

**Appellate Courts
Fiscal Year 2021
Case Activity**

Case filings and dispositions for Arizona's appellate courts are summarized in this report. The state has two appellate courts: Supreme Court and the Court of Appeals. The Court of Appeals, which is an intermediate appellate court established as the first level of appeal up from the superior courts, has two divisions: Division One in Phoenix and Division Two in Tucson.

The state appellate courts have jurisdiction to review trials and decisions appealed to them. Most appeals come from the superior court, except for death penalty appeals and some cases involving elected officials and disputes between counties, which go directly to the Supreme Court. To appeal a decision from the court of appeals, the appellant must file a Petition for Review requesting a Supreme Court hearing. The Supreme Court justices evaluate the petitions for review and decide whether they will review the case.

Filings, terminations and pending caseloads summarized for the Supreme Court and Division One and Division Two of the Appellate Court.

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SUPREME COURT

Narrative Summary

Filings

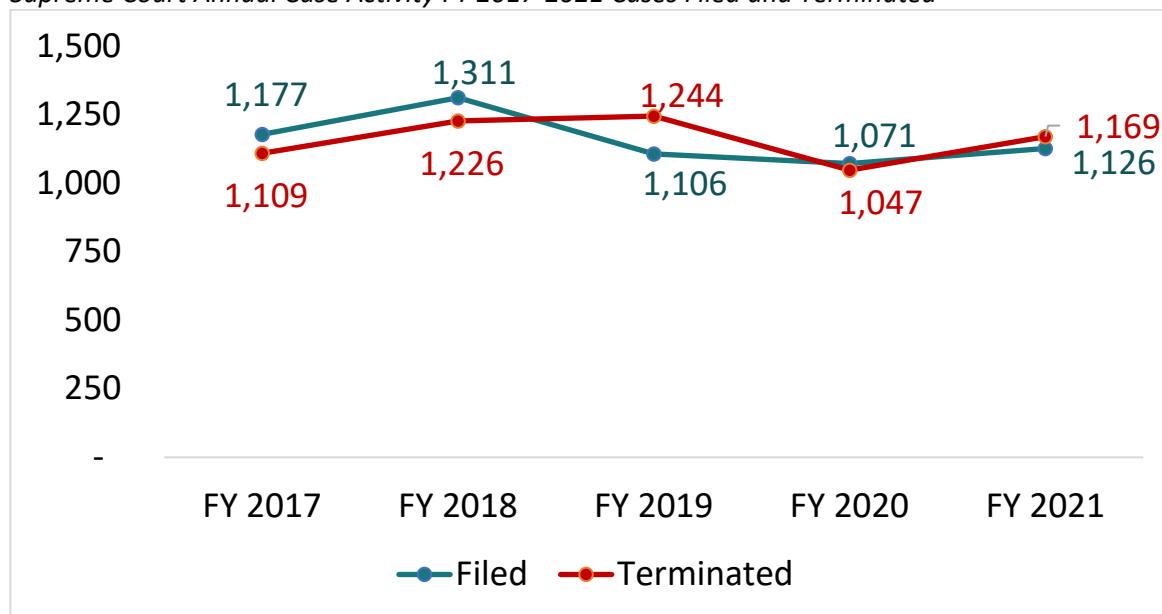
During fiscal year 2020, 1,126 cases were filed in the Supreme Court, an increase of 5.1% from the 1,071 cases filed during FY 2019. The total petitions for review increased from 726 in FY 2019 to 774 in FY 2020, an increase of 6.6%. Special action case filings also increased, from 118 in FY 2019 to 127 in FY 2020, up 7.6%.

Terminations & Pending Caseloads

The Supreme Court disposed of 1,169 cases during FY 2020, an increase of 11.7% compared to the 1,047 terminated the previous fiscal year. The number of cases pending at the end of the fiscal year decreased 9.3% from 486 at the end of FY 2019 to 441 at the end of FY 2020. Detailed breakdowns of “State Bar Matters” and “All Other Cases” and a State Bar Activity Report follow the filings and terminations summaries of this publication.

Figure 1

Supreme Court Annual Case Activity FY 2017-2021 Cases Filed and Terminated



Note. Cases filed are original filing only; cases terminated do not include transfers out.

