

COURTS OF APPEALS

Analysis of Activity for the Year Ending August 31, 1986

There are 14 Courts of Appeals in Texas which, since September 1, 1981, have heard intermediate appeals in both civil and criminal cases.

Courts of Appeals are located in Fort Worth, Austin, San Antonio, Dallas, Texarkana, Amarillo, El Paso, Beaumont, Waco, Eastland, Tyler, Corpus Christi, and Houston. Houston has two Courts of Appeals. Each court has jurisdiction over a geographical district.

Five of the courts have three justices each. The Dallas Court, with 13 justices, is the largest. There are 80 justices statewide.

Pending Caseloads Reduced Again

For the fourth consecutive year, the 14 Courts

of Appeals reduced their total pending caseloads during state fiscal year 1986, which ended August 31, 1986.

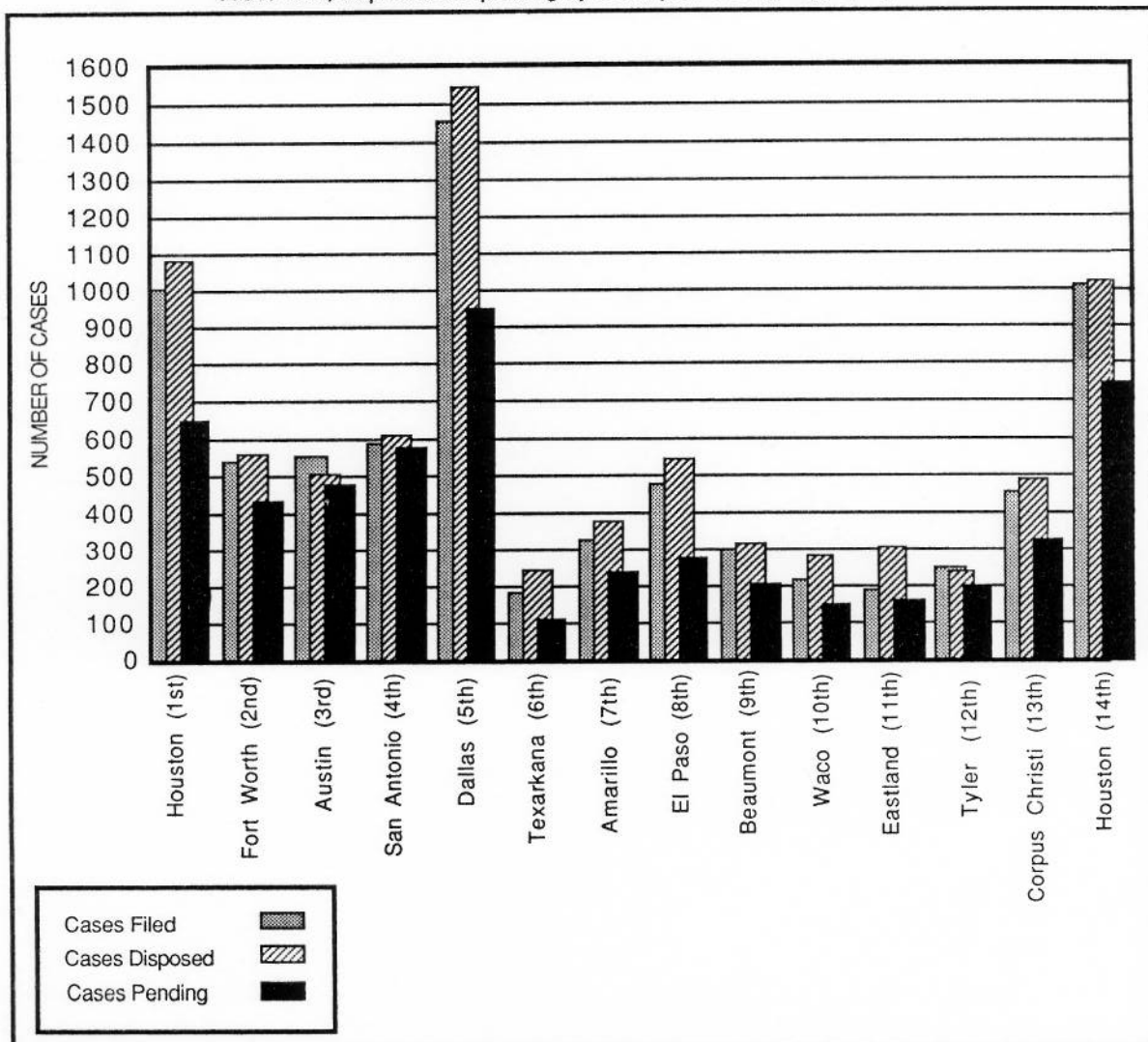
The Courts disposed of 8,161 total cases during the year, an average of 102 dispositions (56 criminal and 46 civil) per justice. These dispositions reduced the pending caseload from 5,684 at the beginning of the fiscal year to 5,355 at the end of the year.

From calendar year 1974 through 1982, the total pending caseload of the Courts of Appeals grew larger each year as more cases were added than the courts were able to dispose of. On December 31, 1982, there were 6,816 total cases pending in the Courts of Appeals.

Figure 4.

COURTS OF APPEALS

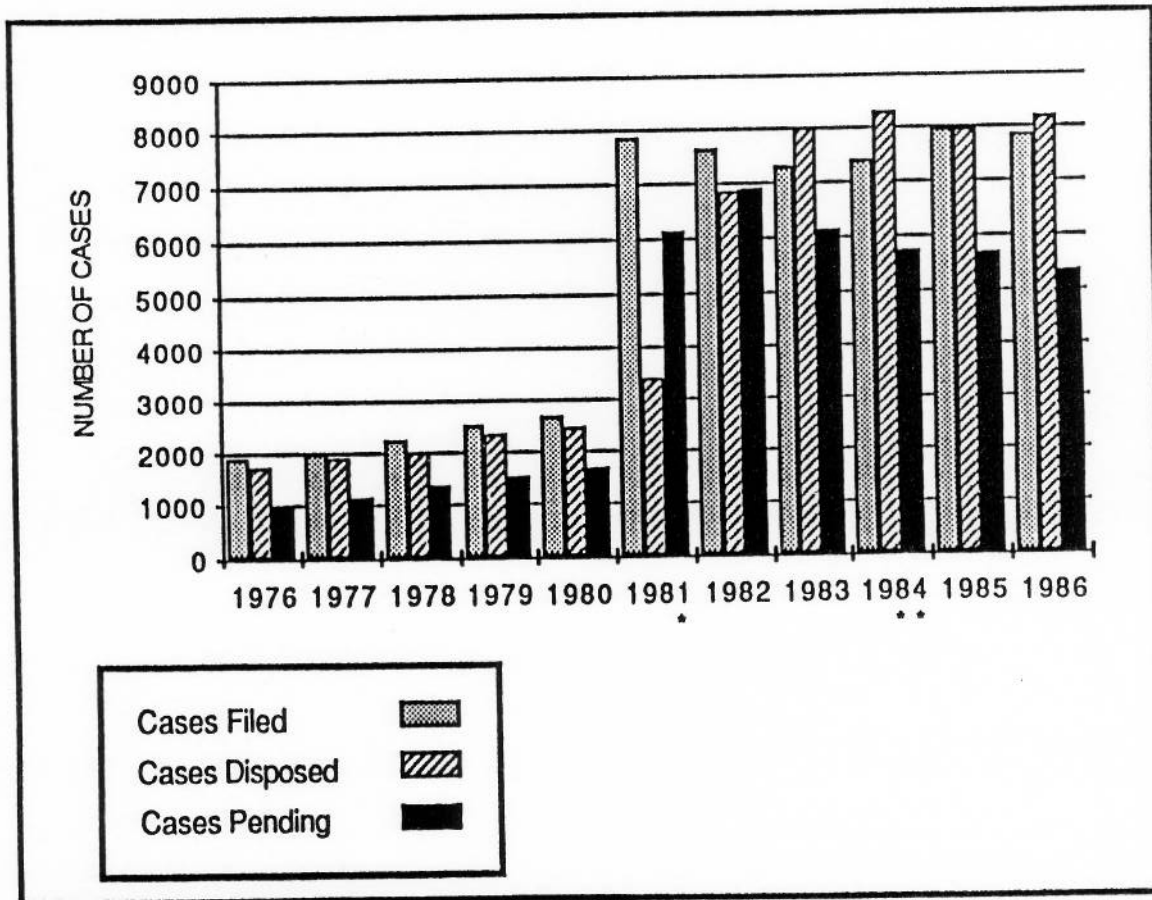
Cases filed, disposed and pending by court, year ending August 31, 1986



