COURTS OF CIVIL APPEALS

The 14 Courts of Civil Appeals exercise intermediate appellate jurisdiction in civil cases. Each court has geographic jurisdiction in a Supreme Judicial District. Each of the courts has three justices, for a total of 42 intermediate appellate justices in the state.

Cases filed in all the Courts of Civil Appeals during 1975 increased 17 per cent over 1974 and were 33 per cent higher than the ten-year average. More new cases were filed in 1975 than in 1974 in all but one court (Eastland). Of the courts with increased filings, the Austin Court experienced the largest precentage increase—51 per cent (58 cases)—and the Fourteenth Court at Houston, the largest increase in actual number of filings—70. The Dallas Court continued to receive more new filings than any of the other courts—301 compared to the average of 126. (Figure 5) The two courts at Houston, each of which have jurisdiction over the same geographic area, received a total of 420 new cases, 27 per cent more than in 1974.

In 1975, the Courts of Civil Appeals together disposed of 66 per cent of the cases filed during the year or carried over from 1974, a decrease of 2 per cent. The 1,608 dispositions were 22 per cent higher than the ten-year average of 1,321, and 16 per cent higher than 1974's 1,383 dispositions. The First and Fourteenth Courts at Houston had the highest number of dispositions, 178 and 183 respectively, compared to the average for the 14 courts of 115. All but the San Antonio Court disposed of more cases in 1975 than in 1974.

In 1975, a total of 1,484 opinions were written by the Courts of Civil Appeals, compared to 1,315 in 1974. The Fourteenth Court at Houston wrote the largest number of opinions, 157, compared to the average per court of 106 (up from 94 in 1974).

The average number of written opinions per justice for all courts of civil appeals was 35, up from 31 in 1974.

The Courts of Civil Appeals reversed, at least in part, the decision of the trial court in 25 per cent of the cases disposed.

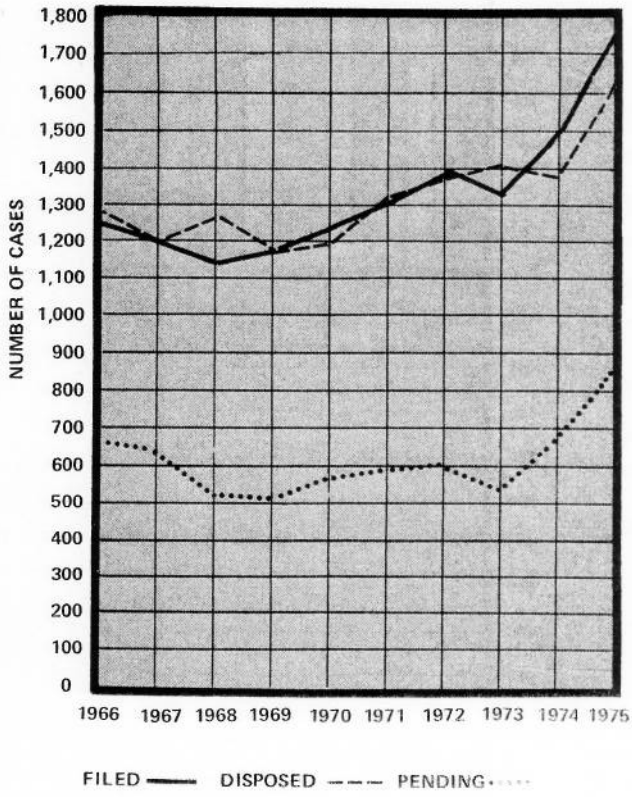
At the end of 1975, 847 cases remained on the Courts of Civil Appeals dockets for subsequent disposition, a 26 per cent increase over the previous year. The number of cases pending at the end of 1975 was 38 per cent higher than the ten-year average. Of the 847 cases pending December 31, 1975, 104 had been on the docket six to twelve months and 12 had been pending more than a year.

Eighty-six cases were pending on the docket of the Fourteenth Court at Houston at the close of the year and 85 in the San Antonio Court. The number for the other courts ranged down to 42 at Eastland and El Paso. The average number pending for all courts was 61, up from 48 at the end of 1974.

The average lapse of time between the filing of a case in a court of civil appeals and its disposition ranged from 2.5 months in the Dallas Court to 6.7 months in the Amarillo Court. The average for all courts was 4.9 months, a few days longer than the average in 1974. The average disposition time was longer than in 1974 in all but two of the courts (Austin and Dallas).

