

SUPREME COURT

Analysis of 1983 Activity

The Supreme Court of Texas is the highest state court for civil appeals and promulgates the rules of civil procedure for the courts of Texas. It is composed of the Chief Justice and eight justices.

The number of applications for writs of error filed in the Supreme Court during 1983 decreased from 1982. A total of 703 applications were filed, compared to 765 in 1982--a decrease of 8 percent, and 7 percent less than the ten-year average of 757.

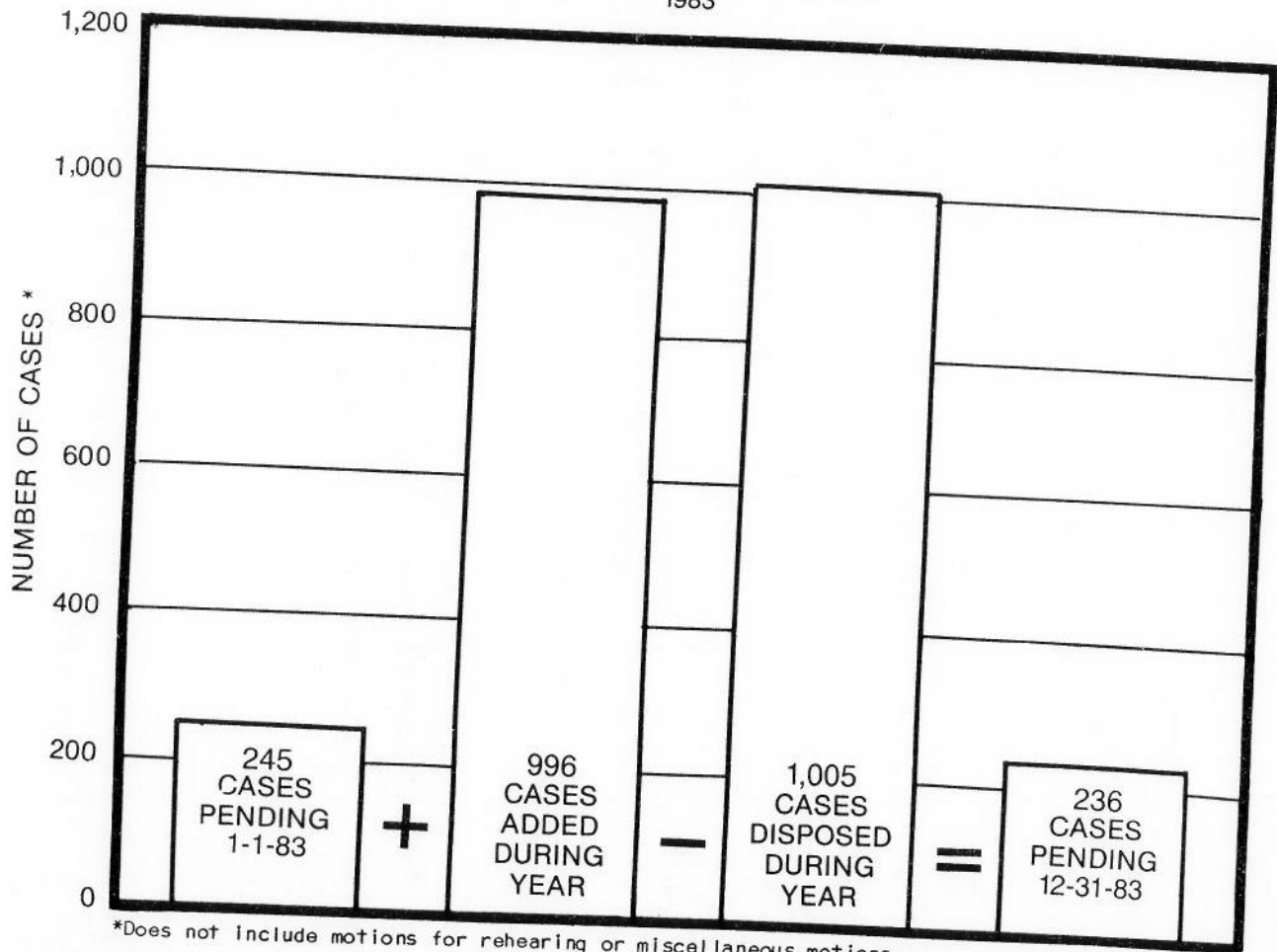
In 1983, 127 new "regular causes"--primarily cases in which the Court hears oral argument and delivers an opinion--reached the docket, compared to 119 in 1982 and the ten-year average of 112. New civil mandamus matters increased from 132 in 1982 to 142 in 1983 (up 8 percent).

