

Method of Counting Appeals in State Appellate Courts, 2010

State/Court name:	Case counted at:				Case filed with:		Does the court count reinstated/reopened cases in its count of new filings?
	Court type	Filing of:			Trial court	Appellate court	
		Notice/ Application	Trial record	Other point			
ALABAMA:							
Supreme Court	COLR	X	O	O	X	O	No
Court of Civil Appeals	IAC	X	O	O	X	O	No
Court of Criminal Appeals	IAC	X	O	O	X	O	No
ALASKA:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
Court of Appeals	IAC	X	O	O	O	X	Identified separately
ARIZONA:							
Supreme Court	COLR	X*	O	X*	X*	X*	Identified separately
Court of Appeals	IAC	X*	X*	X*	X*	X*	Identified separately
ARKANSAS:							
Supreme Court	COLR	X	O	O	X	O	Rarely
Court of Appeals	IAC	X	O	O	X	O	Rarely
CALIFORNIA:							
Supreme Court	COLR	X*	X	O	X	X*	No
Courts of Appeal	IAC	X*	O	O	X	X*	No
COLORADO:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
Court of Appeals	IAC	X	O	O	O	X	Identified separately
CONNECTICUT:							
Supreme Court	COLR	X	O	O	X	X*	No, if motion to open
Appellate Court	IAC	X	O	O	X	X	No, if motion to open or if remand
DELAWARE:							
Supreme Court	COLR	X	O	O	O	X	No
DISTRICT OF COLUMBIA:							
Court of Appeals	COLR	X	O	O	X	X*	Identified separately
FLORIDA:							
Supreme Court	COLR	X	O	O	O	X	No
District Courts of Appeal	IAC	X	O	O	O	X	No
GEORGIA:							
Supreme Court	COLR	X*	X*	O	O	X	Yes or frequently, if new appeal
Court of Appeals	IAC	X*	X*	O	O	X	No
HAWAII:							
Supreme Court	COLR	O	O	X*	O	X	Rarely
Intermediate Court of Appeals	IAC	O	X	O	O	X	Rarely
IDAHO:							
Supreme Court	COLR	X	O	O	X	X*	Rarely
Court of Appeals	IAC	X	O	O	O	X	Rarely
ILLINOIS:							
Supreme Court	COLR	X	O	O	O	X	No
Appellate Court	IAC	X	O	O	X	O	No
INDIANA:							
Supreme Court	COLR	O	O	X	O	X	Yes or frequently
Court of Appeals	IAC	X	O	O	X	O	Yes or frequently
Tax Court	IAC	X	O	O	X*	X	Yes or frequently

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IOWA:							
Supreme Court	COLR	X	O	X	O	X*	No
Court of Appeals	IAC	O	O	X*	O	X	No
KANSAS:							
Supreme Court	COLR	O	O	X*	O	X	Yes or frequently
Court of Appeals	IAC	O	O	X*	O	X	Yes or frequently
KENTUCKY:							
Supreme Court	COLR	X	O	O	X	X*	No
Court of Appeals	IAC	X	O	O	X	X*	No
LOUISIANA:							
Supreme Court	COLR	O	X	O	O	X	No
Court of Appeals	IAC	X	O	O	O	X	No
MAINE:							
Supreme Judicial Court	COLR	X	O	O	O	X	No, if remanded Yes or frequently, if new appeal
MARYLAND:							
Court of Appeals	COLR	O	X	O	X*	X*	Yes or frequently
Court of Special Appeals	IAC	X	O	O	X	O	Yes or frequently
MASSACHUSETTS:							
Supreme Judicial Court	COLR	X*	O	X*	O	X	No
Appeals Court	IAC	O	X	O	O	X	Rarely, if originally dismissed as premature
MICHIGAN:							
Supreme Court	COLR	X	O	O	O	X	No, if remanded with jurisdiction Yes or frequently, if new appeal
Court of Appeals	IAC	X	O	O	O	X	Yes or frequently
MINNESOTA:							
Supreme Court	COLR	X	O	O	O	X	No
Court of Appeals	IAC	X	O	O	O	X	No
MISSISSIPPI:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
Court of Appeals	IAC	X	O	O	O	X	Identified separately
MISSOURI:							
Supreme Court	COLR	X	O	O	O	X	No
Court of Appeals	IAC	X	O	O	O	X	No
MONTANA:							
Supreme Court	COLR	X	O	O	X	O	No
NEBRASKA:							
Supreme Court	COLR	X	O	O	X	O	No
Court of Appeals	IAC	X	O	O	X	O	No
NEVADA:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
NEW HAMPSHIRE:							
Supreme Court	COLR	X	O	O	X	O	No, if remanded with jurisdiction
NEW JERSEY:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
Appellate Division of Superior Court	IAC	X	O	O	O	X	Identified separately

