

Annual Statistical Report for the Texas Judiciary

Pre-Release Appellate Section



Fiscal Year
2015



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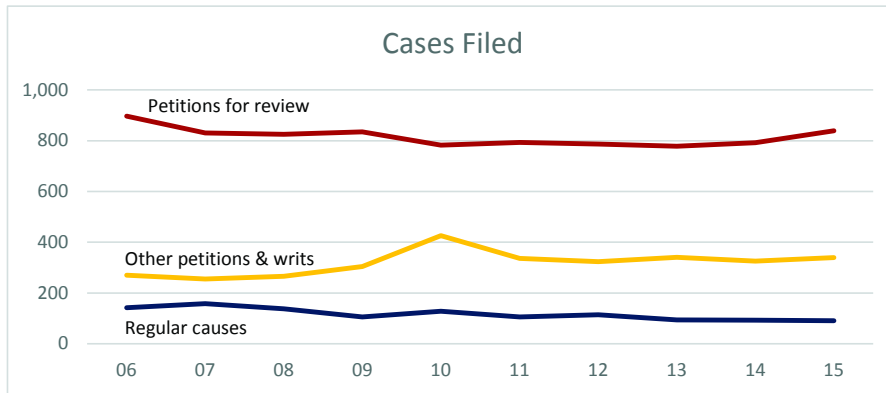
Supreme Court of Texas

The Supreme Court has statewide, final appellate jurisdiction in most civil and juvenile cases. The Supreme Court’s caseload can be broken down into three broad categories:

- Determining whether to grant review of the final judgment of a court of appeals (i.e., to grant or not grant a petition for review)
- Disposition of regular causes¹ (i.e., granted petitions for review, accepted petitions for writs of mandamus or habeas corpus, certified questions, accepted parental notification appeals, and direct appeals)
- Disposition of numerous motions related to petitions and regular causes

Much of the Supreme Court’s time is spent determining which petitions for review will be granted, as it must consider all petitions for review that are filed. However, the Court exercises some control over its caseload in deciding which petitions will be granted. The Court usually takes only those cases that present the most significant Texas legal issues in need of clarification.

Caseload and Outcomes

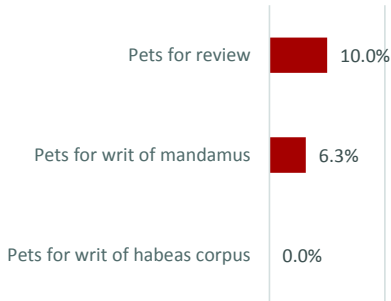


The number of regular causes added in 2015 was the lowest number since 1983

	Filings		Dispositions		2015 Clearance Rate
	Change from Previous Year	10-Year Change	Change from Previous Year		
Regular causes	▼ 2.2%	▼ 35.9%	▲ 17.7%	124.2%	
Petitions for review	▲ 5.9%	▼ 6.5%	▼ 2.0%	91.8%	
Other petitions and writs	▲ 4.0%	▲ 25.6%	▲ 1.8%	100.6%	

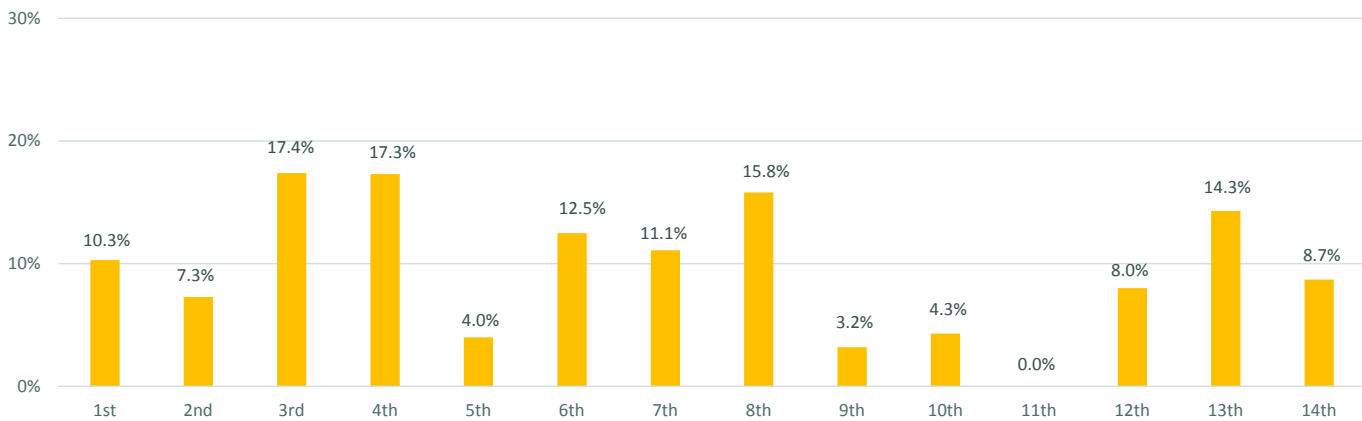
¹ “Regular causes” involve cases in which four or more of the justices of the Supreme Court have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

Review Granted

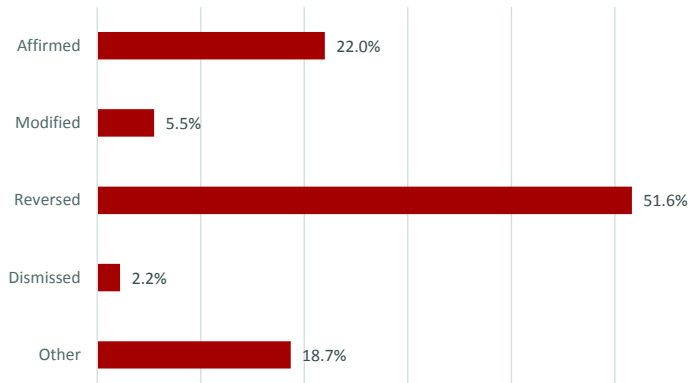


Review was granted in only 10 percent of petitions for review and was granted less frequently in other petitions