CASES FILED ARE ORIGINAL FILINGS ONLY.
 CASES TERMINATED DO NOT INCLUDE TRANSFERS OUT.

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2021

ALL CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2020	CASES FILED	REIN- STATED	TRANS- FER IN	TRANS- FER OUT	STAT ADJ	TOTAL CASES ON FILE	FISCAL YEAR 2020	
								PENDING 7/1/2019	CASES FILED
CIVIL APPEALS	3	14	0	0	0	-1	16	0	10
CRIMINAL APPEALS	7	0	1	0	0	0	8	10	1
POST-CONV RELIEF	16	7	0	0	0	0	23	16	4
SPECIAL ACTION	5	29	0	0	0	0	34	4	25
SP ACTION-OTHER	31	98	0	0	0	0	129	12	93
STATE BAR MATTERS	15	109	0	0	0	0	124	19	81
HABEAS CORPUS	32	31	0	0	0	-1	62	13	66
RULE 28	48	45	0	0	0	0	93	48	49
ALL OTHER CASES	16	19	0	0	0	0	35	13	16
SUBTOTAL	173	352	1	0	0	-2	524	135	345
PET REV-CIVIL	113	256	0	2	2	-1	368	105	245
PET REV-CRIMINAL	185	466	2	0	0	-2	651	187	423
PET REV-IND COMM	3	5	0	0	0	0	8	8	10
PET REV-JUVENILE	11	42	0	0	0	0	53	18	44
PET REV-TAX	1	5	0	0	0	0	6	3	4
SUBTOTAL	313	774	2	2	2	-3	1,086	321	726
TOTAL	486	1,126	3	2	2	-5	1,610	456	1,071

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2021

ALL CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL		FISCAL YEAR 2020	
	WRITTEN	MEMO	OTHER	TOTAL	PENDING	TOTAL	PENDING	
	OPINION	DECIS	ORDER[1]			DECIS[1]	TERM	6/30/2020
CIVIL APPEALS	6	0	9	0	15	1	7	3
CRIMINAL APPEALS	2	0	0	0	2	6	4	7
POST-CONV RELIEF	2	0	12	0	14	9	4	16
SPECIAL ACTION	4	0	26	0	30	4	24	5
SP ACTION-OTHER	0	0	128	0	128	1	74	31
STATE BAR MATTERS	0	0	84	21	105	19	86	15
HABEAS CORPUS	0	0	58	0	58	4	47	32
RULE 28	0	0	48	0	48	45	50	48
ALL OTHER CASES	<u>1</u>	<u>0</u>	<u>17</u>	<u>2</u>	<u>20</u>	<u>15</u>	<u>13</u>	<u>16</u>
SUBTOTAL	15	0	382	23	420	104	309	173
PET REV-CIVIL	13	0	227	0	240	128	237	113
PET REV-CRIMINAL	20	0	439	1	460	191	426	185
PET REV-IND COMM	1	0	4	0	5	3	16	3
PET REV-JUVENILE	0	0	43	0	43	10	53	11
PET REV-TAX	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>5</u>	<u>6</u>	<u>1</u>
SUBTOTAL	34	0	714	1	749	337	738	313
TOTAL	49	0	1,096	24	1,169	441	1,047	486

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2021

"ALL OTHER CASES" DETAIL
CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2020	CASES FILED	REIN- STATED	TRANS- FER IN	TRANS- FER OUT	STAT ADJ	TOTAL CASES ON FILE	FISCAL YEAR 2020	
								PENDING 7/1/2019	CASES FILED
EXTRAORD MATTERS	11	8	0	0	0	0	19	7	6
JUDICIAL CONDUCT	0	0	0	0	0	0	0	0	0
TRANSFERS	0	6	0	0	0	0	6	0	3
WATER CASES	2	0	0	0	0	0	2	3	0
WCIR CASES	0	0	0	0	0	0	0	1	0
GRAND JURY	0	2	0	0	0	0	2	0	3
CERTIFIED QUESTION	3	3	0	0	0	0	6	2	4
ORIGINAL COMPLAINT	0	0	0	0	0	0	0	0	0
TOTAL	16	19	0	0	0	0	35	13	16