v
t
r
r
s
a
a
l
a
a
j
p
ju

**Figure 5.
COURTS OF APPEALS**

Cases filed, disposed and pending, calendar year 1976 through fiscal year 1986.



* Caseloads increased sharply in 1981 when Courts of Appeals acquired criminal jurisdiction.

** 1984 and following are fiscal years; all previous are calendar years.

The trend was broken in calendar year 1983 when a surge in criminal dispositions reduced the total pending caseload by year's end. In fiscal year 1984, both civil and criminal caseloads were reduced during the year.

In fiscal year 1985, the civil caseload was reduced and the criminal caseload increased slightly. In fiscal year 1986, both pending civil and criminal caseloads were again reduced.

The Courts of Appeals had 3,512 criminal cases and 2,172 civil cases pending as of September 1, 1985. On August 31, 1986, 3,488 criminal cases and 1,867 civil cases were pending. The state average for pending cases at year's end was 67 per justice. This compares to the 1982 high of 86 pending cases per justice.

The largest number of pending cases per justice (82.9) at the end of the fiscal year was

in the Fourteenth Court of Appeals in Houston. The lowest number per justice (34.3) was in the Sixth Court in Texarkana.

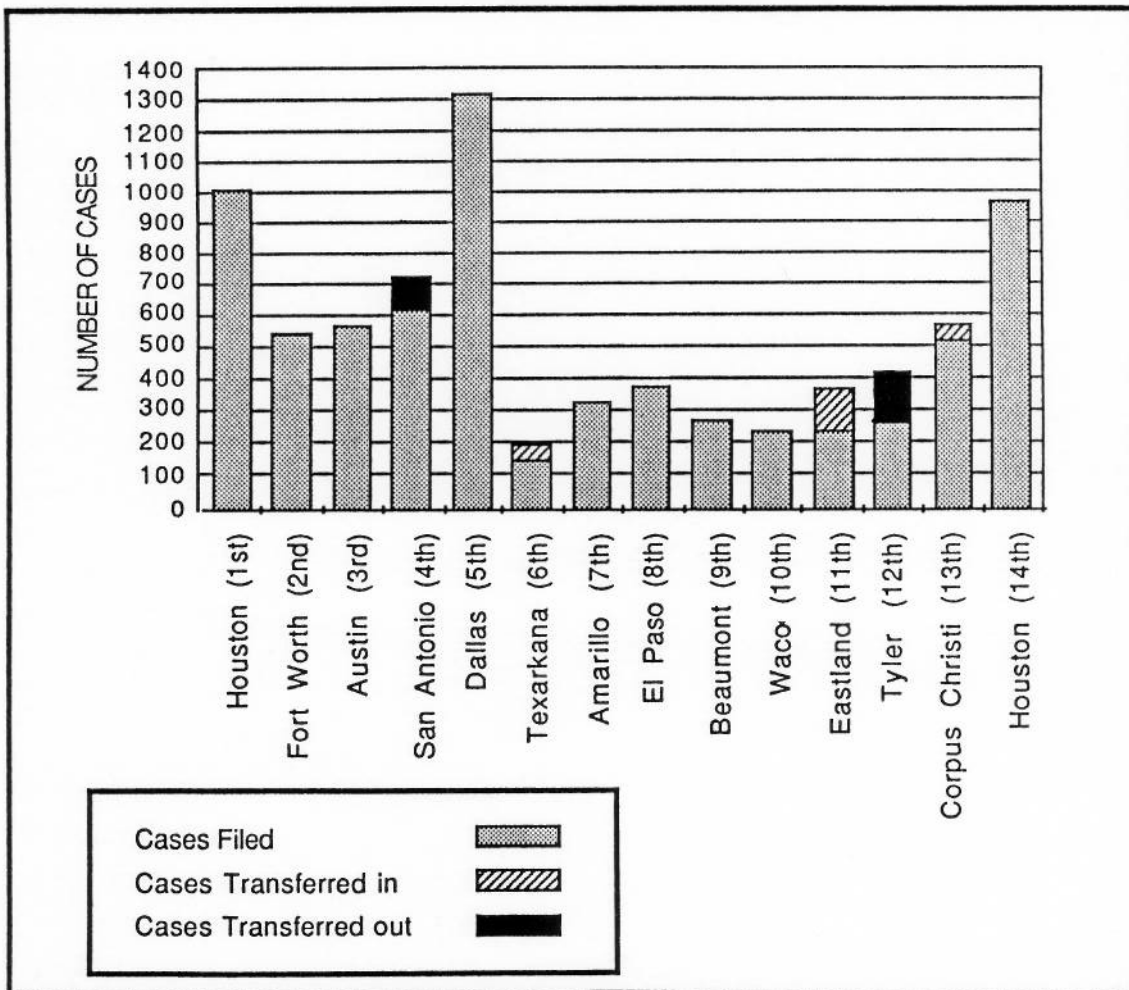
Filings Remain Virtually Constant

A total of 7,432 cases were filed in the Courts of Appeals during the fiscal year, which included 4,165 criminal cases and 3,267 civil cases. This was a decrease of 0.7 percent from the 7,484 total new cases filed in fiscal year 1985. New criminal cases decreased 0.5 percent from the 4,186 filed in fiscal year 1985 and civil cases decreased 0.9 percent from the 3,298 filed in fiscal year 1985.

Considering civil and criminal cases together, the First Court in Houston had the highest average number of new cases filed per justice (111.4) during fiscal year 1986. The other courts ranged

Figure 6.
COURTS OF APPEALS

Workloads and cases transferred, year ending August 31, 1986



down to 49.3 cases per justice filed in the Sixth Court in Texarkana. State average filings were 92.9 per justice.

Approximately 27 percent of all new cases filed in a Court of Appeals in Texas in fiscal year 1985 were filed in one of the two Courts located in Houston. Approximately 18 percent of all cases filed in the State were filed in the Dallas Court of Appeals.

Civil Dispositions Increase

In fiscal year 1986, there were 3,684 civil dispositions by the Courts of Appeal, an increase of 7 percent over 3,453 civil dispositions in fiscal year 1985.