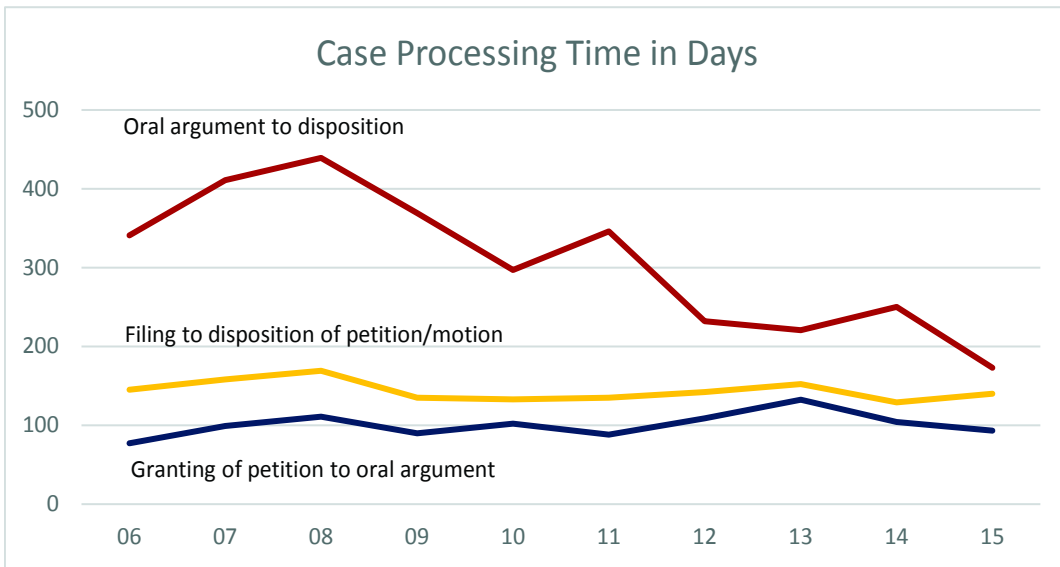
Petitions for Review Granted by Court of Appeals



Disposition of Granted Petitions for Review

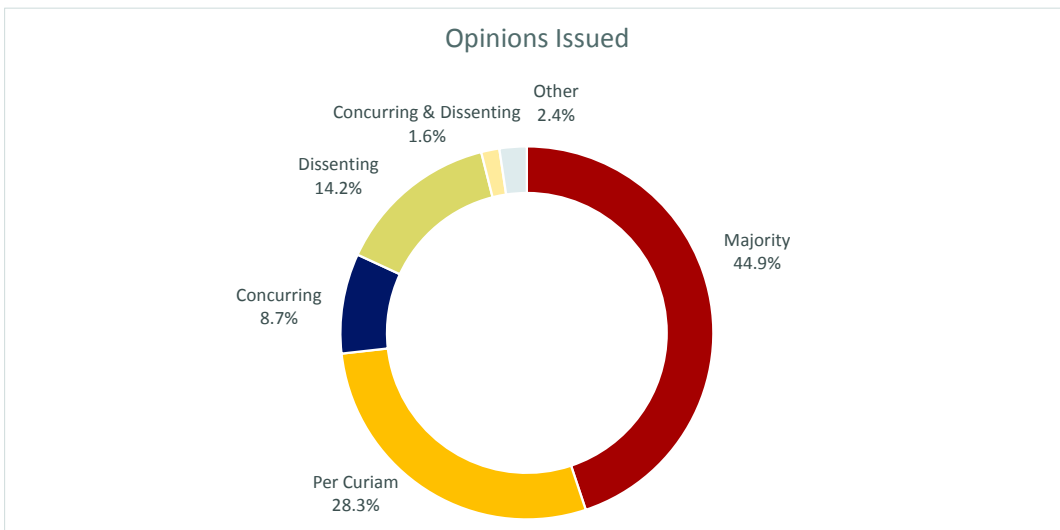


Slightly more than half of granted petitions for review were reversed



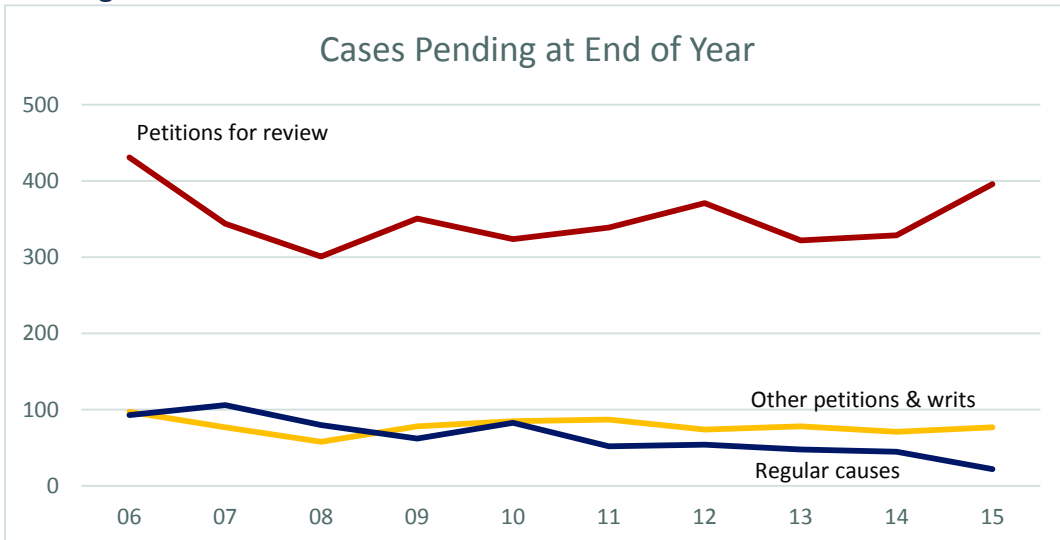
The average number of days from oral argument to disposition fell to a low of 173 days

Opinions



127 opinions were issued in FY 2015

Pending Cases

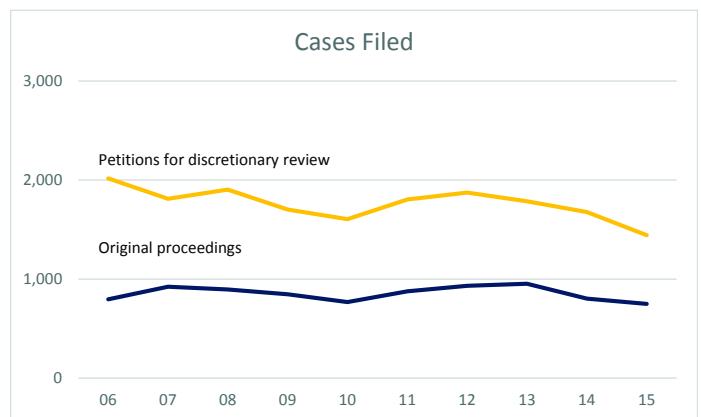
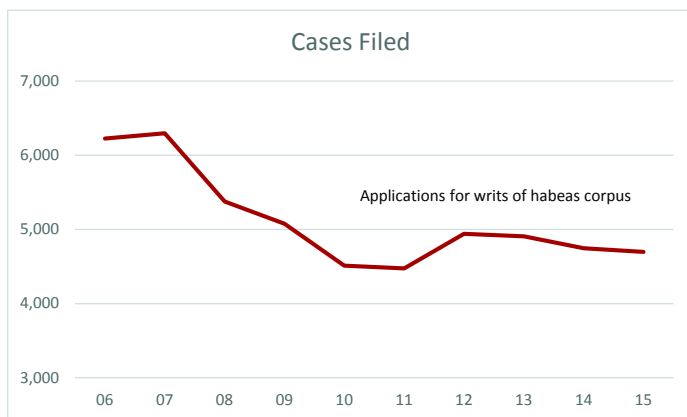


