

COURTS OF APPEALS

ANALYSIS OF ACTIVITY FOR THE YEAR ENDED AUGUST 31, 1996

There are 14 Courts of Appeals in Texas which, since September 1, 1981, have heard intermediate appeals in civil and criminal cases.

Courts of Appeals are located in Fort Worth, Austin, San Antonio, Dallas, Texarkana, Amarillo, El Paso, Beaumont, Waco, Eastland, Tyler, Corpus Christi, and Houston. Houston has two Courts of Appeals. Each court has jurisdiction over a geographical district. The districts of the Houston courts are coterminous.

The number of justices for each court ranges from 3 each in five courts to 13 in Dallas, which is the largest. There are 80 justices statewide.

PENDING CASELOADS INCREASED AGAIN

For the ninth consecutive year, total pending caseloads of the 14 Courts of Appeals increased during the state fiscal year which ended August 31, 1996.

The pending caseload increased from 9,519 at the beginning of the fiscal year 1996 to 10,470 at the end of the fiscal year.

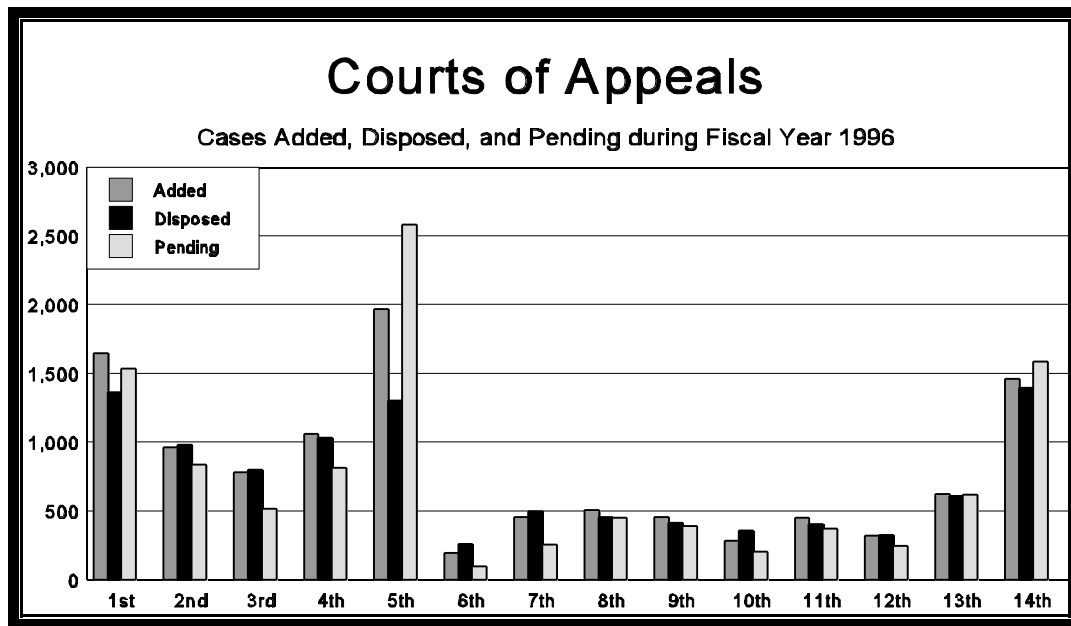
The Courts of Appeals had 6,691 criminal cases and

2,828 civil cases pending as of September 1, 1996. On August 31, 1996, 7,373 criminal cases and 3,097 civil cases were pending. The state average for pending cases at year's end was 131 per justice.

Of the 7,373 criminal cases pending in the Courts of Appeals at the end of fiscal year 1996, 37.8 percent had been on the docket less than 6 months, 29.1 percent from 6 to 12 months, and 33.1 percent more than 12 months.

At the end of fiscal year 1996, 3,097 civil cases were pending on the dockets of the Courts of Appeals, 9.5 percent more than the 2,828 pending on September 1, 1995. Of those civil cases pending on August 31, 1996, 52.3 percent had been on the docket less than 6 months, 28.1 percent from 6 to 12 months, and 19.6 percent for more than 12 months.

The largest number of pending cases per justice (198) at the end of the fiscal year was in the Fifth Court of Appeals in Dallas. The lowest number per justice (32) was in the Sixth Court of Appeals in Texarkana.



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NEW CASE FILINGS

A total of 10,742 new cases was filed in the Courts of Appeals during the fiscal year, which included 6,146 criminal cases and 4,596 civil cases. This was an increase of 10.3 percent from the 9,734 total new cases filed in fiscal year 1995. New criminal cases increased 13.2 percent from the 5,430 filed in fiscal year 1995 and civil cases increased 6.8 percent from the 4,304 filed in fiscal year 1995.

Considering civil and criminal cases together, the First Court of Appeals in Houston had the highest average number of new cases filed per justice (178) during fiscal year 1996. The other courts ranged down to 61 cases per justice filed in the Sixth Court of Appeals in Texarkana. State average filings were 134 per justice.