At the end of fiscal year 1986, 1,867 civil cases were pending on the dockets of the Courts of

Appeals, 14 percent fewer than the 2,172 pending on September 1, 1985. Of those civil cases pending on August 31, 1986, 56 percent had been on the docket less than 6 months, 34 percent from 6 to 12 months, and 10 percent for more than 12 months.

The average lapse of time between the filing of a civil case in a Court of Appeals and its disposition ranged from 5.0 months in the Tenth Court of Waco to 11.5 months in the Amarillo Court. The average lapse of time for civil cases statewide was 7.9 months.

A case is "submitted" when the court hears oral argument or when it is referred to the justices for formal consideration if no oral argument is heard. The average lapse of time from the submission of a civil case to the court and its disposition ranged from 1.0 month in the First

Court of Houston to 3.2 months in the San Antonio Court. The average lapse of time for cases statewide was 2.2 months.

Criminal dispositions decreased slightly (1.1 percent) from 4,528 dispositions in fiscal year 1985 to 4,477 dispositions in fiscal year 1986.

Of the 3,488 criminal cases pending in the Courts of Appeals at the end of fiscal year 1986, 50 percent had been on the docket less than 6 months, 37 percent from 6 to 12 months, and 13 percent more than 12 months.

The average lapse of time between the filing of a criminal case in a Court of Appeals and its disposition ranged from 6.0 months in the Eastland Court to 11.8 months in the San Antonio Court. The average lapse of time for cases statewide was 8.6 months.

The average lapse of time between submission of a criminal appeal and its disposition ranged from 0.3 of a month in the Beaumont Court to 2.6 months in the San Antonio Court. The average lapse of time for cases statewide was 1.3 months.

The First Court of Appeals in Houston disposed of the largest total number of cases per justice (121.2) during fiscal year 1986. The lowest number per justice (80.6) was in the Second Court at Fort Worth. State average dispositions were 102.0 per justice.

In fiscal year 1986, the Courts of Appeals wrote 7,741 opinions, 3.0 percent more than the 7,522 written in 1985.

The Courts of Appeals reversed, at least in part, the decision of the trial court in 13 percent of the cases disposed of during fiscal year 1986, compared to 12.6 percent in fiscal year 1985.

While the 14 Courts of Appeals operate to a large extent as autonomous courts in specific geographic districts, some equalization of the dockets occurs by transfer of cases among the courts on order of the Supreme Court, pursuant to statutory authority. The Supreme Court transferred 140 civil cases and 121 criminal cases in fiscal year 1986, compared with 167 civil cases and 187 criminal cases transferred in fiscal year 1985.



COURTS OF APPEALS

Total of Reported Activity for Year Ending August 31, 1986

CRIMINAL & CIVIL CASES

| | TOTALS | AVERAGES PER JUSTICE* |
|---|--------|--------------------------|
| <u>CASES PENDING SEPTEMBER 1, 1985.</u> | 5,684 | 71 |
| <u>CASES ADDED DURING YEAR ENDING AUGUST 31, 1986:</u> | | |
| New Cases Filed | 7,432 | 93 |
| Other Cases Added | 400 | 5 |
| TOTAL CASES ADDED DURING YEAR. | 7,832 | 98 |
| <u>CASES DISPOSED OF DURING YEAR:</u> | | |
| Cases affirmed. | 4,284 | |
| Cases modified and/or reformed and affirmed . . | 156 | |
| Cases affirmed in part and in part reversed and remanded | 83 | |
| Cases affirmed in part and in part reversed and rendered | 44 | |
| Cases reversed and remanded | 773 | |
| Cases reversed and rendered | 161 | |
| Cases dismissed | 1,548 | |
| Cases otherwise disposed | 1,097 | |
| Cases consolidated into other cases | 15 | |
| TOTAL DISPOSITIONS DURING YEAR | 8,161 | 102 |
| <u>CASES PENDING AUGUST 31, 1986:</u> | | |
| Civil cases pending | 1,867 | 23 |
| Criminal cases pending. | 3,488 | 44 |
| TOTAL CASES PENDING | 5,355 | 67 |
| <u>OPINIONS WRITTEN DURING YEAR</u> | 7,821 | 98 |

* Averages based on 80 justices

COURTS OF APPEALS

Activity for the Year Ending August 31, 1986

| | HOUSTON-1ST 9 JUSTICES | | FORT WORTH-2ND 7 JUSTICES | | AUSTIN-3RD 6 JUSTICES | | SAN ANTONIO-4TH 7 JUSTICES | | DALLAS-5TH 13 JUSTICES | | | | | | |
|--|---------------------------|-------------|------------------------------|------------|--------------------------|------------|-------------------------------|------------|---------------------------|------------|------------|-------------|------------|-------------|-------------|
| | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | | | | | |
| Cases pending September 1, 1985 | 228 | 465 | 693 | 166 | 252 | 418 | 179 | 289 | 468 | 292 | 293 | 585 | 324 | 627 | 951 |
| New cases filed during year ending August 31, 1986 | 411 | 592 | 1003 | 268 | 275 | 543 | 248 | 326 | 574 | 344 | 280 | 624 | 558 | 757 | 1315 |
| Cases transferred in | 0 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 |
| Cases transferred out | -1 | 0 | -1 | 0 | 0 | 0 | 0 | -2 | -2 | -70 | -27 | -97 | 0 | 0 | 0 |
| Rehearings granted | 2 | 2 | 4 | 11 | 4 | 15 | 2 | 3 | 5 | 7 | 2 | 9 | 6 | 2 | 8 |
| Cases reinstated | 2 | 39 | 41 | 7 | 4 | 11 | 1 | 5 | 6 | 9 | 42 | 51 | 6 | 24 | 30 |
| Cases remanded from higher courts | 0 | 6 | 6 | 2 | 7 | 9 | 1 | 3 | 4 | 0 | 0 | 0 | 2 | 17 | 19 |
| TOTAL CASES ON DOCKET | 642 | 1107 | 1749 | 454 | 542 | 996 | 431 | 624 | 1055 | 583 | 590 | 1173 | 896 | 1428 | 2324 |
| Cases affirmed | 148 | 407 | 555 | 114 | 217 | 331 | 101 | 238 | 339 | 106 | 186 | 292 | 191 | 549 | 740 |
| Cases modified and/or reformed and affirmed | 6 | 11 | 17 | 3 | 3 | 6 | 9 | 14 | 23 | 9 | 5 | 14 | 9 | 10 | 19 |
| Cases affirmed in part and in part reversed and remanded | 7 | 0 | 7 | 3 | 0 | 3 | 3 | 2 | 5 | 5 | 0 | 5 | 8 | 3 | 11 |
| Cases affirmed in part and in part reversed and remanded | 3 | 0 | 3 | 2 | 0 | 2 | 3 | 0 | 3 | 5 | 0 | 5 | 5 | 0 | 5 |
| Cases reversed and remanded | 61 | 29 | 90 | 28 | 20 | 48 | 33 | 24 | 57 | 45 | 20 | 65 | 76 | 51 | 127 |
| Cases reversed and rendered | 12 | 3 | 15 | 6 | 1 | 7 | 11 | 0 | 11 | 17 | 0 | 17 | 20 | 1 | 21 |
| Cases dismissed | 102 | 74 | 176 | 61 | 48 | 109 | 76 | 57 | 133 | 110 | 54 | 164 | 151 | 70 | 221 |
| Cases otherwise disposed | 107 | 120 | 227 | 45 | 12 | 57 | 21 | 15 | 36 | 83 | 43 | 126 | 150 | 111 | 261 |
| Cases consolidated into other cases | 1 | 0 | 1 | 1 | 0 | 1 | 5 | 0 | 5 | 2 | 0 | 2 | 0 | 0 | 0 |
| TOTAL CASES DISPOSED | 447 | 644 | 1091 | 263 | 301 | 564 | 262 | 350 | 612 | 382 | 308 | 690 | 610 | 795 | 1405 |
| Cases pending August 31, 1986: | | | | | | | | | | | | | | | |
| Pending up to 6 months | 108 | 278 | 396 | 99 | 150 | 249 | 97 | 128 | 225 | 105 | 102 | 207 | 186 | 386 | 572 |
| Pending from 6 to 12 months | 71 | 136 | 207 | 77 | 67 | 144 | 61 | 103 | 164 | 69 | 128 | 197 | 95 | 228 | 323 |
| Pending over 12 months | 16 | 49 | 65 | 15 | 24 | 39 | 11 | 43 | 54 | 27 | 52 | 79 | 5 | 19 | 24 |
| TOTAL CASES PENDING AUGUST 31, 1986 | 195 | 463 | 658 | 191 | 241 | 432 | 169 | 274 | 443 | 201 | 282 | 483 | 286 | 633 | 919 |
| Average time between date of filing and disposition (months) | 5.3 | 8.3 | 6.8 | 5.6 | 7.2 | 6.4 | 9.1 | 7.2 | 8.2 | 10.2 | 11.8 | 11.0 | 8.5 | 9.3 | 8.9 |
| Avg time between date of submission and disposition (months) | 1.0 | 0.7 | 0.9 | 1.8 | 1.5 | 1.7 | 2.5 | 1.9 | 2.2 | 3.2 | 2.6 | 2.9 | 2.1 | 1.3 | 1.7 |