The Supreme Court disposed of 71 percent of the regular causes docketed during 1983 or carried over from 1982, compared to 70 percent in 1982. Seventy-nine percent of the applications for writs of error were disposed of during the year, 2 percent less than during the previous year.

The Court delivered 125 deciding opinions in 1983, 17 percent more than the 107 opinions in 1982. A total of 173 opinions were written (including Rule 483 per curiam opinions), an average of 19 per justice. The Supreme Court disposed of 705 applications for writs of error from decisions of the Courts of Appeals, compared to 777 in 1982, for an average of 78 per justice. Seventeen percent of the 705 applications were granted. Of the granted writs, the Courts of Appeals were reversed in 71 percent of the cases, for an effective reversal rate on applications for writs of error from the Courts of Appeals of 13 percent.

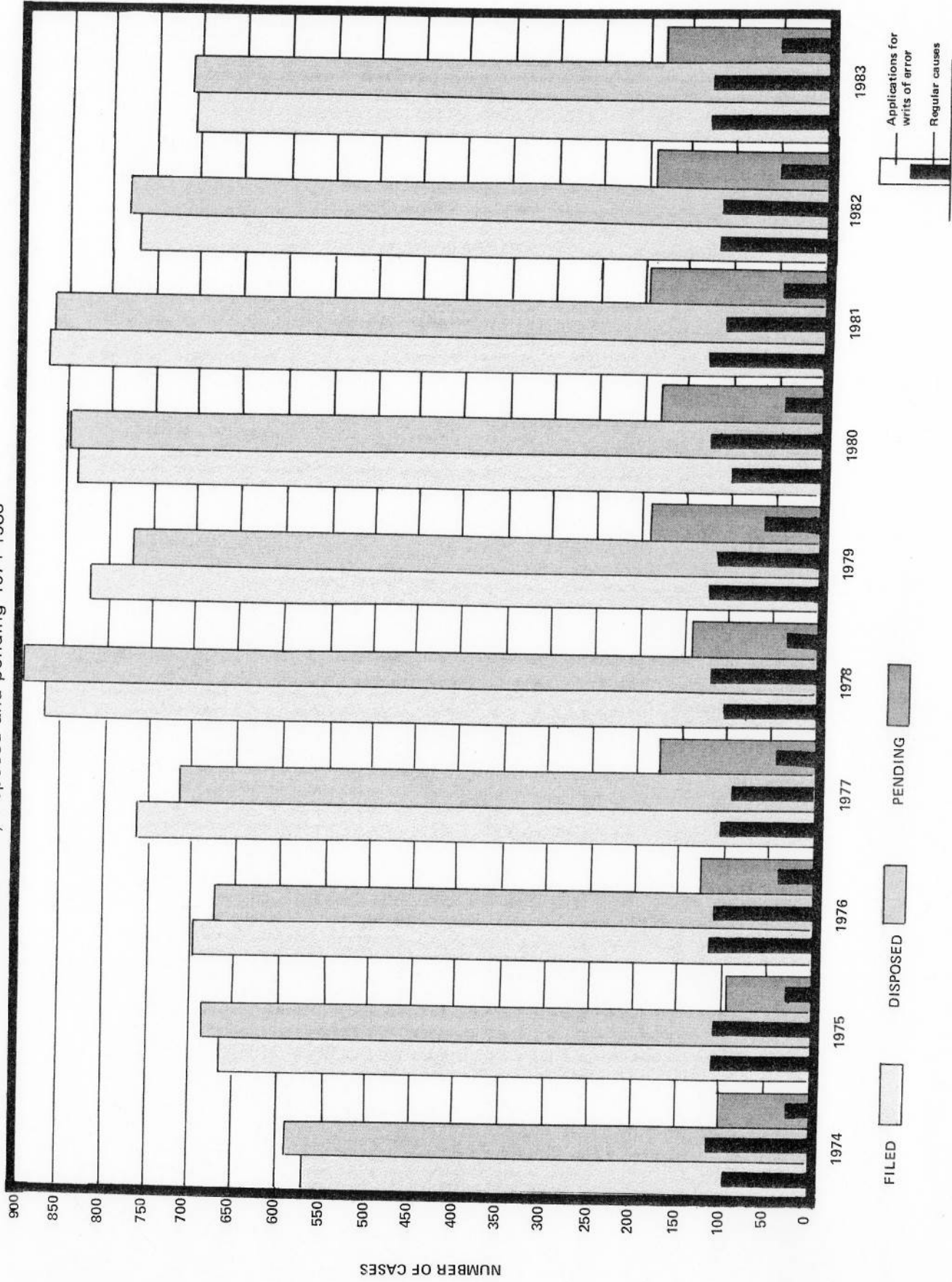
Fifty-two regular causes were pending at the end of 1983--1 more than at the end of 1982, and 12 cases more than the ten-year average. The number of applications for writs of error remaining on the docket at the end of 1983 was 182--2 percent less than the 184 at the end of 1982, but 17 percent more than the ten-year average of 156.

