



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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## **Supreme Court Issues Annual Report on Workload Statistics for 2013–2014**

*Opinions and filings continue to decrease*

SAN FRANCISCO—The California Supreme Court today released its annual workload statistics for September 1, 2013, through August 31, 2014, the official court year for statistical purposes. Overall, the number of opinions issued by the court decreased from 87 last court year to 83 in 2013–2014. During the same period, the total number of filings and dispositions continued a downward trend in most categories.

Nevertheless, the statistics also reveal a modest increase in petitions for review, civil writ petitions, original petitions for noncapital habeas corpus relief, and State Bar of California matters. Also slightly increased were actions by order on petitions for writs of habeas corpus relating to death penalty judgments, and requests for publication or depublication of Court of Appeal opinions.

The ongoing impact of several years of budget reductions to the judicial branch continues to increasingly affect the flow of cases throughout the court system. Closed courtrooms and courthouses, reduced Clerk’s Office hours, and diminished services to the public caused by reduced resources for the courts have inhibited the public’s access. Fiscal year statistics recently released documented the overall decrease in court filings ([Court Filings Decrease in Fiscal Year 2012–2013](#) (Aug. 12, 2014)).

Following the retirement of Associate Justice Joyce L. Kennard from the court on April 5, 2014, after 25 years of distinguished service, 29 justices from the Courts of Appeal were assigned to sit as justices pro tempore for the oral argument sessions held in May and June. This practice is the one typically followed when a justice is not available to serve, and will continue until a replacement has been appointed and confirmed and joins the court. The lack of a full complement of permanent justices can affect the court’s ability to efficiently and effectively decide cases.

## OPINIONS FILED

### *Including Death Penalty Appeals and Related Habeas Corpus Petitions*

In the 2013–2014 court year, the Supreme Court filed opinions in a total of 83 cases, of which 33 involved civil matters, 25 involved noncapital criminal matters, and 25 resolved automatic appeals arising from judgments of death. The number of opinions filed in death penalty appeals was 7 more than the previous court year; the number of opinions in civil cases decreased by 1; and the number of noncapital criminal cases decreased by 10. Overall, the number of opinions was 4 fewer than the year before.

In addition to the opinions filed during the 2013–2014 court year, the court acted by order upon 23 petitions for writ of habeas corpus relating to death penalty judgments, 5 more than last year. When a petition for writ of habeas corpus is denied without the issuance of an order to show cause, the court does not issue an opinion and instead disposes of the matter by order.

Nevertheless, even when no opinion results, the preparation of internal memoranda and the related disposition of death-penalty-related habeas corpus petitions draws heavily upon the court's resources, because the petitions and records in such cases frequently are very lengthy and complex and are analyzed in internal memoranda that often exceed 75 to 100 pages in length.

## OVERALL FILINGS AND DISPOSITIONS

Total filings decreased from 7,967 in 2012–2013 to 7,836, in 2013–2014, the lowest number in several years. Filings of petitions for review essentially remained stable, with 4,130 in 2012–2013 and 4,138 in 2013–2014. Civil petitions for review increased from 1,098 to 1,158 and criminal petitions for review decreased from 3,032 to 2,980. Total filings in original proceedings fell by 265 from 2,992 in 2012–2013 to 2,727 in 2013–2014. The balance of total filings consisted of State Bar-related matters, and death penalty matters.

State Bar filings increased by 118. The largest increase was in attorney resignations, which increased by 147 to 469. The Bar's rules relating to resignations with charges pending have been changed. The number of matters filed in the Supreme Court by individuals after their complaints to the State Bar had been rejected without action decreased from 100 to 69.

Original habeas corpus petitions in noncapital matters and petitions for review in these matters also increased from last year. From last year to this year, filings of original petitions seeking noncapital habeas corpus relief rose from 2,568 to 2,718. Petitions for review in noncapital habeas corpus matters decreased from 298 last year to 262 this year. These matters necessarily require a substantial proportion of staff and court time.

