

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 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

Fiscal Year:	FY2002	FY2003	FY2004	FY2005	FY2006
FILINGS:					
Appeals	342	354	333	277	346
Intermediate Appeals	53	29	37	39	62
Original Proceedings	23	22	32	26	32
Notice of Review	16	21	22	14	23
Certificates of Probable Cause	21	20	15	18	15
Reinstatements	1	0	0	0	0
Rehearings Granted	1	1	0	0	0
COMBINED FILINGS	457	447	439	374	478
DISPOSITIONS:					
Appeals / Original Proceedings	140/164	167/177	184/196	159/171	101/120
Orders of Dismissal/Dispositional Remands	62/64	70/74	70/74	67	87
Denial of Intermediate Appeals	32	22	25	25	52
Original Proceedings (by Order)	31	23	32	26	24
Dispositive Remand	1	1	2	0	0
Summary Dispositions	136	120	123	126	117
COMBINED DISPOSITIONS	428	417	452	415	400
PENDING CASES:					
Submitted and Pending	62	64	58	25	52
Ready for Submission	70	72	70	57	16
Not Ready for Calendar	143	141	139	133	140
Other (in Suspende)	3	2	3	3	1
TOTAL PENDING CASES (6/30/2006)	278	279	270	218	209

Chart 1. Supreme Court Caseload Comparison