The number of regular causes pending at the end of the year was the lowest number since at least 1984

Court of Criminal Appeals

The Court of Criminal Appeals is the highest state court for criminal appeals. Its caseload consists of both mandatory and discretionary matters. Appeals of all cases that result in the death penalty are automatically directed to the Court of Criminal Appeals from the trial court level. A significant portion of the Court’s workload also involves the mandatory review of applications for post-conviction habeas corpus relief in felony cases without a death penalty, over which the Court has sole authority. In addition, decisions made by the intermediate courts of appeals in criminal cases may be appealed to the Court of Criminal Appeals by petition for discretionary review, which may be filed by the State, the defendant, or both. However, the Court may also review a decision on its own motion.

Caseload and Outcomes

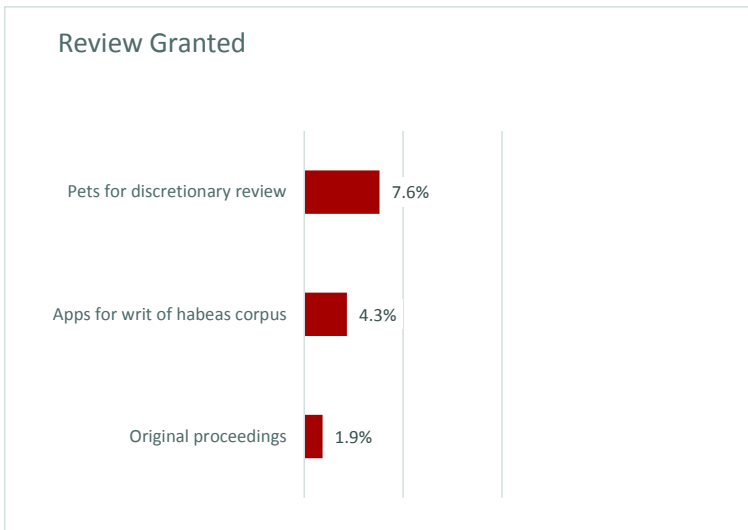


In 2015, mandatory matters comprised 80 percent of all cases added to the court’s docket

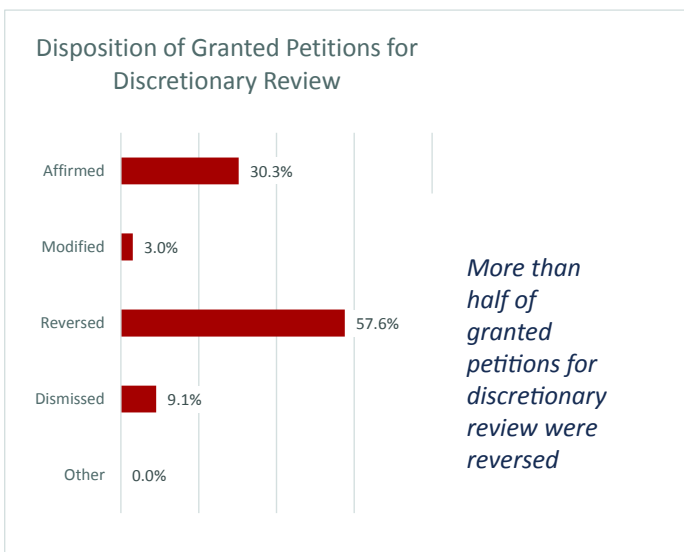
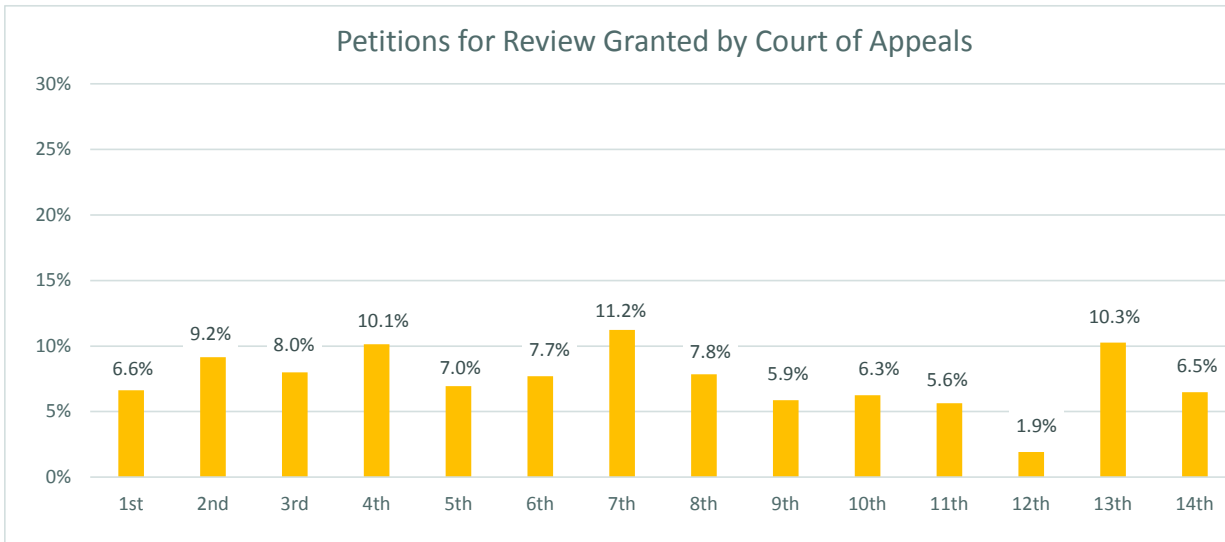
Filings