COURTS OF APPEALS

Activity for the Year Ending August 31, 1986

(Continued)

| | TEXARKANA-6TH (3 JUSTICES) | | AMARILLO-7TH (4 JUSTICES) | | EL PASO-8TH (4 JUSTICES) | | BEAUMONT-9TH (3 JUSTICES) | | WACO-10TH (3 JUSTICES) | | | | | | |
|---|-------------------------------|------------|------------------------------|------------|-----------------------------|------------|------------------------------|------------|---------------------------|------------|------------|------------|------------|------------|------------|
| | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | CIVIL | CRIM TOTAL | | | | | |
| Cases pending September 1, 1985 | 68 | 98 | 120 | 152 | 272 | 63 | 168 | 231 | 123 | 114 | 237 | 54 | 112 | 166 | |
| New cases filed during year ending August 31, 1986. | 62 | 86 | 148 | 145 | 180 | 325 | 157 | 229 | 386 | 145 | 127 | 272 | 99 | 141 | 240 |
| Cases transferred in. | 32 | 16 | 48 | 0 | 0 | 0 | 1 | 4 | 5 | 0 | 0 | 0 | 0 | 1 | 1 |
| Cases transferred out | 0 | -1 | -1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rehearings granted. | 2 | 1 | 3 | 3 | 3 | 6 | 1 | 0 | 1 | 3 | 0 | 3 | 6 | 0 | 6 |
| Cases reinstated. | 1 | 1 | 2 | 1 | 6 | 7 | 0 | 2 | 2 | 1 | 1 | 2 | 1 | 1 | 2 |
| Cases remanded from higher courts | 2 | 2 | 4 | 0 | 2 | 2 | 1 | 4 | 5 | 0 | 7 | 7 | 0 | 4 | 4 |
| TOTAL CASES ON DOCKET | 167 | 203 | 370 | 269 | 343 | 612 | 223 | 407 | 630 | 272 | 249 | 521 | 160 | 259 | 419 |
| Cases affirmed. | 62 | 102 | 164 | 70 | 147 | 217 | 45 | 111 | 156 | 56 | 115 | 171 | 50 | 114 | 164 |
| Cases modified and/or reformed and affirmed. | 5 | 2 | 7 | 2 | 3 | 5 | 1 | 4 | 5 | 6 | 1 | 7 | 7 | 4 | 11 |
| Cases affirmed in part and in part reversed and remanded. | 3 | 1 | 4 | 4 | 0 | 4 | 2 | 0 | 2 | 9 | 0 | 9 | 0 | 1 | 1 |
| Cases affirmed in part and in part reversed and rendered. | 0 | 0 | 0 | 1 | 0 | 1 | 4 | 0 | 4 | 2 | 0 | 2 | 0 | 0 | 0 |
| Cases reversed and remanded | 23 | 8 | 31 | 16 | 7 | 23 | 14 | 27 | 41 | 33 | 9 | 42 | 17 | 4 | 21 |
| Cases reversed and rendered | 4 | 0 | 4 | 7 | 1 | 8 | 10 | 2 | 12 | 7 | 0 | 7 | 1 | 2 | 3 |
| Cases dismissed | 21 | 19 | 40 | 32 | 41 | 73 | 41 | 64 | 105 | 37 | 15 | 52 | 20 | 24 | 44 |
| Cases otherwise disposed | 14 | 3 | 17 | 29 | 16 | 45 | 15 | 8 | 23 | 27 | 2 | 29 | 13 | 2 | 15 |
| Cases consolidated into other cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 3 |
| TOTAL CASES DISPOSED. | 132 | 135 | 267 | 161 | 215 | 376 | 132 | 216 | 348 | 177 | 142 | 319 | 111 | 151 | 262 |
| Cases pending August 31, 1986: | | | | | | | | | | | | | | | |
| Pending up to 6 months. | 26 | 31 | 57 | 44 | 61 | 105 | 62 | 114 | 176 | 47 | 69 | 116 | 33 | 64 | 97 |
| Pending from 6 to 12 months | 5 | 31 | 36 | 40 | 50 | 90 | 25 | 56 | 81 | 37 | 30 | 67 | 15 | 31 | 46 |
| Pending over 12 months. | 4 | 6 | 10 | 24 | 17 | 41 | 4 | 21 | 25 | 11 | 8 | 19 | 1 | 13 | 14 |
| TOTAL CASES PENDING AUGUST 31, 1986 | 35 | 68 | 103 | 108 | 128 | 236 | 91 | 191 | 282 | 95 | 107 | 202 | 49 | 108 | 157 |
| Average time between date of filing and disposition (months). | 7.3 | 8.7 | 8.0 | 11.5 | 9.2 | 10.4 | 8.3 | 9.0 | 8.7 | 10.1 | 8.4 | 9.3 | 5.0 | 8.6 | 6.8 |
| Avg time between date of submission and disposition (months). | 3.0 | 1.5 | 2.3 | 2.0 | 1.1 | 1.6 | 2.3 | 1.2 | 1.8 | 2.4 | 0.3 | 1.4 | 1.1 | 1.3 | 1.2 |