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NEW MEXICO:							
Supreme Court	COLR	O	O	X	O	X	No
Court of Appeals	IAC	X	O	O	X	O	Identified separately
NEW YORK:							
Court of Appeals	COLR	X	O	O	X	X*	Yes or frequently
Appellate Divisions of Supreme Court	IAC	O	X	O	O	X	No, if remitted for specific issues Yes, if remanded, new trial
Appellate Terms of Supreme Court	IAC	O	X	O	O	X	No
NORTH CAROLINA:							
Supreme Court	COLR	X	O	O	O	X	No, if petition to rehear
Court of Appeals	IAC	O	X	O	O	X	No, if re- considering dismissal
NORTH DAKOTA:							
Supreme Court	COLR	X	O	O	X	O	Yes or frequently
Temporary Court of Appeals	IAC	O	O	X*	O	X	Yes or frequently
OHIO:							
Supreme Court	COLR	X	O	O	O	X	No
Court of Appeals	IAC	X	O	O	O	X*	No
OKLAHOMA:							
Supreme Court	COLR	X	O	O	O	X	No, if reinstated case Yes, if additional appeal
Court of Criminal Appeals	COLR	X	O	O	X	O	No, if reinstated case Yes, if additional appeal
Court of Civil Appeals	IAC	O	O	X*	O	X	No, if reinstated case Yes, if additional appeal
OREGON:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
Court of Appeals	IAC	X	O	O	O	X	Identified separately
PENNSYLVANIA:							
Supreme Court	COLR	X	O	O	O	X	No, if reinstated to enforce order Rarely, if new appeal
Superior Court	IAC	X	O	O	O	X	No
Commonwealth Court	IAC	X	O	O	X	X*	No, if administrative agency case
PUERTO RICO:							
Supreme Court	COLR	X	O	O	X	O	Identified separately
Court of Appeals	IAC	X	O	O	X	O	Identified separately
RHODE ISLAND:							
Supreme Court	COLR	O	X	O	O	X	No
SOUTH CAROLINA:							
Supreme Court	COLR	X	O	O	O	X	No
Court of Appeals	IAC	X	O	O	O	X	No
SOUTH DAKOTA:							
Supreme Court	COLR	X	O	O	X	O	No
TENNESSEE:							
Supreme Court	COLR	X	O	O	O	X	Identified separately
Court of Criminal Appeals	IAC	X	O	O	O	X	Identified separately
Court of Appeals	IAC	X	O	O	O	X	Identified separately

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	Court type	Filing of:			Trial court	Appellate court	
Notice/ Application		Trial record	Other point				
TEXAS:							
Supreme Court	COLR	X	O	O	X	O	Identified separately
Court of Criminal Appeals	COLR	X	O	O	X	O	Identified separately
Court of Appeals	IAC	X	O	O	X	O	Identified separately
UTAH:							
Supreme Court	COLR	X	O	O	O	X	No
Court of Appeals	IAC	X	O	O	X	X*	No
VERMONT:							
Supreme Court	COLR	X	O	O	X	O	Yes, if statistical period has ended
VIRGINIA:							
Supreme Court	COLR	X	O	O	O	X	No
Court of Appeals	IAC	X	O	O	X	O	No
WASHINGTON:							
Supreme Court	COLR	X	O	O	X	O	No
Court of Appeals	IAC	X	O	O	X	O	No
WEST VIRGINIA:							
Supreme Court of Appeals	COLR	X	O	O	X	O	No
WISCONSIN:							
Supreme Court	COLR	X	O	O	O	X	Yes or frequently
Court of Appeals	IAC	X	O	O	X	O	Yes or frequently
WYOMING:							
Supreme Court	COLR	X	O	O	O	X	No