Approximately 30 percent of all new cases filed in a Court of Appeals in Texas in fiscal year 1996 were filed in the two courts located in Houston. Approximately 18 percent of all new cases filed in the state were filed in the Fifth Court of Appeals in Dallas.

DISPOSITIONS

The courts disposed of 10,164 total cases during the year, an average of 127 dispositions (71 criminal and 56 civil) per justice.

The Fourteenth Court of Appeals in Houston

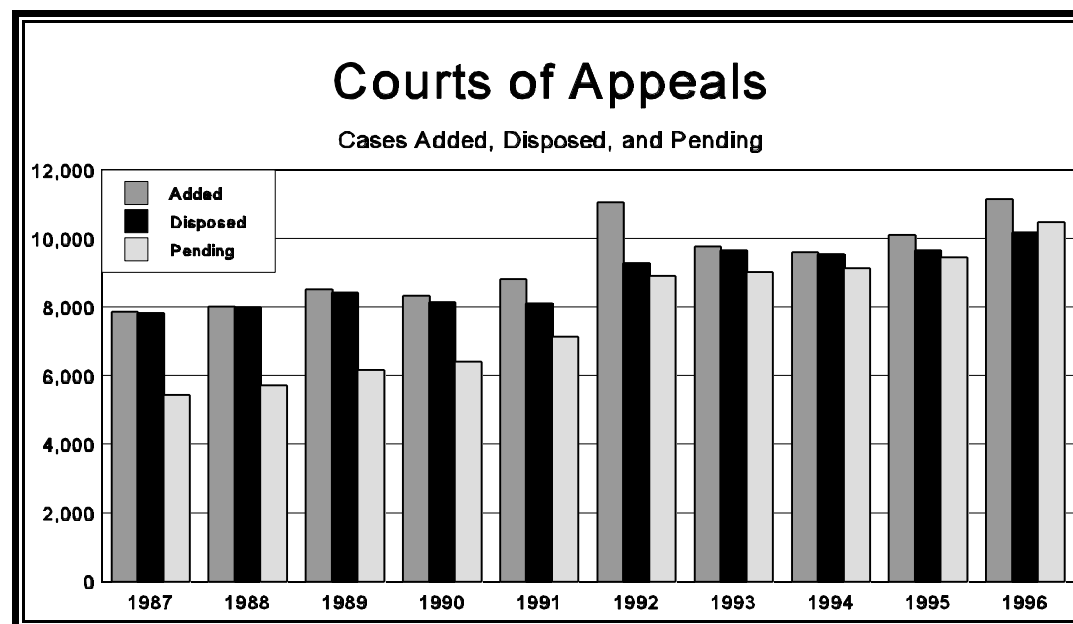
disposed of the largest total number of cases per justice (155) during fiscal year 1996. The lowest number per justice (86) was in the Sixth Court of Appeals in Texarkana. State average dispositions were 127 per justice.

CRIMINAL DISPOSITIONS

Criminal dispositions increased 11.7 percent from 5,104 dispositions in fiscal year 1995 to 5,699 dispositions in fiscal year 1996.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 7.9 months in the Seventh Court of Appeals in Amarillo to 21.8 months in the Fifth Court of Appeals in Dallas. The average lapse of time for the 14 courts was 12.4 months.

The average lapse of time between submission of a criminal appeal and its disposition ranged from 0.3 of a month in the Sixth Court of Appeals in Texarkana to 4.0 months in the Thirteenth Court of Appeals in Corpus Christi. The average lapse of time for the 14 courts was 2.1 months.



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CIVIL DISPOSITIONS

In fiscal year 1996, there were 4,465 civil dispositions by the Courts of Appeals, a decrease of 2 percent from the 4,545 civil dispositions in fiscal year 1995.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 4.9 months in the Sixth Court of Appeals in Texarkana to 11.4 months in the Thirteenth Court of Appeals in Corpus Christi. The average lapse of time in the 14 courts for civil cases was 8.1 months.

The average lapse of time from the submission to the court of a civil case and its disposition ranged from 0.9 month in the Sixth Court of Appeals in Texarkana to 6.1 months in the Thirteenth Court of Appeals in Corpus Christi. The average lapse of time for the 14 courts was 3.3 months. A case is "submitted" when the court hears oral argument or when it is referred to the justices for formal consideration if no oral argument is heard.

OPINIONS WRITTEN

In fiscal year 1996, the justices of the Courts of Appeals wrote 9,951 opinions, 8.5 percent more than the 9,172 written in 1995.

The Courts of Appeals reversed, at least in part, the decision of the trial court in 12.5 percent of the cases disposed of during fiscal year 1996, compared to 11.7 percent in fiscal year 1995.

CASES TRANSFERRED

While the 14 Courts of Appeals operate to a large extent as autonomous courts in specific geographic districts, some equalization of the dockets occurs by transfer of cases among the courts on order of the Supreme Court, pursuant to statutory authority. The Supreme Court transferred a total of 48 civil cases and 205 criminal cases among the courts in fiscal year 1996, compared with 97 civil cases and 710 criminal cases transferred in fiscal year 1995. In addition, the two Houston Courts (1st and 14th) are authorized by statute to transfer cases between those courts.

