

Analysis Of Activity For Year Ended August 31, 1999

Overview

The Supreme Court of Texas is the highest state court for civil appeals and promulgates rules of administration and civil procedure for the courts of Texas. It is comprised of the Chief Justice and eight justices.

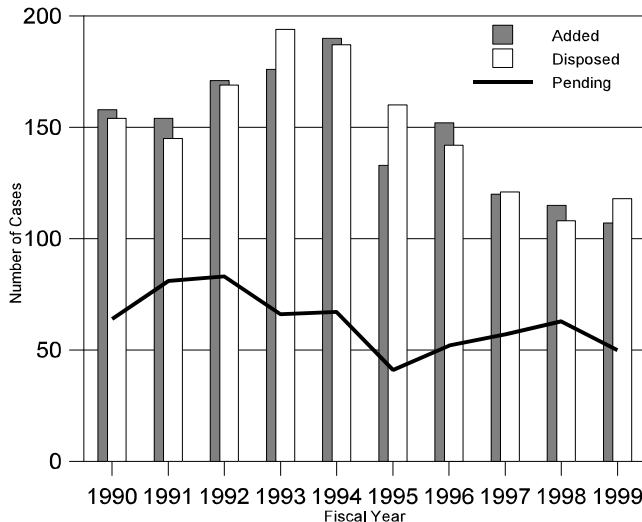
The Court disposed, or otherwise acted upon, a total of 3,078 matters during fiscal year 1999, a decrease of 4 percent from the 3,204 matters passed on in fiscal year 1998.

Regular Causes

Regular causes are regular appeals or original actions pending before the court. Normally, they reach this status when a Petition for Review (formerly a Writ of Error) is granted in the cause. Petitions for Original Mandamus and Habeas Corpus, which are not disposed of upon initial review, and in which the petition is granted, may also become regular causes. Figure 1 details the trend over the last ten years for activity regarding regular causes.

The 107 regular causes added to the Court's docket during the year ended August 31, 1999, was 7 percent less than the 115 regular causes added in fiscal year 1998, and 28 percent less than the 10-year average of 150 regular causes per year.

Figure 1: Regular Causes



HIGHLIGHTS

- The Supreme Court disposed, or otherwise acted upon, a total of 3,078 matters during fiscal year 1999.
- The 50 regular causes left pending at the end of fiscal year 1999 was 20 percent lower than the 10 year average of 62 pending causes.
- The Supreme Court reversed in whole or in part 53 of the 83 regular causes reaching its docket by granted Petitions for Review from the 14 Courts of Appeals.
- The Supreme Court disposed of 991 Petitions for Review and 15 Applications for Writs of Error during fiscal year 1999, 9 percent less than the previous fiscal year.
- During fiscal year 1999, the justices of the Supreme Court wrote 165 opinions (an average of 18.3 opinions per judge), 26 percent less than the 222 opinions written in fiscal year 1998.

Of the cases disposed during the fiscal year, the 118 regular causes disposed was 9 percent greater than the 108 causes disposed of in fiscal year 1998, but 21 percent less than the 10-year average of 150. Of the regular causes disposed during 1999, 83 came to the Court on applications for Petitions for Review from the 14 Courts of Appeals. Of those 83 dispositions, the lower courts were reversed in whole or in part in 53 causes, or 64 percent of the time; compared to a 57 percent reversal rate in fiscal year 1998.

The 50 regular causes (not including motions for rehearing) left pending represented 30 percent of the total number of regular causes added during the year or carried over from the previous year. This was 20 percent fewer than the 10-year average of 62 pending causes. At the end of fiscal year 1998, 63 regular causes had been pending in the Court.

Petitions for Review

Analysis of Activity for the Year Ended August 31, 1999

(Continued)

A Petition for Review (formerly a Writ of Error) is a request filed by one of the parties for the Supreme Court to review the judgment of a Court of Appeals. If four or more of the nine justices concur, the petition is granted and the cause is scheduled for argument before the court. Figure 2 below details the trend over the last ten years for Petitions for Review and Applications for Writs of Error.

The 1,012 Petitions for Review filed during fiscal year 1999 was 8 more than the number of Petitions for Review and Writs of Error filed in fiscal year 1998, and 13 fewer than the average number filed in the last 10 fiscal years.

and was 11 percent less than the 10-year average of 353. There were 307 Petitions for Review and Applications for Writs of Error that were pending in the Court at the end of fiscal year 1998.

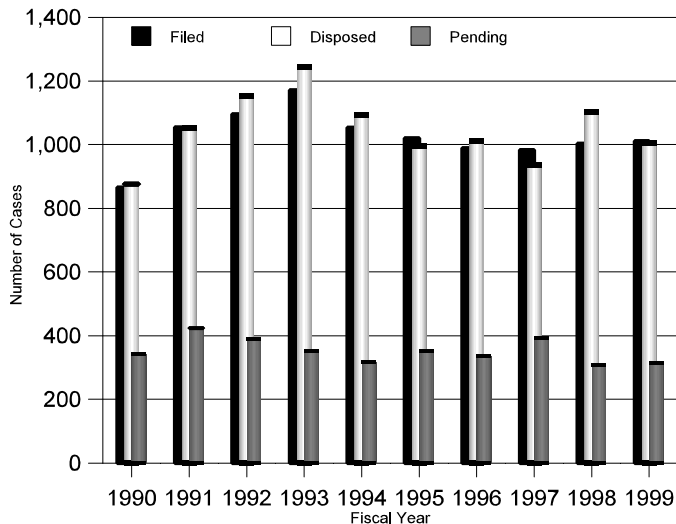
Other Writs And Motions

There were 1,911 other writs and motions filed from September 1, 1998 to August 31, 1999. This category refers to all other applications filed involving cases related to mandamus-civil, habeas corpus, writs of prohibition and injunction, direct appeals, U.S. certified questions, petitions for certiorari, petitions to publish, petitions for temporary injunctions, disciplinary appeals, miscellaneous procedures, and motions for rehearing. The number of other writs and motions filed in fiscal year 1999 was 1 percent less than the 1,940 filed during fiscal year 1998, and 5 percent more than the 10-year average of 1,812.

The 1,940 other writs and motions disposed of during fiscal year 1999 was 3 percent less than the 1,992 disposed during fiscal year 1998. This was 143 more dispositions than the 10-year average of 1,797 dispositions.

The 170 other writs and motions left pending by the Court at the end of fiscal year 1999 represented 9 percent of the total number of other writs and motions filed during the year. At the end of fiscal year 1998, 129 other writs and motions had been pending in the Court.

Figure 2: Petitions for Review / Applications for Writ of Error



In regards to disposed applications, the 991 Petitions for Review and 15 Applications for Writs of Error (carried over from previous years) disposed of during the year was 9 percent less than the 1,104 applications disposed during fiscal year 1998, and 4 percent less than the 10-year average of 1,047. All of the applications for Writs of Error that remained on the Court's docket from the previous year were disposed of during this fiscal year. Of the 1,006 applications reviewed 11 percent (113) were granted.

The 313 Petitions for Review left pending at the end of fiscal year 1999 represented 24 percent of the total caseload of applications filed during the year,

Opinions Written

During fiscal year 1999, the justices of the Supreme Court wrote 165 opinions (an average of 18.3 opinions per justice). This was 26 percent less than the 222 opinions written in fiscal year 1998, and 22 percent less than the 10-year average of 211. About 72 percent, or 118, of the opinions in 1999 were deciding opinions. Of the remaining 47 opinions, 25 were dissenting, 13 were concurring, 7 were concurring and dissenting, and 2 were classified as other opinions.