While the 14 Courts of Civil Appeals operate to a large extent as autonomous courts in specific geographic areas, some highly desirable aspects of unification are achieved by monthly transfers among the courts by order of the Supreme Court pursuant to Article 1738, V.A.T.S. The Supreme Court transferred 260 cases during 1975, compared to 218 in 1974.

Figure 3. COURTS OF CIVIL APPEALS
Cases filed, disposed and pending 1966-1975



The Dallas Court received the most attention from these transfers: of the 260 cases transferred to other courts (disregarding transfers between the two Houston courts), 146 were transferred from the Dallas Court. The Waco Court received the most transferred cases—70.

The net result of these transfers for the years 1971-1975 is shown in Figure 4. The workload of the courts after the transfers were made is shown by the total bar above the center line. This workload ranged from 332 cases at El Paso to 840 in the First Court at Houston, a range considerably narrower than the range of filings (240 at Eastland to 1,238 at Dallas) over the same five years. The average workload for all courts during this period was 522 cases.

Figure 4. COURTS OF CIVIL APPEALS
Workloads and cases transferred 1971-1975

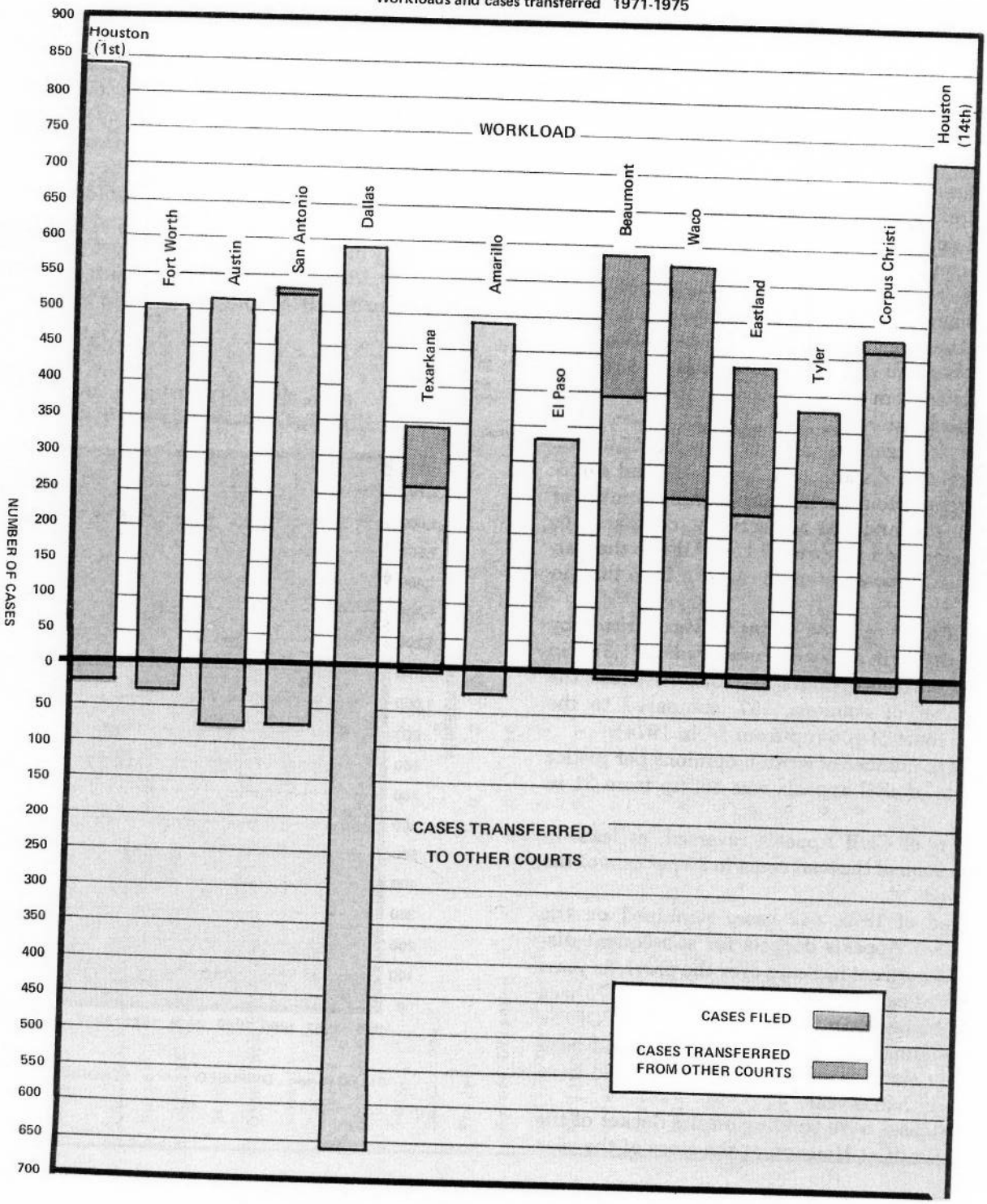
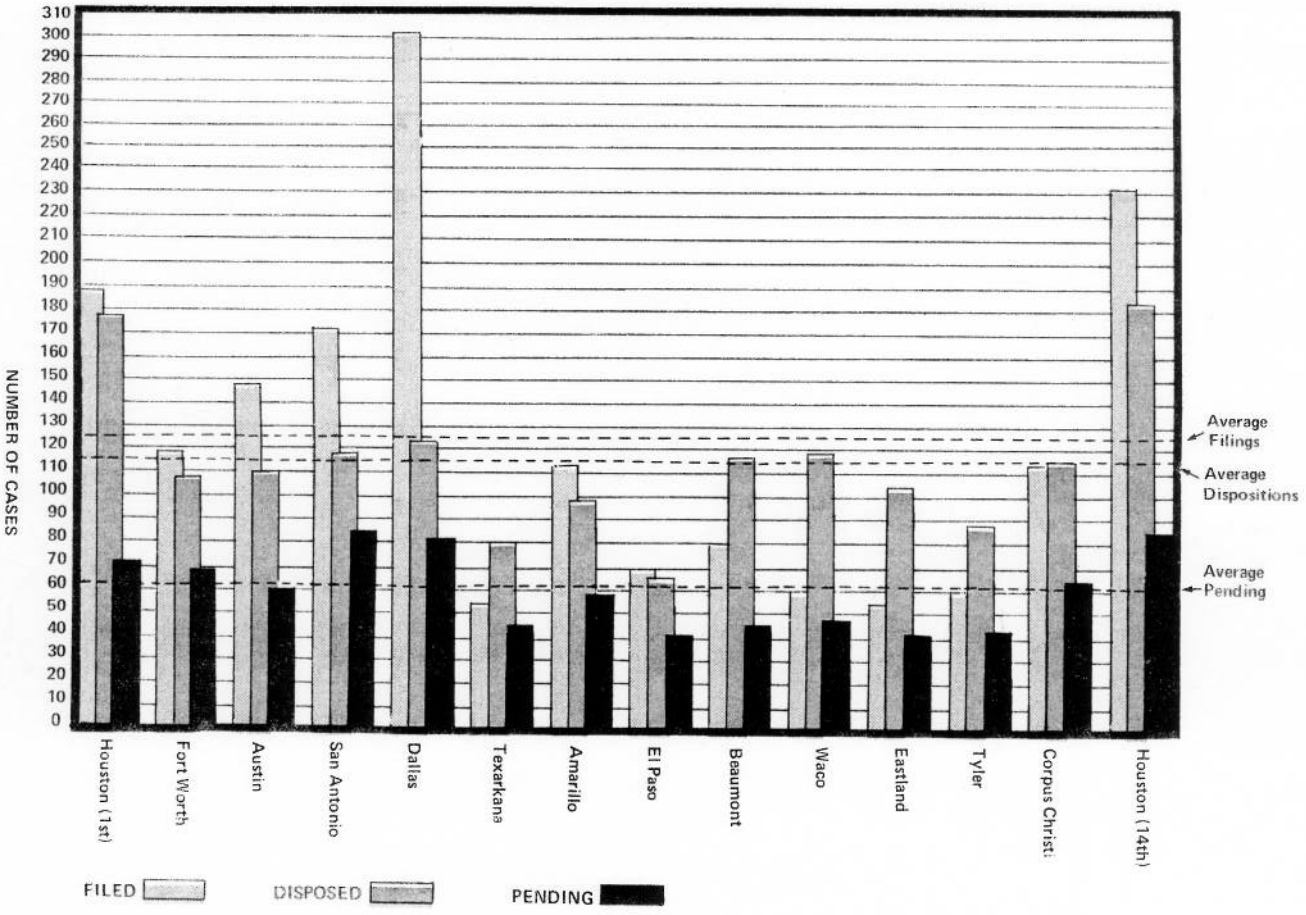