Figure 2.
TOTAL WORKLOAD, SUPREME COURT *
1983



*Does not include motions for rehearing or miscellaneous motions

Figure 3.
 SUPREME COURT
 Cases filed, disposed and pending 1974-1983



SUPREME COURT 1983 Statistics

SUMMARY OF DOCKET ACTIVITY DURING 1983

A. Causes of Action Passed on During 1983:

Regular causes determined by the Court	126
Applications for writs of error determined.	705
Motions for leave to file petitions for writs of mandamus involving civil cases determined.	149
Petitions for writs of habeas corpus determined	16
Writs of prohibition and injunction determined.	7
Motions for production determined	<u>2</u>
TOTAL CAUSES PASSED ON BY THE COURT IN 1983	<u>1,005</u>

B. Motions Passed on During 1983:

Motions for rehearing of causes determined by the Court	73
Motions for rehearing of applications for writs of error determined	242
Motions for rehearing of motions for leave to file petitions for writs of mandamus determined	14
Motions for rehearing of habeas corpus determined	1
Miscellaneous motions passed on by the Court	<u>164</u>
TOTAL MOTIONS PASSED ON BY THE COURT IN 1983	<u>494</u>

GRAND TOTAL OF MATTERS PASSED ON IN 1983 1,499

C. Matters Pending December 31, 1983:

Regular causes.	52
Applications for writs of error	182
Motions for rehearing of causes	18
Motions for rehearing of applications	27
Motions for leave to file petitions for writs of mandamus	1
Motions for rehearing of motions for leave to file.	1
Writs of prohibition	<u>1</u>
TOTAL MATTERS PENDING AT CLOSE OF TERM FOR 1983	<u>282</u>

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1983 Statistics (Continued)

REGULAR CAUSES *

A. On Docket within the Year:

Carried over from 1982.(Pending under submission).	32
(Pending set for submission, in- cluding motions for rehearing)	<u>19</u>
SUB-TOTAL CASES CARRIED OVER FROM 1982	51
By granted applications for writs of error	88
By granted motions for leave to file petitions for writs of mandamus	4
By direct appeals filed	3
By granted habeas corpus filed	6
By certified questions	0
By review of Court of Appeals judgments under Rule 21C	0
By Rule 483 (Texas Rules of Civil Procedure)	25
Causes dismissed	<u>1</u>
SUB-TOTAL CASES ADDED	127
TOTAL CASES ON DOCKET	<u>178</u>

