death sentence)	5		
Other criminal	13		
Administrative agency decision	0		
Total cases argued	59		

DISPOSITION OF PETITIONS

Petitions for review	Granted	Denied	Dismissed / Withdrawn	Other	Total
Civil domestic	0	8	1	1	10
Juvenile	6	9	0	1	16
Other civil	10	196	69	1	276
Criminal (death sentence)	2	20	1	0	23
Other criminal	18	212	77	9	316
Administrative agency decision	0	0	0	0	0
Post conviction	0	1	0	0	1
Total cases argued	37	457	152	12	658

NORTH CAROLINA SUPREME COURT

Processing Time From Docket to Opinion*

Type of Case	Number of Cases	Median (Days)	Mean (Days)
Civil domestic	0	0	0
Petitions for review granted that became civil domestic appeals	0	0	0
Juvenile	2	217	180
Petitions for review granted that became juvenile appeals	3	583	408
Other civil	26	317	354
Petitions for review granted that became other civil appeals	10	536	534
Criminal, defendant sentenced to death	4	553	592
Other criminal	8	302	271
Petitions for review granted that became other criminal appeals	5	433	407
Administrative agency decision	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0
Total appeals disposed by opinion	59	364	318

*Only cases disposed by signed opinion or per curiam opinion are included.

DISPOSITION OF APPEALS

Disposition by signed opinion*	Affirmed	Affirmed in part; reversed in part	Reversed	Reversed and re-manded	No error	Other	Total disposition
Civil domestic	0	0	0	0	0	0	0
Juvenile	2	0	1	0	0	0	5
Other civil	5	1	5	7	0	4	25
Criminal (death sentence)	0	0	0	0	3	1	5
Other criminal	5	0	1	0	0	1	8
Administrative agency decision	0	0	0	0	0	0	0
Total	12	1	7	7	3	6	43

Disposition by Per Curiam opinion**	Affirmed	Reversed	Reversed and remanded	Other	Total disposition
Civil domestic	0	0	0	0	0
Juvenile	0	0	0	0	0
Other civil	4	1	1	1	11
Criminal (death sentence)	0	0	0	0	0
Other criminal	2	0	1	0	5
Administrative agency decision	0	0	0	0	0
Total	6	1	2	1	16

*No activity was reported for: affirmed in part, reversed in part, remanded, new sentencing hearing, new trial. **No activity was reported for: affirmed in part, reversed in part, remanded, new sentencing hearing, new trial, no error.

DISPOSITION OF APPEALS

Disposition by withdrawal or dismissal	Number of cases
Civil domestic	0
Juvenile	3
Other civil	37
Criminal (death sentence)	1
Other criminal	59
Administrative agency decision	1
Total	101

COURT OF APPEALS

2009–2010 Caseload

In addition to trend data for the past 10 years, the following tables provide filings and dispositions for cases on appeal, petitions, and motions during FY 2009–2010. “Cases on appeal” include cases appealed from district courts, superior courts and administrative agencies. They are counted as appeals only after a record is filed with the clerk’s office and a docket number is assigned. The “petition” category includes petitions involving only the four extraordinary writs set out in Article V of the Rules of Appellate Procedure: certiorari, mandamus, prohibition and supersedeas. “Motions” encompass any type of relief sought from the Court of Appeals, either in a case already filed with the Court of Appeals, or one on its way to the Court of Appeals, but not yet filed.

Cases on appeal represent the largest portion of the Court of Appeals’ workload, since most are disposed by written opinion. The other methods of disposition, represented by the “Other Cases Disposed” category in the table at the bottom of the data page, include the court’s dismissal of the appeal and the appealing party’s withdrawal of the appeal.

FILINGS AND DISPOSITIONS OF APPEALS AND PETITIONS

Fiscal Year	Filings	Dispositions
2009–2010	2,493	2,126
2008–2009	2,502	2,307
2007–2008	2,424	2,567
2006–2007	2,484	2,634
2005–2006	2,707	2,973
2004–2005	2,719	2,731
2003–2004	2,674	2,562
2002–2003	2,572	2,496
2001–2002	2,388	2,441
2000–2001	2,380	2,155

**Filings and dispositions shown here include appealed cases and petitions, but not motions.*

FILINGS AND DISPOSITIONS FOR FY 2009–2010

Cases filed	Number of cases
CASES ON APPEAL	
Civil cases appealed from district courts	396
Civil cases appealed from superior courts	445
Civil cases appealed from administrative agencies	120
Criminal cases appealed from superior courts	716
Total cases on appeal	1,677
PETITIONS	
Allowed	40
Denied	498
Total Petitions	538
MOTIONS	
Allowed	3,209
Denied	297
Total Motions	3,506

MANNER OF CASE DISPOSITIONS (OPINIONS ONLY)

Affirmed*	Reversed*	Affirmed in Part, Reversed in Part*	Other Cases Disposed	Total Cases Disposed
955	166	268	199	1,588

*Cases Disposed by Written Opinion

Prepared by



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

The information in this Statistical and Operational Report was provided by First Lastname, job title, Appellate Courts. All questions pertaining to information contained within this report may be directed to First Lastname, xxx xxx-xxxx.