Dispositions

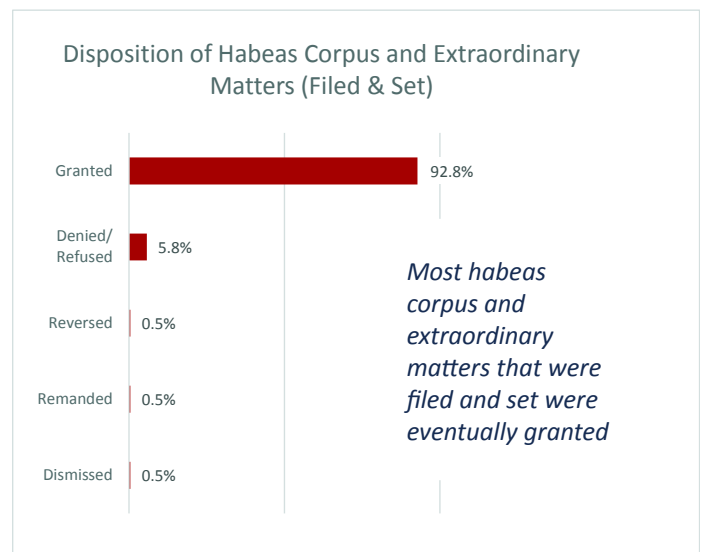
	Change from Previous Year	10-Year Change	Change from Previous Year	2015 Clearance Rate
Mandatory Caseload				
Applications for writ of habeas corpus	▼ 1.0%	▼ 24.5%	▼ 0.5%	100.2%
Original proceedings	▼ 6.5%	▼ 5.8%	▼ 2.0%	91.8%
Direct appeals	▼ 27.3%	▼ 11.1%	▼ 56.7%	81.3%
Discretionary Caseload				
Petitions for discretionary review	▼ 13.1%	▼ 27.0%	▼ 18.0%	96.9%



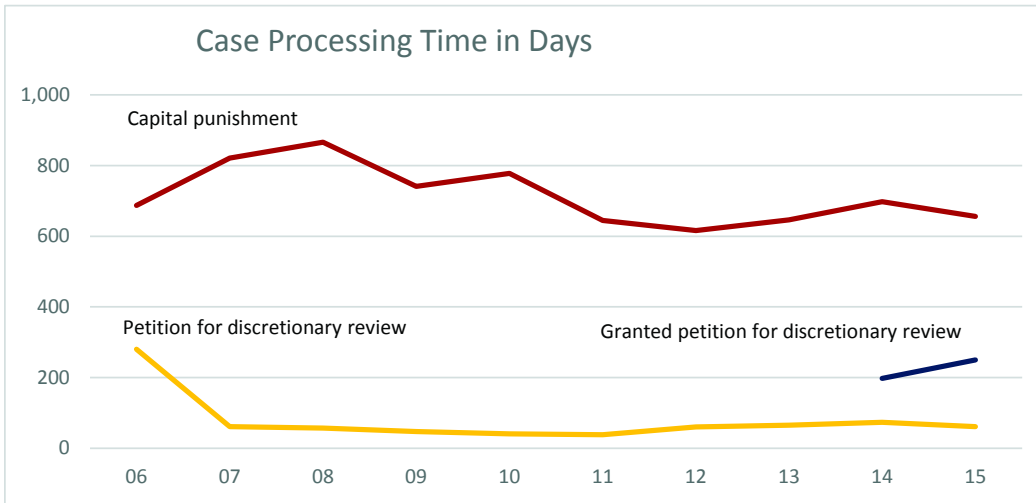
Review was granted in less than 8 percent of petitions for discretionary review and was granted less frequently in other matters



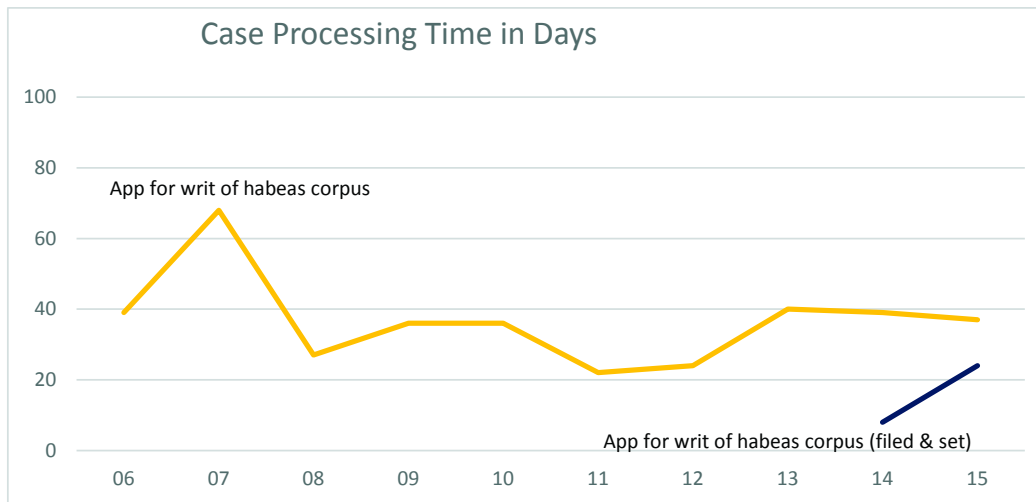
More than half of granted petitions for discretionary review were reversed



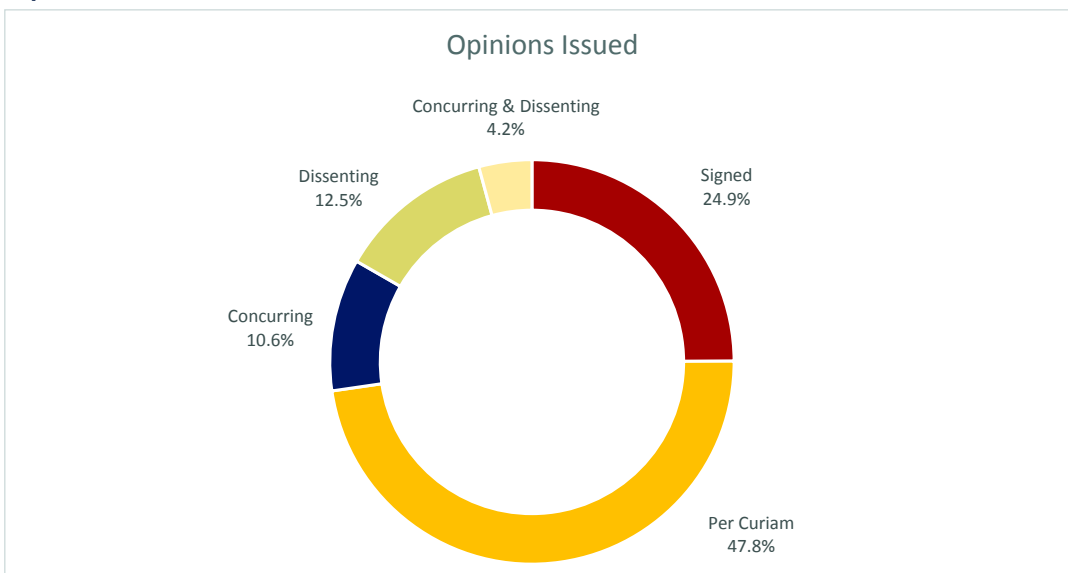
Most habeas corpus and extraordinary matters that were filed and set were eventually granted