B. Dispositions:

Judgments affirmed, or reformed, or modified and affirmed	22
Judgments of Courts of Appeals reversed (or in part) and judgments of trial courts affirmed (or modified and affirmed)	24
Judgments reversed (or in part) and rendered (or in part)	11
Judgments of Courts of Appeals reversed (or in part) and causes remanded to trial courts	22
Judgments of Courts of Appeals reversed (or in part) and causes remanded to Courts of Appeals	8
Judgments of Courts of Appeals reversed and rendered in part, remanded in part, and affirmed in part	2
Judgments of courts below reversed and remanded in part, affirmed in part.	6
Judgments of Courts of Appeals affirmed in part, reversed in part	5
Judgments of courts below reversed, rendered in part, severed in part and severance remanded to trial courts	2
Judgments of courts below reversed and temporary injunctions dissolved	1
Judgments of Courts of Appeals reversed and rendered in part, reversed and remanded in part.	1
Appeals dismissed for want of jurisdiction	1
Judgments below dismissed and causes dismissed	1
Causes dismissed on joint motions	1

* "Regular Causes" are reported in a separate category because they are the cases which pass through most, if not all, of the steps of the regular appellate decision-making process. Regular causes are cases in which oral argument of counsel in open court is received (unless waived) and in which the Court's decision is usually reported in a written opinion. Most are reviewed in conference by the Supreme Court, before oral argument and decision, upon application for writ of error, with three or more of the justices voting that the decision of the Court of Appeals was erroneous and that the writ therefore should be granted. A similar procedure is followed regarding petitions for original mandamus and habeas corpus, which become "Regular Causes" only after review and vote in conference. "Cases Other Than Regular Causes" include such actions as the Court's rejection in conference of an application for writ of error or application to file a petition for original mandamus or habeas corpus. This category is obviously larger than that of regular causes.

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1983 Statistics (Continued)

REGULAR CAUSES (Cont'd)

B. Dispositions: (Cont'd)

Mandamus	(Writs granted)	10
	(Writs dismissed)	0
	(Writs denied).	0
Direct Appeals	(Judgments of trial courts affirmed).	2
	(Causes dismissed as moot).	0
	(Judgments of trial courts reversed and causes remanded)	1
Habeas Corpus.	(Relators discharged)	<u>6</u>
SUB-TOTAL DISPOSITIONS		126

C. Cases Carried Over to 1984:

Pending, under submission (Includes cases on motions for rehearing).		43
Pending, set for submission.		<u>9</u>
SUB-TOTAL CASES CARRIED OVER TO 1984		<u>52</u>
TOTAL CASES ON DOCKET.		<u><u>178</u></u>

D. Causes Submitted in 1983:

Orally		108
On briefs.		<u>26</u>
TOTAL CAUSES SUBMITTED		<u><u>134</u></u>

CASES OTHER THAN REGULAR CAUSES

A. APPLICATIONS FOR WRITS OF ERROR

1. On Docket:

Carried over from 1982		184
Filed in 1983		<u>703</u>
TOTAL APPLICATIONS ON DOCKET		<u><u>887</u></u>

2. Dispositions:

Granted		119
Refused		3
Refused, no reversible error		491
Dismissed for want of jurisdiction		75
Dismissed by order of the Court.		8
Dismissed on petitioners' requests		4
Joint motions of parties to dismiss		<u>5</u>
SUB-TOTAL DISPOSITIONS		705
Carried over to 1984		<u>182</u>
TOTAL APPLICATIONS ON DOCKET		<u><u>887</u></u>

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1983 Statistics (Continued)

CASES OTHER THAN REGULAR CAUSES (Cont'd)

B. MANDAMUS - CIVIL

1. On Docket:

Carried over from 1982	8
Filed in 1983	<u>142</u>
TOTAL MANDAMUS ON DOCKET	<u>150</u>

2. Dispositions:

Granted	13
Overruled	134
Dismissed on relators' motions	2
Dismissed by order of the Court	<u>0</u>
SUB-TOTAL DISPOSITIONS	149

