

**SUPREME COURT  
CASELOAD INFORMATION**

## Supreme Court Caseload

The caseload information shown in Table 1 on page 6 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 of 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 motion, may affirm or reverse the judg-

ment 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**

<b>Fiscal Year:</b>	<b>FY2005</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>	<b>FY2009</b>
<b>FILINGS:</b>					
Appeals	277	346	282	279	310
Intermediate Appeals	39	62	46	29	20
Original Proceedings	26	32	40	17	25
Notice of Review	14	23	12	12	16
Certificates of Probable Cause	18	15	23	24	20
Reinstatements	0	0	0	1	0
Rehearings Granted	0	0	0	0	0
<b>COMBINED FILINGS</b>	<b>374</b>	<b>478</b>	<b>403</b>	<b>362</b>	<b>391</b>
<b>DISPOSITIONS:</b>					
Appeals / Original Proceedings	159/171	101/120	124/134	120/140	130/141
Orders of Dismissal/Dispositional Remands	67	87	78	80	95
Denial of Intermediate Appeals	25	52	24	18	27
Original Proceedings (by Order)	26	24	34	31	41
Dispositive Remand	0	0	0	0	0
Summary Dispositions	126	117	112	75	92
<b>COMBINED DISPOSITIONS</b>	<b>415</b>	<b>400</b>	<b>382</b>	<b>344</b>	<b>396</b>
<b>PENDING CASES:</b>					
Submitted and Pending	25	52	49	35	27
Ready for Submission	57	16	38	37	38
Not Ready for Calendar	133	140	77	76	74
Other (in Suspense)	3	1	9	11	3
<b>TOTAL PENDING CASES (6/30/2009)</b>	<b>218</b>	<b>209</b>	<b>173</b>	<b>159</b>	<b>142</b>

**Chart 1. Supreme Court Caseload Comparison**

