

NORTH CAROLINA COURTS

Statistical and Operational Report



APPELLATE COURTS

July 1, 2010–June 30, 2011

Appellate Courts Report

Table of Contents

July 1, 2010 – June 30, 2011

SUPREME COURT

- 3 Appeals docketed and disposed
- 3 Petitions docketed and disposed
- 4 Caseload inventory
- 5 Submission of cases reaching decision stage
- 5 Dispositions of petitions
- 6 Processing time from docket to opinion
- 6 Disposition of appeals

COURT OF APPEALS

- 8 Filings and dispositions of appeals and petitions
- 9 Filings and petitions
- 9 Manner of cases dispositions (opinions only)

SUPREME COURT

2010–2011 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 2010–2011, 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.

NORTH CAROLINA SUPREME COURT Appeals docketed and disposed

Fiscal Year	Appeals docketed	Appeals disposed
2010–2011	121	105
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

NORTH CAROLINA SUPREME COURT Petitions docketed and disposed

Fiscal Year	Petitions docketed	Petitions disposed
2010–2011	641	622
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

NORTH CAROLINA SUPREME COURT

Caseload inventory

Cases filed	Begin Pending (7/1/10)	Filed	Disposed	End Pending (6/30/11)
PETITIONS FOR REVIEW*				
Civil domestic	0	5	4	1
Juvenile	6	14	18	2
Other civil	64	270	257	77
Criminal (death sentence)	2	9	7	4
Other criminal	78	343	336	85
Administrative agency decision	0	0	0	0
Total petitions for review	150	641	622	169
APPEALS**				
Civil domestic	0	0	0	0
Petitions for review granted that became civil domestic appeals	0	1	0	1
Juvenile	1	2	3	0
Petitions for review granted that became juvenile appeals	0	3	3	0
Other civil	23	23	36	10
Petitions for review granted that became other civil appeals	0	21	9	12
Criminal, defendant sentenced to death	8	3	8	3
Other criminal	9	42	31	20
Petitions for review granted that became other criminal appeals	0	26	15	11
Administrative agency decision	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
Total appeals	41	121	105	57
OTHER PROCEEDINGS				
Rule 16(b) additional issues		6	8	
Motions		653	569	
Total		659	577	

*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.

NORTH CAROLINA SUPREME COURT

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)]	1
Juvenile	3	By motion of the court [Appellate Rule 30(f)]	0
Other civil	23	Total	1
Criminal (death sentence)	3		
Other criminal	19		
Administrative agency decision	0		
Total	48		

NORTH CAROLINA SUPREME COURT

Disposition of petitions

Petitions for review	Granted	Denied	Dismissed / Withdrawn	Other	Total
Civil domestic	1	2	1	0	4
Juvenile	0	15	3	0	18
Other civil	21	204	26	6	257
Criminal (death sentence)	0	6	1	0	7
Other criminal	26	230	88	2	346
Administrative agency decision	0	0	0	0	0
Post conviction	0	1	0	0	1
Total	48	458	119	8	633

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	152	135
Petitions for review granted that became juvenile appeals	1	305	305
Other civil	17	308	321
Petitions for review granted that became other civil appeals	6	359	366
Criminal, defendant sentenced to death	2	805	757
Other criminal	8	285	272
Petitions for review granted that became other criminal appeals	11	382	356
Administrative agency decision	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0
Total	47	327	320

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

NORTH CAROLINA SUPREME COURT Disposition of appeals

Disposition by withdrawal or dismissal	Number of cases
Civil domestic	0
Juvenile	3
Other civil	29
Criminal (death sentence)	5
Other criminal	145
Administrative agency decision	0
Total	182

NORTH CAROLINA SUPREME COURT Disposition of appeals

Disposition by signed opinion*	Affirmed	Affirmed in part; reversed in part; remanded	Reversed	Reversed and re-manded	No error	Other	Total disposition
Civil domestic	0	0	0	0	0	0	0
Juvenile	0	0	0	0	0	0	0
Other civil	1	2	1	5	0	4	13
Criminal (death sentence)	0	0	0	0	2	0	2
Other criminal	0	1	3	3	0	2	9
Administrative agency decision	0	0	0	0	0	0	0
Total	1	3	4	8	2	6	24

Disposition by Per Curiam opinion**	Affirmed	Affirmed in part; reversed in part; remanded	Reversed	Reversed and remanded	Other	Total disposition
Civil domestic	0	0	0	0	0	0
Juvenile	1	0	1	0	1	3
Other civil	6	1	0	2	1	10
Criminal (death sentence)	0	0	0	0	0	0
Other criminal	5	0	3	0	2	10
Administrative agency decision	0	0	0	0	0	0
Total	12	1	4	2	4	23

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

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

COURT OF APPEALS

2010–2011 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 2010–2011. “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.

NORTH CAROLINA COURT OF APPEALS

Filings and dispositions of
appeals and petitions*

Fiscal Year	Filings	Dispositions
2010–2011	2,549	2,671
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

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

NORTH CAROLINA COURT OF APPEALS

Filings and dispositions

Cases filed	Number of cases
CASES ON APPEAL	
Civil cases appealed from district courts	364
Civil cases appealed from superior courts	436
Civil cases appealed from administrative agencies	142
Criminal cases appealed from superior courts	708
Total cases on appeal	1,650
PETITIONS	
Allowed	160
Denied	730
Total Petitions	890
MOTIONS	
Allowed	3,005
Denied	306
Total Motions	3,311

NORTH CAROLINA COURT OF APPEALS

Manner of case dispositions (opinions only)

Affirmed*	Reversed*	Affirmed in Part, Reversed in Part*	Other Cases Disposed	Total Cases Disposed
1,030	217	312	220	1,781

*Cases Disposed by Written Opinion

Prepared by



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

CONTACT

N.C. Administrative Office of the Courts

Supreme Court

919 831-5700

Court of Appeals

919 831-3600