Carried over to 1984	<u>1</u>
TOTAL ON DOCKET	<u>150</u>

C. HABEAS CORPUS

1. On Docket:

Carried over from 1982	2
Filed in 1983	<u>14</u>
TOTAL ON DOCKET	<u>16</u>

2. Dispositions:

Granted	5
Denied	11
Dismissed as moot	<u>0</u>
SUB-TOTAL DISPOSITIONS	16

Carried over to 1984	<u>0</u>
TOTAL ON DOCKET	<u>16</u>

D. WRITS OF PROHIBITION AND INJUNCTION

1. On Docket:

Carried over from 1982	0
Filed in 1983	<u>8</u>
TOTAL ON DOCKET	<u>8</u>

2. Dispositions:

Granted	2
Overruled	<u>5</u>
SUB-TOTAL DISPOSITIONS	7

Carried over to 1984	<u>1</u>
TOTAL ON DOCKET	<u>8</u>

SUPREME COURT

1983 Statistics (Continued)

E. MOTIONS

CASES OTHER THAN REGULAR CAUSES (Cont'd)

1. Motions for Production

a. On Docket:

Carried over from 1982	0	
Filed in 1983	2	2
TOTAL ON DOCKET		2

b. Dispositions:

Granted	0	
Overruled	2	2
SUB-TOTAL DISPOSITIONS		2
Carried over to 1984		0
TOTAL ON DOCKET		2

2. Motions for Rehearing of Causes

a. On Docket:

Carried over from 1982	10	
Filed in 1983	71	81
TOTAL ON DOCKET		91

b. Dispositions:

Granted	5	
Overruled	63	68
SUB-TOTAL DISPOSITIONS		73
Carried over to 1984		18
TOTAL ON DOCKET		91

3. Motions for Rehearing of Applications for Writs of Error

a. On Docket:

Carried over from 1982	25	
Filed in 1983	219	244
TOTAL ON DOCKET		269

b. Dispositions:

Granted	8	
Overruled	225	233
Dismissed on petitioners' requests	1	234
SUB-TOTAL DISPOSITIONS		242
Carried over to 1984		27
TOTAL ON DOCKET		269

SUPREME COURT

1983 Statistics (Continued)

CASES OTHER THAN REGULAR CAUSES (Cont'd)

E. MOTIONS (Cont'd)

4. Motions for Rehearing of Motions for Leave to File Petitions for Writs of Mandamus

a. On Docket:

Carried over from 1982	0	
Filed in 1983	15	

TOTAL ON DOCKET. 15

b. Dispositions:

Granted	0	
Overruled	14	

SUB-TOTAL DISPOSITIONS 14

Carried over from 1984 1

TOTAL ON DOCKET. 15

5. Motions for Rehearing on Habeas Corpus

a. On Docket:

Carried over from 1982	0	
Filed in 1983	1	

TOTAL ON DOCKET. 1

b. Dispositions:

Granted	0	
Overruled.	1	

SUB-TOTAL DISPOSITIONS 1

Carried over to 1984 0

TOTAL ON DOCKET. 1

6. Miscellaneous Motions

Passed on by the Court in 1983 (Includes Rule 21c, motions to dismiss, etc.)		164
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OPINIONS DELIVERED BY THE COURT IN 1983

Deciding causes		125
Concurring		13
Dissenting		27
On motions for rehearing		4
Per curiam on applications, motions, etc.		4

TOTAL OPINIONS DELIVERED 173

SUPREME COURT

1983 Statistics (Continued)

OPINIONS WRITTEN BY JUSTICES OF THE SUPREME COURT

JUSTICES	DECIDING OPINIONS		Concurring Opinions	Dissenting Opinions	Per Curiam Opinions	On Motion For Rehearing	TOTAL
	Majority Opinions	Rule 483 Per Curiam					
JACK POPE Chief Justice	9	1	0	6	1	0	17
SEARS MCGEE Justice	8	3	1	2	0	0	14
CHARLES W. BARROW Justice	12	5	0	1	1	1	20
ROBERT M. CAMPBELL Justice	11	1	0	0	0	0	12
FRANKLIN S. SPEARS Justice	10	3	4	3	1	0	21
C. L. RAY Justice	9	3	2	4	0	2	20
JAMES P. WALLACE Justice	20	2	0	1	0	0	23
TED Z. ROBERTSON Justice	12	3	5	6	0	1	27
WILLIAM W. KILGARLIN Justice	9	4	1	4	1	0	19
TOTAL	100	25	13	27	4	4	173