Figure 5. THE FOURTEEN COURTS OF CIVIL APPEALS
Cases filed, disposed and pending 1975



COURTS OF CIVIL APPEALS

STATISTICS 1975	FIRST AT HOUSTON	SECOND AT FORT WORTH	THIRD AT AUSTIN	FOURTH AT SAN ANTONIO	FIFTH AT DALLAS	SIXTH AT TEXARKANA	SEVENTH AT AMARILLO	EIGHTH AT EL PASO	NINTH AT BEAUMONT	TENTH AT WACO	ELEVENTH AT EASTLAND	TWELFTH AT TYLER	THIRTEENTH AT CORPUS CHRISTI	FOURTEENTH AT HOUSTON	TOTALS
1. Cases pending January 1	63	59	62	46	50	42	58	38	43	38	36	23	48	68	674
2. New cases filed	*189	119	148	172	301	54	113	70	80	60	54	*60	113	*231	1,764
3. Cases transferred from other courts	11	0	0	0	0	30	0	0	40	70	52	48	20	0	271
4. Cases transferred to other courts	20	0	40	16	146	1	15	0	0	2	0	0	0	31	271
5. Rehearings granted	7	0	0	0	0	1	1	1	0	1	4	0	0	1	16
6. Cases affirmed	79	57	62	41	32	31	50	30	56	74	47	39	66	85	749
7. Cases reformed and/or modified and affirmed	5	2	1	6	2	3	4	0	4	8	1	2	0	9	47
8. Cases affirmed in part and in part reversed and rendered	3	0	0	1	3	1	6	3	2	0	0	4	2	2	27
9. Cases affirmed in part and in part reversed and remanded	3	2	1	1	3	0	0	2	0	0	2	1	2	6	23
10. Cases reversed and remanded	23	10	13	17	22	16	13	15	21	16	21	13	13	18	231
11. Cases reversed and rendered	16	7	12	11	14	11	7	7	8	6	5	3	7	7	121
12. Cases dismissed:															
(a) with written opinion	0	3	1	14	3	16	3	4	3	13	3	18	20	1	102
(b) without written opinion	30	21	14	15	27	0	13	1	13	0	15	1	1	17	168
13. Cases otherwise disposed of:															
(a) with written opinion	12	6	5	10	12	2	3	4	8	1	8	4	4	26	105
(b) without written opinion	7	0	1	1	5	0	0	1	2	1	2	2	0	12	34
14. Total cases disposed of	178	108	110	117	123	80	99	67	117	119	104	88	115	183	1,608
15. Total cases decided:															
(a) including dismissals with written opinion	141	87	95	101	91	80	86	65	102	118	87	85	115	154	1,407
(b) excluding dismissals with written opinion	141	84	94	87	88	64	73	61	99	105	84	67	95	153	1,295
16. Cases pending December 31	72	70	60	85	82	46	58	42	46	48	42	44	66	86	847
On docket:															
(a) up to 6 months	67	48	41	76	80	40	46	33	46	48	41	37	61	67	731
(b) from 6 to 12 months	2	22	19	8	1	5	9	6	0	0	1	7	5	19	104
(c) over 12 months	3	0	0	1	1	1	3	3	0	0	0	0	0	0	12
Average time between dates of filing and disposition (months)	4.5	6	6	5.5	2.5	5.7	6.7	6.2	4	3.5	4.5	4.7	4.7	4.5	4.9