JURISDICTION CODES:

COLR = Court of last resort.
 IAC = Intermediate appellate court.
 X = Yes
 O = No

FOOTNOTES*

Arizona-Supreme Court: Criminal appeal cases are counted at the filing of the notice/application with the trial court. Civil appeal cases are counted when the fee is paid within 30 days after the trial record is filed with the appellate court.

-Court of Appeals: Appeal by right criminal cases are counted at the filing of the notice/application with the trial court. Appeal by right civil cases are counted when the fee is paid within 30 days after the trial record is filed with the appellate court. Appeal by right juvenile and industrial cases and appeal by permission cases are counted either at the filing of the notice/application with the appellate court or at the filing of the trial record with the appellate court.

California-Supreme Court: Appeal by permission cases from the IAC are counted at the filing of the notice of appeal/application with the COLR.

-Courts of Appeal: Appeal by permission cases are counted at the filing of the notice of appeal/application with the appellate court.

Connecticut-Supreme Court: Worker's compensation appeal cases are counted at the filing of the notice/application with the appellate court.

District of Columbia-Court of Appeals: Appeal by permission cases are counted at the filing of the notice/application with the appellate court.

Georgia-Supreme Court: Appeals can be counted at the filing of the notice/application or the trial record.

-Court of Appeals: Appeal by right cases are counted at the filing of trial record. Appeal by permission cases are counted at the filing of the application.

Hawai'i-Supreme Court: Unit of count is the notice of electronic filing.

Idaho-Supreme Court: All appeal by permission cases are filed with the COLR, then handed down to the IAC..

Indiana-Supreme-Courts: Appeals are counted when the fully briefed case is transmitted to the Supreme Court.

-Tax Court: Inheritance tax cases are filed with the trial court.

Iowa-Supreme Court: Appeal by right cases are filed when the notice of appeal is transmitted to the appellate clerk. Appeal by permission cases are filed with the appellate court.

-Court of Appeals: Appeals are counted when transferred to the IAC.

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FOOTNOTES* Continued:

Kansas-Supreme Court: Appeals are counted at the docketing of the notice of appeal in the appellate court, which occurs 21 days after the notice of appeal is filed in the trial court.

-Court of Appeals: Appeals are counted at the docketing of the notice of appeal in the appellate court, which occurs 21 days after the notice of appeal is filed in the trial court.

Kentucky-Supreme Court: Appeals from the IAC are filed with the COLR.

-Court of Appeals: Appeals by permission applications are filed with the appellate court.

Maryland-Court of Appeals: Appeal by right cases are filed either with the trial or appellate court. Death penalty appeal cases are filed with the trial court.

Massachusetts-Supreme Judicial Court: Appeal by right cases are counted at the filing of the certification from the IAC. Appeal by permission cases are counted when the notice/application is filed with the appellate court.

New York-Court of Appeals: Appeal by permission cases are filed with the appellate court.

North Dakota -Court of Appeals: Appeals are counted when assigned from the COLR.

Ohio-Court of Appeals: Appeal by right appeals are counted at the docketing of the notice of appeal.

Oklahoma-Court of Civil Appeals: Appeals are counted when assigned by the COLR.

Pennsylvania-Commonwealth Court: Appeal by right notices are filed at the trial court. Appeal by permission petitions are filed at the appellate court.

Utah-Court of Appeals: Administrative agency appeals are filed with the IAC.

Source: Appellate court clerks' offices and state administrative offices of the courts.