Over the last 5 years, the average time to disposition for capital cases was 652 days



Opinions

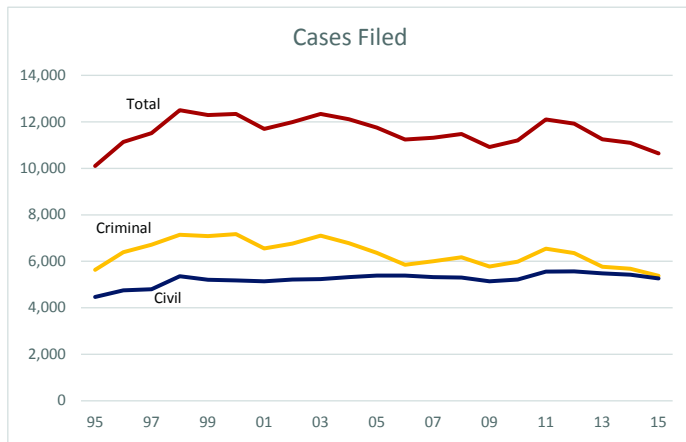


425 opinions were issued in 2015

Courts of Appeals

Each of the 14 court of appeals has jurisdiction over appeals from the trial courts located in its respective district. The appeals heard in these courts are based upon the “record” (a written transcription of the testimony given, exhibits introduced, and the documents filed in the trial court) and the written and oral arguments of the appellate lawyers. The courts of appeals do not receive testimony or hear witnesses in considering the cases on appeal, but they may hear oral argument on the issues under consideration.

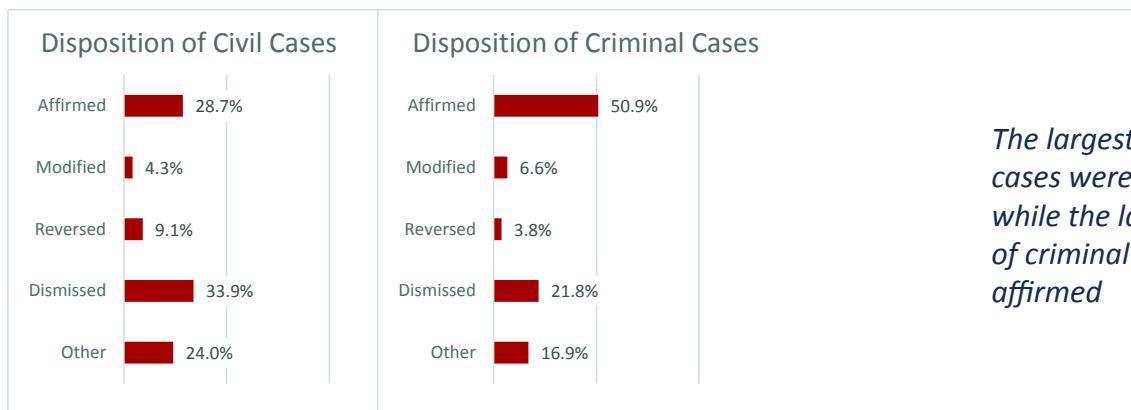
Caseload and Outcomes



The number of cases added in 2015 was the lowest number since 1995

	Filings		Dispositions	
	Change from Previous Year	10-Year Change	Change from Previous Year	2015 Clearance Rate
Civil	▼ 3.0%	▼ 2.4%	▲ 0.5%	106.6%
Criminal	▼ 5.3%	▼ 8.0%	▼ 6.5%	103.8%
Overall	▼ 4.2%	▼ 5.3%	▼ 3.1%	105.2%

The number of cases filed declined by 4 percent from the previous year

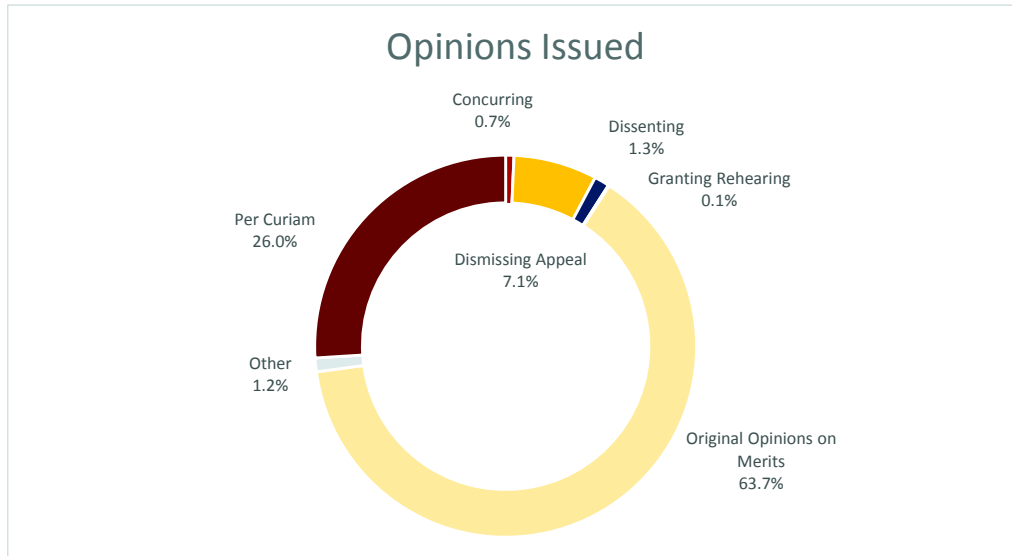


The largest share of civil cases were dismissed, while the largest share of criminal cases were affirmed

The average time between filing and disposition for civil cases decreased to 7.6 months—the lowest level since 1989, while the time to disposition for criminal cases remained unchanged at 9.2 months. The average time between submission and disposition decreased slightly for both civil and criminal cases.