COURTS OF APPEALS

Activity for the Year Ending August 31, 1986

(Continued)

| | EASTLAND-11TH (3 JUSTICES) | | TYLER-12TH (3 JUSTICES) | | CORPUS CHRISTI-13TH (6 JUSTICES) | | HOUSTON-14TH (9 JUSTICES) | | GRAND TOTALS | | | | | |
|--|-------------------------------|------|----------------------------|------|-------------------------------------|------|------------------------------|------|--------------|------|------|------|------|-------|
| | CIVIL | CRIM | CIVIL | CRIM | CIVIL | CRIM | CIVIL | CRIM | CIVIL | CRIM | | | | |
| Cases pending September 1, 1985 | 26 | 73 | 165 | 174 | 339 | 174 | 211 | 385 | 190 | 484 | 674 | 2172 | 3512 | 5684 |
| New cases filed during year ending August 31, 1986 | 85 | 136 | 127 | 150 | 277 | 239 | 290 | 529 | 379 | 596 | 975 | 3267 | 4165 | 7432 |
| Cases transferred in | 67 | 84 | 0 | 0 | 0 | 38 | 12 | 50 | 1 | 0 | 1 | 140 | 121 | 261 |
| Cases transferred out | -1 | -4 | -67 | -84 | -151 | -1 | 0 | -1 | 0 | -3 | -3 | -140 | -121 | -261 |
| Rehearings granted | 0 | 1 | 1 | 2 | 3 | 3 | 4 | 7 | 8 | 13 | 21 | 55 | 37 | 92 |
| Cases reinstated | 8 | 2 | 2 | 0 | 2 | 4 | 10 | 14 | 1 | 45 | 46 | 44 | 182 | 226 |
| Cases remanded from higher courts | 2 | 5 | 0 | 3 | 3 | 2 | 4 | 6 | 1 | 5 | 6 | 13 | 69 | 82 |
| TOTAL CASES ON DOCKET | 187 | 297 | 228 | 245 | 473 | 459 | 531 | 990 | 580 | 1140 | 1720 | 5551 | 7965 | 13516 |
| Cases affirmed | 55 | 121 | 63 | 84 | 147 | 121 | 205 | 326 | 127 | 379 | 506 | 1309 | 2975 | 4284 |
| Cases modified and/or reformed and affirmed | 4 | 5 | 0 | 1 | 1 | 13 | 9 | 22 | 2 | 8 | 10 | 76 | 80 | 156 |
| Cases affirmed in part and in part reversed and remanded | 3 | 0 | 7 | 0 | 7 | 8 | 1 | 9 | 12 | 1 | 13 | 74 | 9 | 83 |
| Cases affirmed in part and in part reversed and rendered | 5 | 0 | 2 | 0 | 2 | 10 | 0 | 10 | 2 | 0 | 2 | 44 | 0 | 44 |
| Cases reversed and remanded | 12 | 11 | 22 | 9 | 31 | 60 | 26 | 86 | 44 | 44 | 88 | 484 | 289 | 773 |
| Cases reversed and rendered | 7 | 2 | 8 | 0 | 8 | 25 | 1 | 26 | 13 | 0 | 13 | 148 | 13 | 161 |
| Cases dismissed | 36 | 32 | 35 | 22 | 57 | 63 | 62 | 125 | 107 | 74 | 181 | 892 | 656 | 1548 |
| Cases otherwise disposed | 16 | 7 | 12 | 7 | 19 | 36 | 24 | 60 | 77 | 82 | 159 | 645 | 452 | 1097 |
| Cases consolidated into other cases | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 2 | 2 | 12 | 3 | 15 |
| TOTAL CASES DISPOSED | 138 | 178 | 149 | 123 | 272 | 336 | 329 | 665 | 384 | 590 | 974 | 3684 | 4477 | 8161 |
| Cases pending August 31, 1986 | 41 | 84 | 18 | 26 | 44 | 73 | 102 | 175 | 107 | 175 | 282 | 1046 | 1770 | 2816 |
| Pending up to 6 months | 4 | 35 | 34 | 57 | 91 | 45 | 89 | 134 | 55 | 237 | 292 | 633 | 1278 | 1911 |
| Pending from 6 to 12 months | 4 | 0 | 27 | 39 | 66 | 5 | 11 | 16 | 34 | 138 | 172 | 188 | 440 | 628 |
| Pending over 12 months | 4 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL CASES PENDING AUGUST 31, 1986 | 49 | 119 | 79 | 122 | 201 | 123 | 202 | 325 | 196 | 550 | 746 | 1867 | 3488 | 5355 |
| Average time between date of filing and disposition (months) | 5.5 | 6.0 | 11.3 | 10.5 | 10.9 | 7.0 | 7.5 | 7.3 | 5.5 | 9.1 | 7.3 | 7.9 | 8.6 | 8.3 |
| Avg time between date of submission and disposition (months) | 1.2 | 0.7 | 2.8 | 1.5 | 2.2 | 3.0 | 2.5 | 2.7 | 1.7 | 0.9 | 1.3 | 2.2 | 1.3 | 1.8 |

COURTS OF APPEALS

Activity for the Year Ending August 31, 1986 (Continued)

