

Analysis Of Activity For Year Ended August 31, 2000

Overview

The Court of Criminal Appeals is the highest state court for criminal appeals and is composed of a Presiding Judge and eight judges.

Decisions of the Courts of Appeals in criminal cases may be appealed to the Court of Criminal Appeals by petition for discretionary review, filed either by the State, or the defendant, or both. In addition, the Court may review a decision on its own motion. Appeal of death penalty cases is direct from the trial court to the Court of Criminal Appeals.

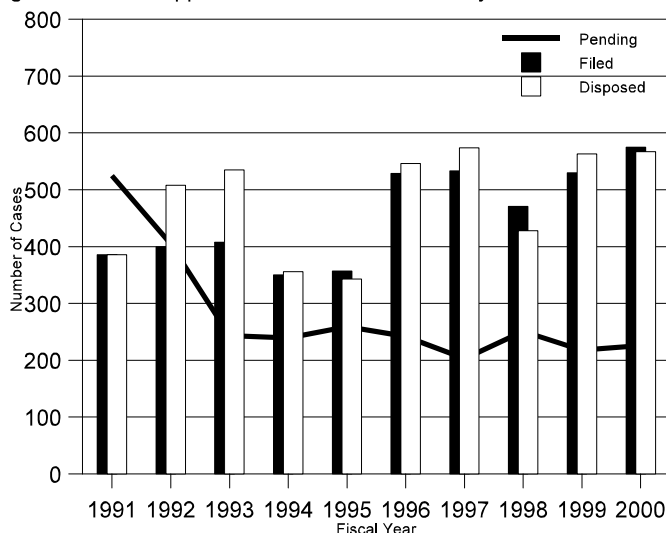
Matters Added To The Docket

On Direct Appeals and Granted Petitions for Discretionary Review

During the state fiscal year 2000, which ended August 31, 2000, 575 cases were added to the docket of the Court of Criminal Appeals, of which 175 were cases where discretionary review was granted by the Court and 400 were direct appeals, death penalty appeals, writs of habeas corpus granted, and extraordinary writs. The number of death penalty appeals in fiscal year 2000 climbed to 55; 10 more than in fiscal year 1999.

Figure 1 provides a ten-year trend regarding

Figure 1: Direct Appeals & Granted Discretionary Review Case



HIGHLIGHTS

- In fiscal year 2000, 575 cases were added to the docket of the Court of Criminal Appeals, of which 175 were cases where discretionary review was granted by the Court and 400 were direct appeals, death penalty appeals, writs of habeas corpus granted, and extraordinary writs.
- The number of death penalty appeals in fiscal year 2000 climbed to 55; 10 more than in fiscal year 1999.
- The Court had 2,271 petitions for discretionary review filed during the year, 10 percent more than the 2,060 filed during the previous fiscal year.
- Approximately 66 percent of the petitions for discretionary reviewed originated in Dallas, Harris, Bexar and Tarrant counties.
- The Court of Criminal Appeals disposed of 381 cases on direct appeal, 2,392 petitions for discretionary review, and 7,383 applications for writs of habeas corpus.
- Judges of the Court of Criminal Appeals wrote 709 opinions during fiscal year 2000, 80 percent of which were “deciding” opinions disposing of cases.

direct appeals and granted discretionary review cases filed, disposed and pending during the fiscal year. As the chart reveals, in fiscal year 2000 the number of direct appeals and granted discretionary review cases disposed by the Court of Criminal Appeals increased slightly, while the number of cases filed also increased considerably.

Other Matters Added

The Court had 2,271 petitions for discretionary review filed during fiscal year 2000, 10 percent more than the 2,060 filed during the previous year. Petitions for discretionary review were received from 138 counties, with 66 percent of them originating from Dallas, Harris, Bexar, and Tarrant Counties.