*Includes 1 case remanded by the Supreme Court

OPINIONS WRITTEN BY JUSTICES OF THE COURTS OF CIVIL APPEALS

1975

COURT AND JUSTICES	ORIGINAL OPINIONS OF THE COURT ON MERITS	CON-CURRING OPINIONS	DIS-SENTING OPINIONS	OPINIONS REFUSING REHEARING	OPINIONS GRANTING REHEARING	OPINIONS DIS-MISSING APPEAL	PER CURIAM	TOTAL PER JUSTICE	TOTAL PER COURT
FIRST									
T. Coleman	47	1	0	0	2	0		50)	
F. Evans	45	2	1	0	1	0		49)	143
P. Peden	42	0	0	0	2	0		44)	
SECOND									
F. Massey	27	1	0	0	0	1		29)	
H. Brewster	29	0	1	0	0	0		30)	85
J. Spurlock	25	1	0	0	0	0		26)	
THIRD									
J. Phillips	22	0	4	0	2	0		28)	
T. O'Quinn	29	0	1	0	0	0		30)	100
B. Shannon	37	2 ½	½	0	1	1		42)	
FOURTH							16		
C. Barrow	33	1	1	0	0	1		36)	
C. Cadena	26	2	2	0	0	1		31)	106
F. Klingeman	23	0	0	0	0	0		23)	
FIFTH									
C. Williams	31	2	1	2	0	1		37)	
T. Akin	23	0	1	0	0	2		26)	102
C. Guittard	31	0	1	7	0	0		39)	
SIXTH							2		
T. Chadick	22	0	0	1	1	3		27)	
B. Cornelius	20	1	0	1	0	6		28)	84
C. Ray	20	0	0	0	0	7		27)	
SEVENTH							6		
J. Ellis	22	0	1	1	0	1		25)	
C. Reynolds	28	0	1	0	1	0		30)	89
M. Robinson	27	1	0	0	0	0		28)	
EIGHTH							1		
S. Preslar	19	0	1	0	0	0		20)	
M. Osborn	26	0	1	0	0	2		29)	69
W. Ward	17	0	0	0	0	2		19)	
NINTH							2		
M. Dies	30	0	2	0	0	0		32)	
Q. Keith	38	4	3	0	0	2		47)	116
H. Stephenson	30	1	3	0	0	1		35)	
TENTH									
F. McDonald	40	0	0	0	0	5		45)	
V. Hall	39	0	2	½	½	7		49)	127
J. James	30	0	0	0	1	2		33)	
ELEVENTH							2		
A. McCloud	24	0	0	1	0	2		27)	
R. Brown	24	0	1	2	1	1		29)	89
E. Walter	31	0	0	1	0	0		32)	
TWELFTH							13		
O. Dunagan	17	0	0	0	1	6		24)	
C. McKay	24	0	0	0	1	1		26)	87
J. Moore	21	0	1	0	0	2		24)	
THIRTEENTH							20		
P. Nye	33	3	4	4	0	0		44)	
G. Bissett	30	0	0	3	0	0		33)	130
H. Young	32	0	0	0	0	1		33)	
FOURTEENTH							2		
B. Tunks	50	0	0	0	0	0		50)	
C. Brown	45	1	0	1	1	1		49)	157
E. Coulson	54	0	0	0	0	2		56)	
TOTALS	1,263	22 ½	33 ½	24 ½	15 ½	61	64		1,484

Courts of Civil Appeals—Continued

COURTS OF CIVIL APPEALS

CASES FILED

COURT AND LOCATION	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975
FIRST AT HOUSTON	263	228	161	154	139	153	181	187	170	189
SECOND AT FORT WORTH	88	107	94	83	110	98	97	100	115	119
THIRD AT AUSTIN	75	83	70	74	87	99	105	115	123	148
FOURTH AT SAN ANTONIO	89	102	91	85	103	90	112	115	114	172
FIFTH AT DALLAS	196	172	177	175	187	236	236	207	258	301
SIXTH AT TEXARKANA	46	38	43	31	39	47	62	54	48	54
SEVENTH AT AMARILLO	118	110	94	117	101	102	100	98	99	113
EIGHTH AT EL PASO	77	65	65	73	75	76	65	56	65	70
NINTH AT BEAUMONT	59	68	67	61	48	67	94	78	79	80
TENTH AT WACO	52	37	51	54	54	48	54	38	54	60
ELEVENTH AT EASTLAND	41	34	33	46	60	54	47	23	62	54
TWELFTH AT TYLER	61	58	41	46	54	52	53	40	47	60
THIRTEENTH AT CORPUS CHRISTI	92	91	86	51	72	94	75	76	107	113
FOURTEENTH AT HOUSTON		*6	60	103	99	112	116	145	161	231
TOTALS	1,257	1,199	1,133	1,153	1,228	1,328	1,397	1,332	1,502	1,764

*Created effective 9-1-1967