CASES IN WHICH OPINIONS WERE WRITTEN BY JUSTICES OF THE COURTS OF APPEALS

| COURT AND JUSTICES | Original Opinions On Merits | Concurring Opinions | Dissenting Opinions | Opinions Refusing Rehearing | Opinions Granting Rehearing | Opinions Dismissing Appeals | Other Opinions | **Per Curiam Opinions | TOTAL PER JUSTICE | TOTAL PER COURT |
|----------------------------|-----------------------------|---------------------|---------------------|-----------------------------|-----------------------------|-----------------------------|----------------|-----------------------|-------------------|-----------------|
| FIRST, HOUSTON | | | | | | | | | | |
| Frank G. Evans | 74 | 0 | 4 | 2 | 0 | 3 | 0 | 33 | 116 | |
| James F. Warren | 79 | 1 | 0 | 1 | 0 | 4 | 0 | 33 | 118 | |
| Jackson B. (Jack) Smith | 72 | 2 | 1 | 3 | 0 | 3 | 0 | 33 | 114 | |
| Sam Bass | 84 | 0 | 1 | 0 | 0 | 4 | 0 | 33 | 122 | |
| Lee Dugden, Jr. | 69 | 0 | 0 | 0 | 0 | 1 | 0 | 32 | 102 | |
| Murray B. Cohen | 76 | 3 | 1 | 1 | 0 | 1 | 0 | 32 | 114 | |
| Ben G. Levy | 72 | 4 | 6 | 1 | 0 | 3 | 0 | 32 | 118 | |
| Ken Hoyt | 52 | 0 | 5 | 2 | 0 | 0 | 0 | 32 | 121 | |
| D. Camille Dunn | 79 | 0 | 5 | 1 | 0 | 4 | 0 | 32 | 121 | |
| Assigned Justices | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17 | 1,063 |
| SECOND, FORT WORTH | | | | | | | | | | |
| Howard M. Fender | 57 | 0 | 4 | 0 | 4 | 0 | 3 | 4 | 72 | |
| Walter E. Jordan | 16 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 19 | |
| Clyde R. Ashworth | 78 | 2 | 5 | 0 | 1 | 1 | 0 | 3 | 90 | |
| William E. Burdock | 43 | 2 | 1 | 1 | 2 | 0 | 1 | 5 | 53 | |
| Joe Spurlock II | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 40 | |
| John Hill | 48 | 0 | 1 | 2 | 1 | 1 | 3 | 5 | 61 | |
| Harry Hopkins | 4 | 0 | 0 | 1 | 3 | 1 | 2 | 3 | 57 | |
| David Keitner | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| David Ferris | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | |
| Assigned Justices | 48 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 51 | 451 |
| THIRD, AUSTIN | | | | | | | | | | |
| Bob Shannon | 51 | 1 | 0 | 1 | 0 | 0 | 2 | 56 | 111 | |
| John Powers | 40 | 1 | 0 | 2 | 0 | 0 | 3 | 53 | 99 | |
| Earl W. Smith | 36 | 1 | 1 | 0 | 0 | 1 | 2 | 53 | 94 | |
| Jim Brady | 29 | 2 | 6 | 1 | 1 | 2 | 2 | 55 | 98 | |
| Robert A. (Bob) Gammage | 27 | 2 | 1 | 2 | 0 | 0 | 2 | 54 | 88 | |
| James L. Carroll | 28 | 1 | 1 | 1 | 1 | 0 | 2 | 56 | 89 | |
| Assigned Justices | 4 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 5 | 584 |
| FOURTH, SAN ANTONIO | | | | | | | | | | |
| Carlos C. Cadena | 30 | 17 | 7 | 1 | 0 | 0 | 1 | 46 | 102 | |
| Rudy Esquivel | 1 | 1 | 2 | 0 | 3 | 0 | 1 | 39 | 83 | |
| Shirley W. Butts | 51 | 4 | 1 | 1 | 0 | 0 | 1 | 21 | 90 | |
| Antonio G. Cantu | 68 | 6 | 7 | 0 | 0 | 3 | 0 | 28 | 112 | |
| Blair Reeves | 57 | 2 | 2 | 1 | 1 | 2 | 1 | 42 | 108 | |
| Pete Tijerina | 63 | 0 | 6 | 1 | 1 | 0 | 1 | 26 | 100 | |
| Preston H. Dial, Jr. | 53 | 0 | 6 | 0 | 0 | 0 | 1 | 38 | 98 | |
| Assigned Justices | 31 | 0 | 0 | 2 | 1 | 2 | 1 | 1 | 38 | 731 |
| FIFTH, DALLAS | | | | | | | | | | |
| Clarence A. Gulttard | 32 | 0 | 0 | 1 | 0 | 2 | 8 | 23 | 66 | |
| Ted W. Akin | 75 | 3 | 2 | 3 | 1 | 0 | 1 | 16 | 101 | |
| Bill J. Stephens | 69 | 2 | 2 | 3 | 0 | 0 | 0 | 12 | 88 | |
| Jon Sparling | 16 | 7 | 0 | 0 | 0 | 0 | 0 | 5 | 21 | |
| John C. Vance | 70 | 0 | 0 | 1 | 0 | 0 | 0 | 9 | 79 | |
| James K. Allen | 18 | 0 | 0 | 0 | 2 | 36 | 0 | 9 | 77 | |
| Warren Whitam | 58 | 10 | 0 | 1 | 2 | 0 | 0 | 19 | 123 | |
| Patrick C. Guillot | 57 | 1 | 1 | 1 | 0 | 0 | 0 | 19 | 79 | |
| James B. Zimmerman | 16 | 0 | 1 | 0 | 0 | 0 | 0 | 6 | 23 | |
| Annette Stewart | 29 | 0 | 0 | 0 | 1 | 0 | 0 | 14 | 45 | |
| Bob Maloney | 31 | 0 | 1 | 0 | 0 | 0 | 0 | 4 | 35 | |
| Joseph A. Devany | 55 | 1 | 2 | 2 | 2 | 0 | 1 | 19 | 82 | |
| Charles Ben Howell | 67 | 25 | 18 | 0 | 0 | 0 | 0 | 3 | 113 | |
| Pet McClung | 52 | 0 | 2 | 2 | 0 | 0 | 0 | 29 | 85 | |
| John L. McCraw, Jr. | 32 | 2 | 2 | 2 | 0 | 1 | 1 | 6 | 45 | |
| Re. T. Scates | 24 | 0 | 2 | 0 | 0 | 0 | 0 | 10 | 36 | |
| Cynthia Hollingsworth | 19 | 0 | 0 | 0 | 0 | 0 | 3 | 13 | 36 | |
| Assigned Justices | 23 | 1 | 2 | 1 | 1 | 0 | 0 | 5 | 33 | 1,126 |

SIXTH, TEXARKANA

| | | | | | | | | | |
|-----|----------------------|---|---|---|---|---|----|----|-----|
| 57 | William J. Cornelius | 0 | 1 | 4 | 0 | 6 | 16 | 16 | 100 |
| 57 | Charles Blell | 2 | 0 | 2 | 0 | 7 | 0 | 14 | 82 |
| 71 | Ben Z. Grant | 2 | 0 | 5 | 2 | 9 | 7 | 13 | 110 |
| 2 | Assigned Justices | 0 | 0 | 2 | 0 | 1 | 0 | 10 | 15 |
| 307 | | | | | | | | | |

SEVENTH, MARILLO

| | | | | | | | | | |
|-----|---------------------|---|---|---|---|---|---|----|-----|
| 59 | Charles L. Reynolds | 0 | 0 | 1 | 0 | 2 | 0 | 72 | 134 |
| 50 | Carlton B. Dodson | 2 | 0 | 6 | 0 | 7 | 0 | 21 | 80 |
| 51 | Richard Boyd | 3 | 1 | 0 | 0 | 0 | 2 | 28 | 88 |
| 81 | James T. Boyd | 0 | 2 | 5 | 2 | 1 | 0 | 20 | 111 |
| 1 | Assigned Justices | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 414 | | | | | | | | | |

EIGHTH, EL PASO

| | | | | | | | | | |
|-----|------------------------|---|---|---|---|---|---|----|----|
| 46 | 11 Stephen F. Preslar | 0 | 2 | 0 | 0 | 4 | 0 | 9 | 61 |
| 12 | William E. Nerd | 0 | 0 | 0 | 0 | 1 | 0 | 4 | 31 |
| 26 | Max N. Osborn | 0 | 0 | 0 | 0 | 1 | 0 | 79 | 79 |
| 64 | Charles R. Schulte | 0 | 0 | 0 | 0 | 1 | 1 | 9 | 78 |
| 68 | Albert Almandariz, Sr. | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 7 |
| 5 | Lawrence L. Fuller | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 6 |
| 4 | Assigned Justices | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 262 | | | | | | | | | |

NINTH, BEAUMONT

| | | | | | | | | | |
|-----|------------------|---|----|---|---|---|----|----|-----|
| 39 | Martin Dies, Jr. | 2 | 1 | 0 | 0 | 2 | 5 | 34 | 83 |
| 60 | Jack Brookshire | 1 | 3 | 2 | 1 | 1 | 9 | 32 | 109 |
| 101 | Don Burgess | 9 | 11 | 1 | 0 | 1 | 11 | 35 | 169 |
| 361 | | | | | | | | | |

TENTH, WACO

| | | | | | | | | | |
|-----|-------------------|---|---|---|---|----|---|---|----|
| 76 | Frank G. McDonald | 0 | 0 | 2 | 1 | 14 | 2 | 1 | 96 |
| 37 | Vic Hill | 0 | 0 | 1 | 1 | 13 | 2 | 0 | 74 |
| 46 | Bob L. Thomas | 2 | 4 | 3 | 2 | 12 | 0 | 0 | 70 |
| 19 | Assigned Justices | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 20 |
| 260 | | | | | | | | | |