Analysis of Activity for the Year Ended August 31, 2000

(Continued)

Applications for writs of habeas corpus filed during the year totaled 6,113, a slight decrease from the 6,135 filed in fiscal year 1999. Also, 2,103 other motions or applications were handled by the Court, a 16

Opinions Written

Judges of the Court of Criminal Appeals wrote 709 opinions during fiscal year 2000, of which 569, or 80 percent, were “deciding” opinions disposing of

Figure 2: Other Matters Added to the Docket

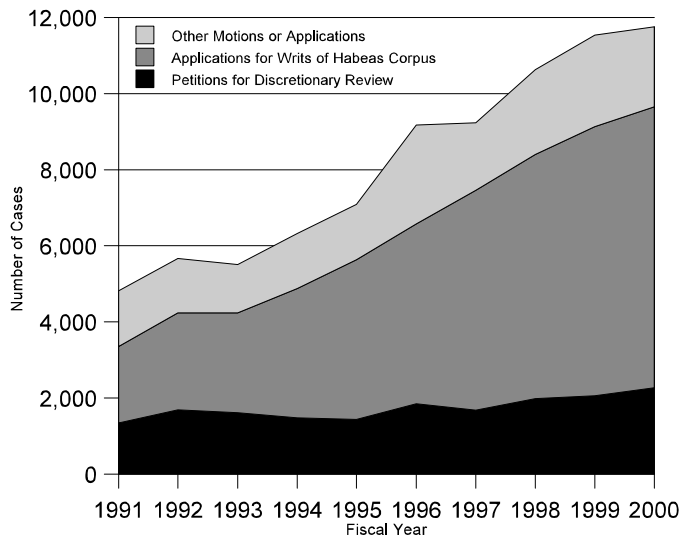
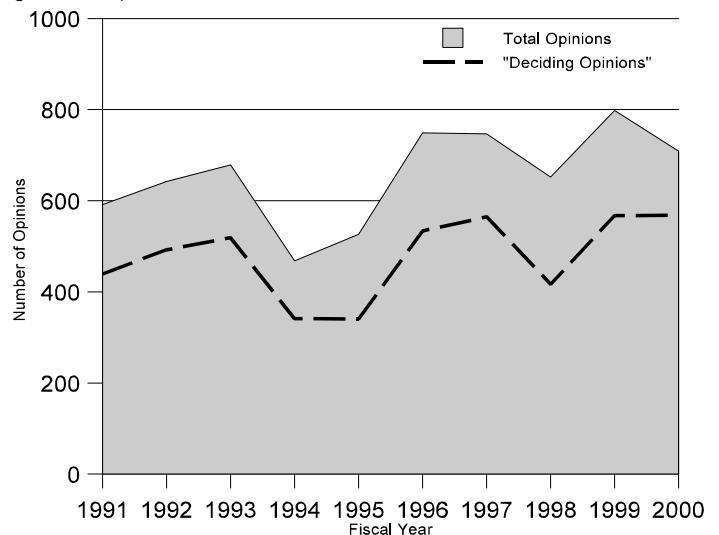


Figure 3: Opinions Written



percent decrease from the 2,490 considered the previous year. Figure 2 presents the details of the activity regarding other matters added to the docket over the last 10 years.

Dispositions

During fiscal year 2000, the Court disposed of 381 cases on direct appeal, compared to 377 such dispositions in fiscal year 1999. In 2000, those 381 dispositions represented 78 percent of all cases on the docket on direct appeal (cases filed during the year or carried over from previous years).

In fiscal year 2000, 2,392 petitions for discretionary review were disposed, 170, or 7 percent, of which were granted. The remainder were refused or dismissed, or untimely. In fiscal year 1999, 2,133 petitions for discretionary review were disposed, 185, or 9 percent, of which were granted.

There were 7,383 applications for writs of habeas corpus and motions for rehearing disposed in fiscal year 2000, compared to 7,537 in 1999; a decrease of 2 percent.

cases. The remaining 20 percent were dissents, concurrences, and opinions on rehearings. Of the deciding opinions, 162 were signed and 407 were per curiam. During 1999, members of the Court wrote 798 opinions, 71 percent of which were deciding opinions. Figure 3 above provides the ten-year trend for total opinions written and “deciding” opinions (or original opinions) written by the judges of the Court of Criminal Appeals.

Total Pending Caseload

On August 31, 2000, there were 109 direct appeals pending in the Court of Criminal Appeals. Direct appeals on death penalty cases accounted for 94 of these, and habeas Corpus and extraordinary matter appeals accounted for the remaining 15. This represented an overall increase of 21 percent from the 90 direct appeals pending on August 31, 1999.

At the end of the fiscal year, there were 552 petitions for discretionary review pending, 117 granted petitions pending, 3 rehearings on direct appeal pending, no motions for rehearing on refused petitions for discretionary review, 3 hearings on granted discretionary reviews pending, and 931 applications for writs of habeas corpus pending.

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