

Supreme Court Caseload

The caseload information shown in Table 1 on page 5 is also presented graphically in Chart 1. The categories shown are those most commonly used in Supreme Court cases.

“Intermediate Appeals” are appeals made during the progress of a case in circuit court. Intermediate appeals are accepted at the discretion of the Supreme Court.

“Notice of Review” is filed by an appellee (party against whom an appeal is taken) seeking review of a judgment or order entered in the same action from which an appeal has been taken. A notice of review is a separate filing but not a separate disposition since it is disposed as part of the original appeal.

“Certificates of Probable Cause” are required before an appeal can be brought in a habeas corpus case.

“Summary Dispositions” are appeals that have been summarily affirmed or reversed on established grounds set forth in SDCL 15-26A-87.1. In these proceedings the Court, on its own mo-

tion, may affirm or reverse the judgment or order from which the appeal is taken. The Court must be unanimous in its decision to render a summary disposition, and the decision is set out in an order or memorandum opinion. The term “expedited appeal” is sometimes used because it usually takes less time to process appeals under this rule.

“Pending Cases” are cases which have been filed with the Court but in which no decision has been entered. Pending cases are divided into:

- “Submitted and pending” -- cases which have been completely briefed, orally argued, or submitted to the Court on briefs and await only final disposition by the Court
- “Ready for submission” -- cases which have been completely briefed and are awaiting placement on the Court calendar
- “Not ready for calendar” -- cases which have been filed but are still in the transcript or briefing stages.

Table 1. SUPREME COURT CASELOAD COMPARED BY FISCAL YEAR

Fiscal Year:	FY1999	FY2000	FY2001	FY2002	FY2003
FILINGS:					
Appeals	379	386	380	342	354
Intermediate Appeals	52	44	35	53	29
Original Proceedings	13	21	22	23	22
Notice of Review	41	31	31	16	21
Certificates of Probable Cause	10	22	23	21	20
Reinstatements	3	2	2	1	0
Rehearings Granted	0	2	1	1	1
COMBINED FILINGS	498	508	494	457	447
DISPOSITIONS:					
Appeals / Original Proceedings	147/182	167/203	158/184	140/164	167/177
Orders of Dismissal/Dispositional Remands	97/102	118/126	120/128	62/64	70/74
Denial of Intermediate Appeals	33	26	29	32	22
Original Proceedings (by Order)	23	42	22	31	23
Dispositive Remand	0	3	0	1	1
Summary Dispositions	142	114	117	136	120
COMBINED DISPOSITIONS	482	514	480	428	417
PENDING CASES:					
Submitted and Pending	74	68	64	62	64
Ready for Submission	60	72	70	70	72
Not Ready for Calendar	159	148	152	143	141
Other (in Suspense)	3	2	2	3	2
TOTAL PENDING CASES (6/30/2002)	296	290	288	278	279

* Repealed by Supreme Court Rule 97-45.

Chart 1. Supreme Court Caseload Comparison