ELEVENTH, EASTLAND

| | | | | | | | | | |
|-----|----------------|---|---|---|---|---|---|----|----|
| 69 | Austin McCloud | 0 | 0 | 1 | 0 | 1 | 1 | 21 | 93 |
| 77 | Raleigh Brown | 0 | 1 | 2 | 0 | 0 | 0 | 19 | 99 |
| 56 | Bob Dickenson | 0 | 2 | 0 | 0 | 1 | 1 | 29 | 89 |
| 281 | | | | | | | | | |

TWELFTH, TYLER

| | | | | | | | | | |
|-----|------------------------|---|---|---|---|---|---|----|-----|
| 51 | J. W. Summers | 0 | 0 | 1 | 1 | 0 | 0 | 40 | 93 |
| 58 | Paul S. Colley | 1 | 0 | 2 | 0 | 1 | 0 | 38 | 100 |
| 37 | J. W. (Bill) Bass, Jr. | 0 | 0 | 1 | 0 | 1 | 2 | 38 | 79 |
| 272 | | | | | | | | | |

THIRTEENTH, CORPUS CHRISTI

| | | | | | | | | | |
|-----|-------------------------------|---|---|---|---|---|---|----|-----|
| 91 | Paul W. Nye | 6 | 5 | 6 | 0 | 0 | 2 | 23 | 133 |
| 75 | Norman L. Utter | 1 | 1 | 1 | 2 | 2 | 2 | 23 | 107 |
| 78 | Noah Kennedy | 0 | 2 | 0 | 0 | 3 | 0 | 25 | 108 |
| 89 | Robert J. Seerden | 0 | 3 | 5 | 1 | 0 | 1 | 22 | 151 |
| 71 | Fortunato P. (Pete) Benavides | 0 | 1 | 1 | 0 | 0 | 0 | 24 | 68 |
| 69 | J. Bonner Dorsey | 4 | 2 | 3 | 0 | 0 | 0 | 23 | 101 |
| 0 | Assigned Justices | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| 669 | | | | | | | | | |

FOURTEENTH, HOUSTON

| | | | | | | | | | |
|-----|-------------------|---|----|---|---|---|---|----|-----|
| 64 | J. Curtiss Brown | 0 | 0 | 1 | 0 | 0 | 2 | 50 | 117 |
| 54 | Paul Pressler | 0 | 3 | 0 | 5 | 0 | 0 | 20 | 104 |
| 49 | William E. Junell | 0 | 0 | 0 | 0 | 1 | 0 | 44 | 94 |
| 51 | Paul C. Murphy | 0 | 4 | 0 | 7 | 0 | 0 | 46 | 109 |
| 51 | Sam Robertson | 1 | 2 | 0 | 2 | 4 | 0 | 49 | 109 |
| 47 | Ross A. Sears | 3 | 12 | 1 | 1 | 2 | 0 | 48 | 111 |
| 36 | Bill Cannon | 0 | 0 | 0 | 0 | 0 | 0 | 48 | 106 |
| 99 | Joe L. Draughn | 4 | 6 | 0 | 3 | 1 | 0 | 39 | 112 |
| 30 | George T. Ellis | 3 | 3 | 0 | 0 | 0 | 0 | 42 | 98 |
| 960 | | | | | | | | | |

TOTALS 4,773 143 196 109 60 174 113 2,173 7,741 7,741

*Ordinarily, these are comparable to an original opinion on the merits.
 **The Fort Worth and Waco Courts of Appeals include in this category only actual opinions disposing of the case under consideration.
 1. Retired appellate justices appointed by the Chief Justice of the Supreme Court
 2. Retired eff. 6-86.
 3. Retired 6-86. Wrote additional opinions as an assigned judge.
 4. Appointed eff. 1-86.
 5. Assigned eff. 1-86.
 6. Appointed eff. 8-85.
 7. Appointed eff. 12-85.
 8. Resigned eff. 2-86.
 9. Appointed 1-86.
 10. Appointed eff. 2-86.
 11. Retired 2-86.
 12. Died 2-28-86.
 13. Appointed chief justice eff. 7-18-86.
 14. Appointed eff. 9-86.
 15. Appointed eff. 9-86.

COURTS OF APPEALS

Activity for the Year Ending August 31, 1986

(Continued)

COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1986

| COUNTY | CIVIL | CRIMINAL | TOTAL | COUNTY | CIVIL | CRIMINAL | TOTAL |
|--------------|-------|----------|-------|-----------|-------|----------|-------|
| Harris | 589 | 1009 | 1598 | Bee | 4 | 11 | 15 |
| Dallas | 486 | 672 | 1158 | Matagorda | 13 | 2 | 15 |
| Tarrant | 182 | 192 | 374 | Bastrop | 4 | 10 | 14 |
| Bexar | 206 | 154 | 360 | Navarro | 8 | 6 | 14 |
| Travis | 156 | 124 | 280 | Comal | 2 | 11 | 13 |
| El Paso | 62 | 151 | 213 | Harrison | 10 | 3 | 13 |
| Nueces | 81 | 108 | 189 | Hopkins | 2 | 11 | 13 |
| Cameron | 52 | 74 | 126 | Parker | 6 | 7 | 13 |
| Bell | 25 | 94 | 119 | Randall | 8 | 5 | 13 |
| Jefferson | 48 | 66 | 114 | Tom Green | 3 | 10 | 13 |
| Galveston | 46 | 54 | 100 | Cherokee | 8 | 4 | 12 |
| Lubbock | 32 | 66 | 98 | Comanche | 7 | 5 | 12 |
| McLennan | 25 | 61 | 86 | Ellis | 2 | 10 | 12 |
| Smith | 34 | 47 | 81 | Hardin | 8 | 4 | 12 |
| Gregg | 20 | 57 | 77 | Jasper | 7 | 5 | 12 |
| Brazos | 19 | 54 | 73 | Live Oak | 5 | 7 | 12 |
| Ector | 35 | 36 | 71 | Maverick | 10 | 2 | 12 |
| Taylor | 19 | 52 | 71 | Medina | 10 | 2 | 12 |
| Collin | 30 | 33 | 63 | Scurry | 2 | 10 | 12 |
| Denton | 33 | 26 | 59 | Austin | 7 | 4 | 11 |
| Potter | 13 | 46 | 59 | Cooke | 6 | 5 | 11 |
| Fort Bend | 23 | 33 | 56 | Jackson | 3 | 8 | 11 |
| Hidalgo | 29 | 27 | 56 | Panola | 7 | 4 | 11 |
| Grayson | 17 | 38 | 55 | Rusk | 8 | 3 | 11 |
| Webb | 33 | 19 | 52 | Tyler | 2 | 9 | 11 |
| Brazoria | 25 | 25 | 50 | Atascosa | 1 | 9 | 10 |
| Midland | 20 | 21 | 41 | Lampasas | 4 | 6 | 10 |
| Montgomery | 13 | 24 | 37 | Leon | 8 | 2 | 10 |
| Caldwell | 5 | 28 | 33 | Red River | 4 | 6 | 10 |
| Wichita | 22 | 9 | 31 | Uvalde | 10 | | 10 |
| Williamson | 16 | 15 | 31 | Waller | 3 | 7 | 10 |
| Johnson | 12 | 16 | 28 | Wilson | | 10 | 10 |
| Guadalupe | 5 | 22 | 27 | Wise | 2 | 8 | 10 |
| Palo Pinto | 3 | 24 | 27 | Angelina | 6 | 3 | 9 |
| San Patricio | 12 | 15 | 27 | Brown | 5 | 4 | 9 |
| Anderson | 20 | 6 | 26 | Burleson | 5 | 4 | 9 |
| Hood | 6 | 19 | 25 | Hill | 3 | 6 | 9 |
| Kerr | 8 | 16 | 24 | Hockley | 3 | 6 | 9 |
| Orange | 18 | 6 | 24 | Madison | 9 | | 9 |
| Bowie | 14 | 9 | 23 | Milam | 4 | 5 | 9 |
| Hunt | 8 | 14 | 22 | Pecos | 6 | 3 | 9 |
| Walker | 10 | 12 | 22 | Refugio | 3 | 6 | 9 |
| Victoria | 11 | 10 | 21 | Robertson | 4 | 5 | 9 |
| Hale | 6 | 14 | 20 | Shelby | 5 | 4 | 9 |
| Jim Wells | 9 | 10 | 19 | Starr | 4 | 5 | 9 |
| Nacogdoches | 8 | 11 | 19 | Wharton | 8 | 1 | 9 |
| Henderson | 9 | 9 | 18 | Colorado | 4 | 4 | 8 |
| Houston | 9 | 9 | 18 | Freestone | 5 | 3 | 8 |
| Eastland | 8 | 9 | 17 | Gray | 4 | 4 | 8 |
| Kaufman | 10 | 7 | 17 | Young | 4 | 4 | 8 |
| Lamar | 2 | 15 | 17 | Calhoun | 5 | 2 | 7 |
| Val Verde | 7 | 10 | 17 | Gillespie | 3 | 4 | 7 |
| Van Zandt | 8 | 9 | 17 | Kimble | 1 | 6 | 7 |
| Erath | 4 | 12 | 16 | Kleberg | 3 | 4 | 7 |
| Hays | 7 | 9 | 16 | Limestone | 4 | 3 | 7 |
| Liberty | 9 | 7 | 16 | Ochiltree | 5 | 2 | 7 |