SUPREME COURT

1983 Statistics (Continued)

ACTION BY THE SUPREME COURT IN CASES FROM COURTS OF APPEALS ON WRITS OF ERROR GRANTED

COURT AND LOCATION	Court of Appeals Affirmed	Ct. App. Reversed, Trial Ct. Affirmed	Reversed, Remand to Court of Appeals	Reversed, Remand to Trial Court	Reversed and Rendered	Other	TOTAL FOR COURT
FIRST Houston	0.5	1	1	1.5	1.5	0	5
SECOND Fort Worth	3.5	1	2	3.5	1	0	11
THIRD Austin	0	2	1	0	1	0	4
FOURTH San Antonio	1	2	0	0	2.5	0.5	6
FIFTH Dallas	4.5	0	0	4	1.5	0	10
SIXTH Texarkana	2.5	1	0	1.5	0	0	5
SEVENTH Amarillo	3	0	0	0	1	0	4
EIGHTH El Paso	2	4	0	2	1	0	9
NINTH Beaumont	4.5	0	1	0	1.5	0	7
TENTH Waco	1.5	1	0	1.5	1	0	5
ELEVENTH Eastland	2.5	3.5	0	1	1	0	8
TWELFTH Tyler	1.5	3.5	1	0	0	0	6
THIRTEENTH Corpus Christi	0.5	4	0	3.5	3	0	11
FOURTEENTH Houston	2	2	1	6.5	0.5	0	12
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TOTAL	29.5	25.0	7.0	24.5	16.5	0.5	103

SUPREME COURT

1983 Statistics (Continued)

COUNTIES FROM WHICH CASES WERE APPEALED DURING 1983

<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Cases</u>	<u>County</u>	<u>Cases</u>
Harris	124	Montgomery	3	Austin	1	Limestone	1
Dallas	85	Nacogdoches	3	Bastrop	1	Live Oak	1
Bexar	51	Orange	3	Baylor	1	Llano	1
Travis	50	Parker	3	Bee	1	Madison	1
Tarrant	36	Starr	3	Bosque	1	Marion	1
Nueces	35	Victoria	3	Brewster	1	Maverick	1
El Paso	26	Walker	3	Brooks	1	McMullen	1
McLennan	18	Atascosa	2	Burleson	1	Navarro	1
Jefferson	13	Bandera	2	Calhoun	1	Newton	1
Hidalgo	12	Brown	2	Chambers	1	Nolan	1
Lubbock	9	Cass	2	Coleman	1	Palo Pinto	1
Taylor	9	Cooke	2	Collingsworth	1	Potter	1
Bowie	8	Dimmit	2	Colorado	1	Randall	1
Brazoria	7	Eastland	2	Comanche	1	Red River	1
Collin	7	Falls	2	Coryell	1	Reeves	1
Gregg	7	Fannin	2	Deaf Smith	1	Robertson	1
Webb	7	Fayette	2	Foard	1	Rusk	1
Bell	6	Fisher	2	Freestone	1	San Augustine	1
Denton	6	Frio	2	Garza	1	San Patricio	1
Galveston	6	Gaines	2	Gonzales	1	Scurry	1
Wichita	6	Grayson	2	Gray	1	Smith	1
Brazos	4	Grimes	2	Hale	1	Stephens	1
Comal	4	Hardin	2	Hall	1	Terrell	1
Henderson	4	Hopkins	2	Hansford	1	Tom Green	1
Burnet	3	Jack	2	Hill	1	Trinity	1
Caldwell	3	Jim Wells	2	Hockley	1	Tyler	1
Cameron	3	Kimble	2	Houston	1	Uvalde	1
Duval	3	Lee	2	Hunt	1	Waller	1
Ector	3	Leon	2	Hutchinson	1	Ward	1
Erath	3	Matagorda	2	Kaufman	1	Williamson	1
Fort Bend	3	Medina	2	Kendall	1	Wise	1
Guadalupe	3	Morris	2	Kenedy	1	Young	1
Hood	3	Panola	2	Kleberg	1	Zapata	1
Jasper	3	Polk	2	Knox	1	Zavala	1
Jim Wells	3	Anderson	1	Lamar	1		
Johnson	3	Angelina	1	Lamb	1		
Midland	3	Archer	1	Lavaca	1		
						TOTAL	728