## **2022 Caseload Highlights**

Incoming State Appellate Court Cases

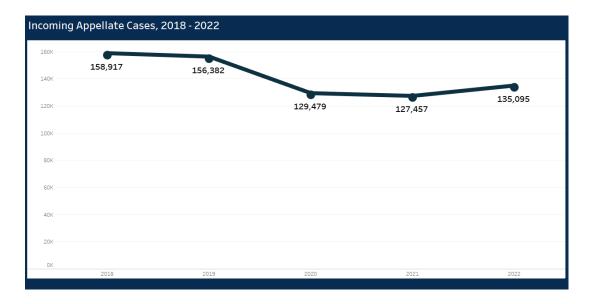
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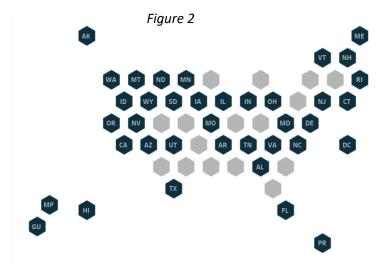
Appellate caseload trends tend to follow those of the trial courts. While trial courts began to see increases in 2021 and 2022 after dramatic decreases in 2020 due to Covid-19, appellate courts have experienced these same trends, following a slight lag. For the 36 states able to report publishable appellate court data on incoming cases between 2018 and 2022, the number of incoming cases show a continued decline in 2021 before increasing to 135,095 in 2022 as appellate courts began to see a rebound from the Covid-19 related declines. (Figure 1).

Figure 1



While incoming cases in 2022 are greater than 2020 and 2021, they are still below 2018 and 2019 levels. The 36 states with publishable data across all five years are represented in Figure 2.

Of the cases filed in 2022, 71% were filed in Intermediate Appellate Courts and 29% in Courts of Last Resort (often known as state Supreme Courts). Only 10% of cases filed with appellate courts are original proceedings.





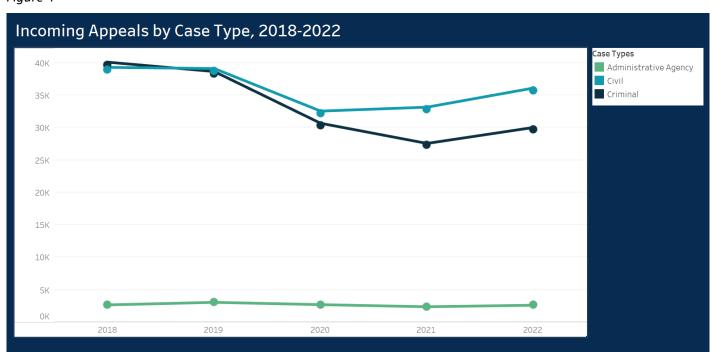




In 2022, over half of incoming appeals were civil appeals, while 42% were criminal appeals, and 5% were administrative agency appeals (Figure 3). This is a different pattern than seen in trial courts, where 24% of incoming cases were criminal cases, and 21% were civil cases. Criminal cases are proportionately less likely to be appealed than civil cases, likely due to the widespread use of plea agreements.

All three of the main appeal case types had increases in incoming appeals from 2021 to 2022, as seen in Figure 4. Incoming civil and criminal appeals increased 9% from 2021 to 2022 to 36,069 cases in 27 states and 29,986 cases in 30 states, respectively. Administrative agency appeals decreased 10% from 2021 to 2022. Compared to 2018, civil appeals are down 8% in 2022, criminal appeals have decreased 25%, and administrative appeals have decreased 2%.

Figure 4



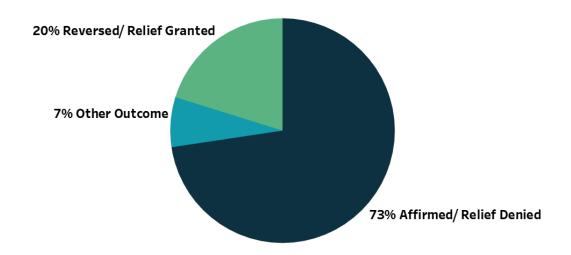




In 2022, 55% of appeals were decided on the merits, 34% were disposed prior to decision, and 11% were denied permission to appeal. Of the decided cases, the vast majority were affirmed/relief denied; in these cases the appellate court upheld the result of the lower court or administrative agency decision (Figure 5). Approximately 73% of appeals were affirmed/relief denied, 20% were reversed/relief granted, and 7% had another outcome. According to CSP reporting definitions, other outcomes include case outcomes that are not attributable to one of the other previously defined case outcomes.

Figure 5





The Court Statistics Project is the only source for comparable annual state court caseload data, with court data published at <a href="www.courtstatistics.org">www.courtstatistics.org</a>. For more information about 2012-2021 court data, please see our website at <a href="www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat">www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat</a>. NCSC is available for training or assistance in many areas, contact CSP Staff at <a href="mailto:csp@ncsc.org">csp@ncsc.org</a> for more information.