The average time between filing and disposition for civil cases decreased to the lowest level since 1989

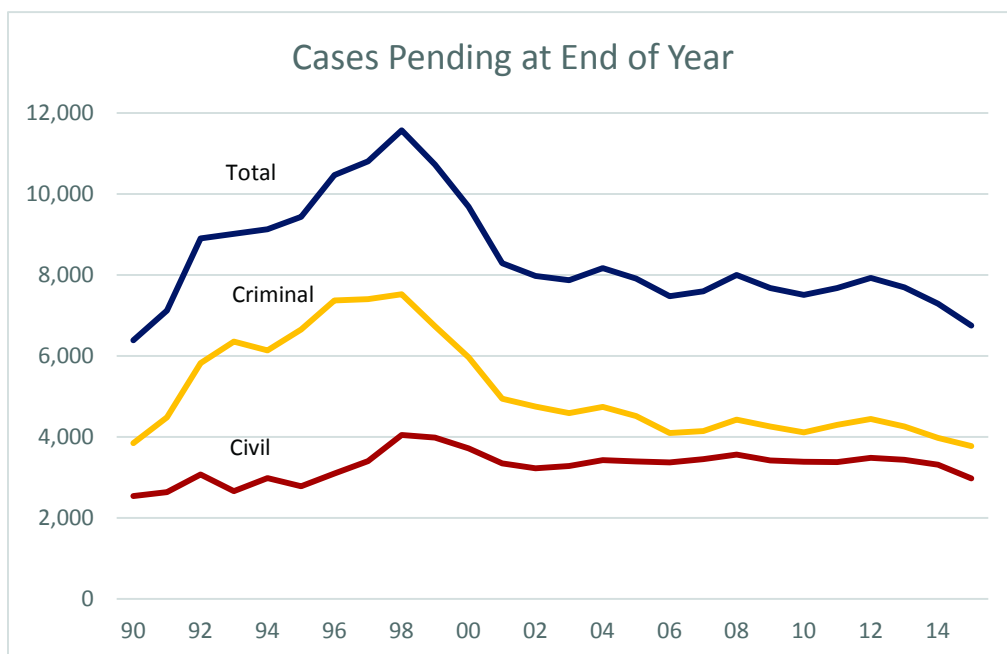
Opinions



10,560 opinions were issued in 2015

The number of cases pending at the end of the year was the lowest number since 1990

Pending Cases

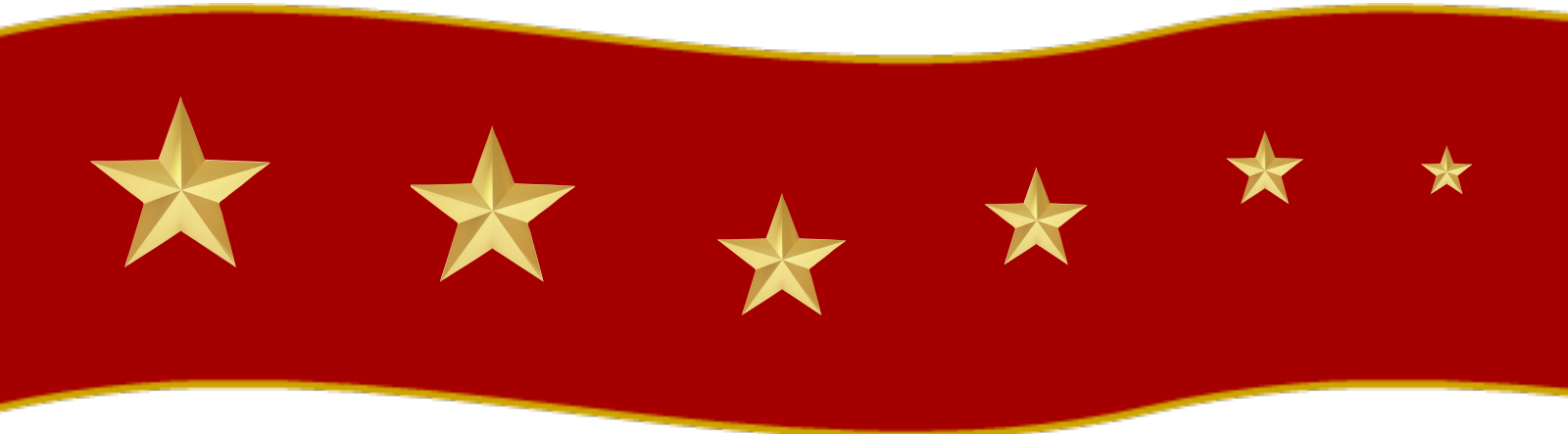


% of Cases Pending for Less than 1 Year

Civil	81.7%
Criminal	83.4%

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Supreme Court Activity Report

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	10-Yr. Avg
Regular Causes:											
Added to docket	142	158	138	106	128	106	114	94	93	91	117
Disposed	133	144	164	125	110	137	112	100	96	113	123
Pending at end of year	93	106	80	62	83	52	54	48	45	22	65
Clearance rate	93.7%	91.1%	118.8%	117.9%	85.9%	129.2%	98.2%	106.4%	103.2%	124.2%	105.5%
Petitions for Review:											
Filed	897	831	825	835	783	793	787	778	792	839	816
Disposed	822	919	874	787	806	778	761	827	786	770	813
% Granted	14.5%	15.0%	12.8%	10.8%	12.0%	13.0%	13.0%	11.2%	10.3%	10.0%	12.3%
Pending at end of year	431	344	301	351	324	339	371	322	329	396	351
Clearance rate	91.6%	110.6%	105.9%	94.3%	102.9%	98.1%	96.7%	106.3%	99.2%	91.8%	99.6%
Other Petitions and Writs:											
Filed	270	255	266	304	426	336	323	340	326	339	319
Disposed	274	274	283	284	423	332	336	328	335	341	321
Pending at end of year	97	77	58	78	85	87	74	78	71	77	78
Clearance rate	101.5%	107.5%	106.4%	93.4%	99.3%	98.8%	104.0%	96.5%	102.8%	100.6%	100.8%
Opinions Written	145	170	212	165	118	162	128	111	115	127	145

NOTE:

1. "Regular causes" involve cases in which four or more of the justices have decided in conference that a petition for review, petition for writ of mandamus or habeas corpus, or parental notification appeal should be reviewed. Regular causes also include direct appeals the court has agreed to review and questions of law certified to it by a federal appellate court that the court has agreed to answer. Most regular causes are set for oral argument in open court and are reported in written opinions. However, a petition may be granted and an unsigned opinion (per curiam) issued without oral argument if at least six members of the court vote accordingly.