COURTS OF APPEALS

Activity for the Year Ending August 31, 1986

(Continued)

COUNTIES FROM WHICH CASES WERE APPEALED TO A COURT OF APPEALS DURING FISCAL YEAR 1986

| COUNTY | CIVIL | CRIMINAL | TOTAL | COUNTY | CIVIL | CRIMINAL | TOTAL |
|------------|-------|----------|-------|---------------|-------|----------|-------|
| Polk | 6 | 1 | 7 | Morris | 2 | 1 | 3 |
| Stephens | 2 | 5 | 7 | Real | 3 | | 3 |
| Burnet | 2 | 4 | 6 | Rockwall | 3 | | 3 |
| Dallam | 3 | 3 | 6 | San Jacinto | 2 | 1 | 3 |
| Dimmit | 5 | 1 | 6 | Washington | 3 | | 3 |
| Duval | 5 | 1 | 6 | Wheeler | 2 | 1 | 3 |
| Gonzales | 5 | 1 | 6 | Willacy | 2 | 1 | 3 |
| Grimes | 2 | 4 | 6 | Winkler | 1 | 2 | 3 |
| Howard | 3 | 3 | 6 | Andrews | 1 | 1 | 2 |
| Hutchinson | 4 | 2 | 6 | Bailey | 2 | | 2 |
| Jones | 3 | 3 | 6 | Brewster | | 2 | 2 |
| Montague | 5 | 1 | 6 | Carson | 2 | | 2 |
| Moore | 5 | 1 | 6 | Clay | 2 | | 2 |
| Nolan | 5 | 1 | 6 | Coleman | 1 | 1 | 2 |
| Terry | 3 | 3 | 6 | Crosby | 2 | | 2 |
| Zavala | 6 | | 6 | Donley | 2 | | 2 |
| Brooks | 4 | 1 | 5 | Frio | | 2 | 2 |
| Callahan | 4 | 1 | 5 | Hall | | 2 | 2 |
| Castro | | 5 | 5 | Hartley | 1 | 1 | 2 |
| Childress | 2 | 3 | 5 | Jeff Davis | | 2 | 2 |
| Coryell | 1 | 4 | 5 | Knox | 2 | | 2 |
| Deaf Smith | | 5 | 5 | McMullen | 2 | | 2 |
| Hamilton | | 5 | 5 | Mills | | 2 | 2 |
| Lavaca | 4 | 1 | 5 | Oldham | 1 | 1 | 2 |
| Lee | 5 | | 5 | Parmer | 2 | | 2 |
| Rains | 1 | 4 | 5 | Presidio | 2 | | 2 |
| Upton | 3 | 2 | 5 | Reagan | | 2 | 2 |
| Wood | 3 | 2 | 5 | San Augustine | 2 | | 2 |
| Aransas | 1 | 3 | 4 | Sterling | | 2 | 2 |
| Cass | 2 | 2 | 4 | Swisher | | 2 | 2 |
| Chambers | 2 | 2 | 4 | Archer | | 1 | 1 |
| Crockett | 4 | | 4 | Bandera | 1 | | 1 |
| Dawson | 1 | 3 | 4 | Coke | 1 | | 1 |
| DeWitt | 1 | 3 | 4 | Crane | | 1 | 1 |
| Falls | 2 | 2 | 4 | Foard | 1 | | 1 |
| Fannin | 1 | 3 | 4 | Hansford | 1 | | 1 |
| Fayette | 3 | 1 | 4 | Hardeman | 1 | | 1 |
| Goliad | | 4 | 4 | Haskell | 1 | | 1 |
| Jack | 1 | 3 | 4 | Hudspeth | 1 | | 1 |
| Kinney | 1 | 3 | 4 | Irion | 1 | | 1 |
| Llano | 1 | 3 | 4 | Jim Hogg | 1 | | 1 |
| McCulloch | 1 | 3 | 4 | Karnes | 1 | | 1 |
| Mitchell | 2 | 2 | 4 | Kenedy | | 1 | 1 |
| Titus | 2 | 2 | 4 | LaSalle | | 1 | 1 |
| Upshur | 2 | 2 | 4 | Menard | 1 | | 1 |
| Ward | 4 | | 4 | Newton | | 1 | 1 |
| Zapata | 4 | | 4 | Reeves | 1 | | 1 |
| Bosque | 2 | 1 | 3 | Sabine | | 1 | 1 |
| Camp | | 3 | 3 | San Saba | 1 | | 1 |
| Cochran | | 3 | 3 | Schleicher | | 1 | 1 |
| Floyd | 3 | | 3 | Shackelford | 1 | | 1 |
| Franklin | 2 | 1 | 3 | Somervell | 1 | 0 | 1 |
| Galnes | | 3 | 3 | Sutton | 1 | | 1 |
| Kendall | 2 | 1 | 3 | Throckmorton | 1 | | 1 |
| Lamb | 2 | 1 | 3 | Trinity | 1 | | 1 |
| Lipscomb | 2 | 1 | 3 | Wilbarger | | 1 | 1 |