### **Dispositions Decrease**

In the 2013–2014 court year, the court disposed of 7,751 petitions for review, petitions in original proceedings, and actions arising out of State Bar Court disciplinary proceedings. That amounts to 362 fewer matters than were disposed of in the 2012–2013 court year.

Disposition of petitions for review decreased by 36, from 4,110 to 4,074. The number of dispositions in original proceedings decreased by 455, from 3,167 in 2012–2013 to 2,712 in 2013–2014. The court must decide whether or not to grant a petition for review within 60 days, with a possible extension of an additional 30 days, or it loses jurisdiction and the matter is deemed denied. As has been the case for many years, the court did not lose jurisdiction in any matter governed by these time constraints.

Overall, the number of dispositions in noncapital-case original criminal habeas corpus petitions decreased by 17 percent, from 2,748 in 2012–2013 to 2,289 during the 2013–2014 court year.

An increase occurred in attorney discipline dispositions, which rose from 790 in 2012–2013 to 909 in 2013–2014. Although most State Bar matters do not result in a substantial internal conference memorandum, the number and variety of matters in which such memoranda were provided for the court’s consideration has increased significantly over the past few years, and the court has granted review in several State Bar matters, as well as entered orders directing further State Bar review and analysis of a substantial number of matters submitted with disciplinary recommendations.

### **Publication and Depublication Orders**

Since 2001–2002, the [\*Court Statistics Report\*](#), published by the Judicial Council of California, has included information concerning depublication and publication orders issued by the Supreme Court. In 2013–2014, 31 Court of Appeal opinions were ordered depublished by the Supreme Court, a new high in recent years. Since the 2002–2003 court year, the number of Court of Appeal opinions ordered depublished has ranged from 31 this year to a record low of 10 in 2007–2008. In contrast, depublication orders regularly exceeded 100 per year in the late 1980s and early 1990s.

In 2013–2014, the Supreme Court ordered publication of three Court of Appeal opinions, two more than the previous year. The number of opinions ordered published depends in large part upon the number of requests to publish received by the Supreme Court. The court rarely orders publication of a Court of Appeal opinion without such a request; it is more likely to depublish without a specific request to do so.

## OTHER INFORMATION

For several years, as part of its outreach and education efforts, the court annually has heard oral argument at a location other than its courtrooms in San Francisco, Los Angeles, and Sacramento, and made an effort to engage local high school students, local media, and the public. In conformance with this practice in previous years, the court held a special oral argument session at the University of California, Berkeley School of Law on October 9, 2013.

One State Bar matter decided in the past year, *In re Sergio C. Garcia on Admission*, S202512, attracted 101 amicus curiae briefs on the question of an undocumented immigrant's right to practice law and raised a number of legal and policy issues. While the case was pending before the court, the Legislature enacted a statute, AB 1024, and the Governor signed it into law, explicitly making undocumented immigrants eligible for admission to the State Bar.

Mr. Edward Jessen, the 24th and longest serving Reporter of Decisions in the history of the California Supreme Court, retired on February 1, 2014. His position has been filled by [Lawrence W. Striley](#), effective October 1, 2014.

## BACKGROUND INFORMATION

Beginning in 1996, the California Supreme Court has issued statistics utilizing a reporting period of September 1 through August 31. The court designated this period as the official court year for statistical purposes after determining that this period best corresponds with the flow of the court's opinion production and facilitates consistency in monitoring the pace of the court's work. Fiscal year figures are also separately developed and used for budgeting and other purposes.

The court releases these statistics following the usual interval in July and August during which the court does not regularly calendar oral argument. These figures are not the same as those released as part of the statistics report for the entire branch, which are based on the fiscal year. During the months in which no oral argument is held, the court continues to issue opinions in matters argued at the court's oral argument sessions in April, May and June, and to hold its regular weekly conferences at which it decides which cases to grant for review. The court resumed oral argument on September 3, 2014.

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*The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.*