To see the complete detail report: (<http://www.txcourts.gov/media/1097058/SC-Activity-2015.pdf>)

Disposition of Petitions for Review by the Supreme Court

Granted Petitions for Review		Petitions for Review		Petitions for Writ of Mandamus		Petitions for Writ of Habeas Corpus	
Affirmed	20 16.7%	Initial Review Granted	77 10.0%	Initial Review Granted	13 6.3%	Initial Review Granted	0 0.0%
Modified	5 10.3%	Review Denied	654 84.9%	Review Denied	157 76.2%	Review Denied	5 62.5%
Reversed	67 60.3%	Dismissed	24 3.1%	Dismissed	27 13.1%	Dismissed	2 25.0%
Dismissed	2 1.3%	Abated	9 1.2%	Abated	7 3.4%	Abated	0 0.0%
Other Disposition	17 11.5%	Struck	6 0.8%	Struck	2 1.0%	Struck	1 12.5%
Total	92 100.0%	Total	770 100.0%	Total	206 100.0%	Total	8 100.0%



Court of Criminal Appeals Activity Report

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	10-Yr. Avg.
Mandatory Caseload											
Direct Appeals:¹											
Added to docket	18	18	15	17	20	15	16	15	22	16	17
Disposed	30	19	18	22	24	20	22	14	18	13	20
Pending at end of year	40	40	38	33	30	25	19	20	24	27	30
Clearance rate	166.7%	105.6%	120.0%	129.4%	120.0%	133.3%	137.5%	93.3%	81.8%	81.3%	116.3%
Applications for Writ of Habeas Corpus:²											
Filed	6,225	6,297	5,376	5,078	4,510	4,474	4,941	4,907	4,746	4,698	5,125
Disposed	6,620	6,407	5,512	5,224	4,402	4,498	4,809	5,083	4,733	4,707	5,200
Pending at end of year	885	782	648	501	611	584	721	547	571	558	641
Clearance rate	106.3%	101.7%	102.5%	102.9%	97.6%	100.5%	97.3%	103.6%	99.7%	100.2%	101.4%
Original Proceedings:³											
Filed	796	922	894	846	768	877	931	953	802	750	854
Disposed	812	924	918	868	747	867	912	974	819	754	860
Pending at end of year	101	98	78	60	80	89	107	88	70	69	84
Clearance rate	102.0%	100.2%	102.7%	102.6%	97.3%	98.9%	98.0%	102.2%	102.1%	100.5%	100.7%
Discretionary Caseload											
Petitions for Discretionary Review:⁴											
Filed	2,017	1,810	1,904	1,703	1,605	1,803	1,872	1,786	1,676	1,444	1,762
Disposed	2,009	1,872	1,968	1,800	1,650	1,762	1,759	1,784	1,729	1,402	1,774
Pending at end of year	516	450	391	291	246	288	401	403	351	394	373
Clearance rate	99.6%	103.4%	103.4%	105.7%	102.8%	97.7%	94.0%	99.9%	103.2%	97.1%	100.7%
Motions Considered	1,576	1,707	1,463	1,789	1,434	1,573	1,715	1,636	2,144	2,947	1,798
Opinions Written	486	575	500	447	433	428	480	441	457	425	467

NOTES:

1. Direct appeals include death penalty appeals and DNA appeals.
2. Applications for writ of habeas corpus, though seeking relief from the Court of Criminal Appeals, must be filed in the trial court, which has 35 days in which to submit findings of fact, conclusions of law, and a recommendation to the Court of Criminal Appeals.
3. Original proceedings are filed directly with the Court of Criminal Appeals. They include writs of certiorari, writs of habeas corpus, writs of mandamus, and writs of prohibition.
4. Petitions for Discretionary Review include petitions for discretionary review, granted petitions for discretionary review, and redrawn petitions for discretionary review.

To see the complete detail report: (<http://www.txcourts.gov/media/1097061/CCA-Activity-Report-2015.pdf>)

Disposition of Cases by the Court of Criminal Appeals

Habeas Corpus & Extraordinary Matters		Petitions for Discretionary Review ¹		Granted Petitions for Discretionary Review		Applications for Writ of Habeas Corpus		Original Proceedings		Motions for Stay of Execution	
Granted	192 92.8%	Granted	97 7.6%	Affirmed	30 30.3%	Granted	0 0.0%	Granted	0 0.0%	Granted	8 38.1%
Denied/ Refused	12 5.8%	Refused	1,133 88.9%	Reversed	11 11.1%	Filed & Set	194 4.3%	Filed & Set	14 1.9%	Denied	13 61.9%
Reversed & Remanded to Trial Court	1 0.5%	Dismissed	2 0.2%	Reversed & Remanded	46 46.5%	Denied	2,202 48.9%	Denied	531 70.4%	Dismissed	0 0.0%
Remanded to Trial Court	1 0.5%	Struck	35 2.7%	Mixed	3 3.0%	Remanded	399 8.9%	Remanded	0 0.0%	Filed & Set	0 0.0%
Dismissed	1 0.5%	Untimely	36 2.8%	Dismissed	9 9.1%	Dismissed	1,703 37.8%	Dismissed	62 8.2%	Remanded	0 0.0%
Total	207 100.0%	Total	1,274 100.0%	Total	99 100.0%	Returned	2 0.0%	Returned	0 0.0%	Other	0 0.0%
						Abated	0 0.0%	Abated	147 19.5%	Total	21 100.0%
						Total	4,500 100.0%	Total	754 100.0%		

Average time from filing to disposition for cases involving:

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Capital punishment	687	821	866	741	778	645	616	646	698	656
Application for writ of habeas corpus	39	68	27	36	36	22	24	40	39	37
Application for writ of habeas corpus (filed & set)									8	24
Petition for discretionary review	280	61	57	47	41	38	60	65	73	61
Granted petition for discretionary review									198	250

NOTES:

1. Includes redrawn petitions for discretionary review.

Courts of Appeals 2015 Activity Report

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	10-yr Avg
Civil Cases:											
Cases added											
<i>New filings</i>	4,971	4,940	4,949	4,733	4,811	5,070	5,107	5,050	4,946	4,764	4,934
<i>Other cases</i>	419	378	353	408	401	490	458	436	477	496	432
Total cases added	5,390	5,318	5,302	5,141	5,212	5,560	5,565	5,486	5,423	5,260	5,366
Cases disposed											
Cases pending at end of year	5,440	5,286	5,136	5,279	5,274	5,568	5,487	5,549	5,581	5,608	5,421
Clearance rate	3,376	3,457	3,569	3,425	3,391	3,380	3,484	3,439	3,316	2,976	3,381
Avg. time between filing & disposition (months)	100.9%	99.4%	96.9%	102.7%	101.2%	100.1%	98.6%	101.1%	102.9%	106.6%	101.0%
Avg. time between submission & disposition (months)	8.0	8.1	8.8	8.9	9.0	8.3	7.9	8.3	7.9	7.6	8.3
Criminal Cases:											
Cases added											
<i>New filings</i>	4,939	5,039	5,163	4,737	4,926	5,366	5,309	4,913	4,651	4,513	4,956
<i>Other cases</i>	908	960	1,008	1,043	1,063	1,178	1,049	853	1,027	865	995
Total cases added	5,847	5,999	6,171	5,780	5,989	6,544	6,358	5,766	5,678	5,378	5,951
Cases disposed											
Cases pending at end of year	6,344	6,000	5,869	5,975	6,179	6,368	6,222	5,949	5,968	5,581	6,046
Clearance rate	4,100	4,144	4,429	4,256	4,118	4,301	4,445	4,259	3,978	3,773	4,180
Avg. time between filing & disposition (months)	108.5%	100.0%	95.1%	103.4%	103.2%	97.3%	97.9%	103.2%	105.1%	103.8%	101.8%
Avg. time between submission & disposition (months)	9.3	8.8	8.9	9.1	9.2	8.4	8.6	9.1	9.2	9.2	9.0
All Cases:											
Cases added											
<i>New filings</i>	9,910	9,979	10,112	9,470	9,737	10,436	10,416	9,963	9,597	9,277	9,890
<i>Other cases</i>	1,327	1,338	1,361	1,451	1,464	1,668	1,507	1,289	1,504	1,361	1,427
Total cases added	11,237	11,317	11,473	10,921	11,201	12,104	11,923	11,252	11,101	10,638	11,317
Cases disposed											
Cases pending at end of year	11,784	11,286	11,005	11,254	11,453	11,936	11,709	11,498	11,549	11,189	11,466
Clearance rate	7,476	7,601	7,998	7,681	7,509	7,681	7,929	7,698	7,294	6,749	7,562
Avg. time between filing & disposition (months)	104.9%	99.7%	95.9%	103.0%	102.2%	98.6%	98.2%	102.2%	104.0%	105.2%	101.4%
Avg. time between submission & disposition (months)	8.7	8.5	8.9	9.0	9.1	8.4	8.2	8.7	8.6	8.4	9
Opinions Written											
Opinions Written	2.0	1.8	2.0	1.9	1.7	1.5	1.4	1.7	1.9	1.7	2
Opinions Written	11,408	10,921	10,348	10,765	10,742	11,061	10,975	10,921	10,797	10,560	10,850

To see the complete detail report: (<http://www.txcourts.gov/statistics/annual-statistical-reports/2015.aspx>)

Courts of Appeals 2015 Activity Report

	1st Houston	2nd Fort Worth	3rd Austin	4th San Antonio	5th Dallas	6th Texarkana	7th Amarillo	8th El Paso	9th Beaumont	10th Waco	11th Eastland	12th Tyler	13th Corpus/Edinburg	14th Houston
Number of Justices	9	7	6	7	13	3	4	3	4	3	3	3	6	9
Civil Cases														
Total Cases Added	621	430	553	479	921	98	218	199	204	134	135	121	442	705
Total Cases Disposed	672	484	574	539	964	113	231	209	242	142	153	113	456	716
Cases Pending August 31, 2015	402	180	338	205	474	40	128	195	128	72	110	70	248	386
Clearance Rate	108.2%	112.6%	103.8%	112.5%	104.7%	115.3%	106.0%	105.0%	118.6%	106.0%	113.3%	93.4%	103.2%	101.6%
Average time between filing & disposition (in months)	8.9	6.5	8.3	6.1	7.6	5.7	6.9	11.9	8.0	6.1	12.0	5.5	6.5	7.2
Average percent of cases filed but not yet disposed for less than 2 years	99.3%	96.7%	96.9%	99.6%	98.8%	100.0%	100.0%	97.6%	99.5%	99.0%	97.4%	100.0%	100.0%	100.0%
Average time between submission & disposition (in months)	1.7	2.5	1.8	1.0	1.3	0.9	2.0	3.8	2.3	0.6	3.1	2.8	1.4	2.5
Average percent of cases under submission for less than 1 year	98.1%	92.7%	90.2%	100.0%	98.8%	100.0%	100.0%	96.0%	98.8%	100.0%	94.9%	100.0%	99.8%	99.9%
Criminal Cases														
Total Cases Added	567	459	307	374	985	248	270	155	302	266	231	223	409	582
Total Cases Disposed	549	561	295	378	1,112	248	284	182	261	273	227	236	396	579
Cases Pending August 31, 2015	448	300	277	208	513	132	211	242	239	138	256	147	289	373
Clearance Rate	96.8%	122.2%	96.1%	101.1%	112.9%	100.0%	105.2%	117.4%	86.4%	102.6%	98.3%	105.8%	96.8%	99.5%
Average time between filing & disposition (in months)	9.4	10.2	11.5	7.3	7.5	6.8	9.2	18.5	9.1	6.9	14.9	9.0	8.7	8.6
Average percent of cases filed but not yet disposed for less than 2 years	99.8%	99.2%	98.7%	100.0%	100.0%	100.0%	99.9%	95.9%	100.0%	100.0%	98.9%	100.0%	100.0%	100.0%
Average time between submission & disposition (in months)	1.3	2.1	0.7	1.0	1.4	0.8	2.2	4.1	1.7	0.4	1.6	1.9	1.2	1.8
Average percent of cases under submission for less than 1 year	98.9%	97.2%	96.0%	100.0%	100.0%	100.0%	100.0%	99.4%	99.5%	100.0%	97.8%	100.0%	100.0%	100.0%
Total Cases														
Total Cases Added	1,188	889	860	853	1,906	346	488	354	506	400	366	344	851	1,287
Total Cases Disposed	1,221	1,045	869	917	2,076	361	515	391	503	415	380	349	852	1,295
Cases Pending August 31, 2015	850	480	615	413	987	172	339	437	367	210	366	217	537	759
Clearance Rate	102.8%	117.6%	101.1%	107.5%	108.9%	104.3%	105.5%	110.5%	99.4%	103.8%	103.8%	101.5%	100.1%	100.6%
Average time between filing & disposition (in months)	9.1	8.5	9.4	6.6	7.5	6.5	8.1	14.9	8.6	6.6	13.8	7.9	7.6	7.8
Average percent of cases filed but not yet disposed for less than 2 years	99.5%	98.3%	97.7%	99.8%	99.4%	100.0%	100.0%	96.7%	99.8%	99.7%	98.4%	100.0%	100.0%	100.0%
Average time between submission & disposition (in months)	1.5	2.3	1.4	1.0	1.3	0.8	2.1	3.9	2.0	0.5	2.2	2.1	1.3	2.2
Average percent of cases under submission for less than 1 year	98.4%	95.0%	91.3%	100.0%	99.4%	100.0%	100.0%	97.8%	99.1%	100.0%	96.3%	100.0%	99.9%	100.0%