"ALL OTHER CASES" DETAIL
CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL		FISCAL YEAR 2020	
	WRITTEN OPINION	MEMO DECIS	ORDER[1]	OTHER DECIS[1]	CASES TERM	PENDING 6/30/2021	CASES TERM	PENDING 6/30/2020
EXTRAORD MATTERS	0	0	8	2	10	9	2	11
JUDICIAL CONDUCT	0	0	0	0	0	0	0	0
TRANSFERS	0	0	6	0	6	0	3	0
WATER CASES	0	0	0	0	0	2	1	2
WCIR CASES	0	0	0	0	0	0	1	0
GRAND JURY	0	0	2	0	2	0	3	0
CERTIFIED QUESTION	1	0	1	0	2	4	3	3
ORIGINAL COMPLAINT	0	0	0	0	0	4	0	0
TOTAL	1	0	17	2	20	15	13	16

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2021

"STATE BAR MATTERS" DETAIL
MATTERS ON FILE

TYPE OF MATTER	PENDING 7/1/2020	MATTERS FILED	REIN- STATED	STAT ADJ	TOTAL MATTERS ON FILE	FISCAL YEAR 2020	
						PENDING 7/1/2019	MATTERS FILED
DISCIPLINARY	5	1	0	0	6	4	7
TRANSFER TO DISB.	0	0	0	0	0	0	0
CONDITIONAL ADMISS	0	8	0	0	8	1	12
PR EXAM/ADMISS	2	17	0	0	19	3	18
APPT SP EXAMINER	0	0	0	0	0	0	0
RESIG IN GOOD STAND	0	9	0	0	9	0	10
RULE 39	0	0	0	0	0	0	0
RULE 40	0	0	0	0	0	0	0
REINSTATEMENTS	4	49	0	0	53	2	22
MISCELLANEOUS	4	25	0	0	29	9	12
TOTAL	15	109	0	0	124	19	81

"STATE BAR MATTERS" DETAIL
MATTERS TERMINATED

TYPE OF MATTER	MATTERS TERMINATED						FISCAL YEAR 2020	
	MATTERS TERMINATED				TOTAL		TOTAL	
	WRITTEN OPINION	MEMO DECIS	ORDER[1]	OTHER DECIS[1]	MATTERS TERM	PENDING 6/30/2021	MATTERS TERM	PENDING 6/30/2020
DISCIPLINARY	0	0	6	0	6	0	6	5
TRANSFER TO DISB	0	0	0	0	0	0	0	0
CONDITIONAL ADMISS	0	0	7	0	7	1	14	0
PR EXAM/ADMISS	0	0	13	2	15	4	19	2
APPT SP EXAMINER	0	0	0	0	0	0	0	0
RESIG IN GOOD STAND	0	0	8	0	8	1	10	0
RULE 39	0	0	0	0	0	0	0	0
RULE 40	0	0	0	0	0	0	0	0
REINSTATEMENTS	0	0	32	15	47	6	20	4
MISCELLANEOUS	0	0	18	4	22	7	17	4
TOTAL	0	0	84	21	105	19	86	15

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2021

STATE BAR ACTIVITY REPORT

TYPE OF ACTIVITY	NUMBER	FISCAL YEAR 2020 NUMBER
ADMISSIONS	0	5
ADMISSIONS BY MAIL	490	429
ADMISSIONS BY MOTION [1]	160	198
ADMISSIONS BY TRANSFER [2]	57	65
REINSTATEMENTS	70	72
SERVICE OF COMPLAINT AND SUBPOENAS	0	0
CERTIFICATE OF GOOD STANDING	1,043	966
ATTORNEYS SUSPENDED	228	225
EXPUNGED	2	2
RULE 38 (CERTIFICATIONS)	375	322
TRANSFERS TO DISABILITY	0	0
TOTAL	2,425	2,284

[1] Admissions by Motion were first reported as a separate category beginning in Fiscal Year 2010.

[2] Admissions by Transfer were first reported as a separate category beginning in Fiscal Year 2013.

COURT OF APPEALS - DIVISION ONE
Narrative Summary

Filings

Division One of the Court of Appeals experienced an 9.3% decrease in case filings during fiscal year 2021. Original filings decreased from 2,618 in FY 2020 to 2,375 in FY 2021. An additional 47 cases were reinstated or transferred in during the year.

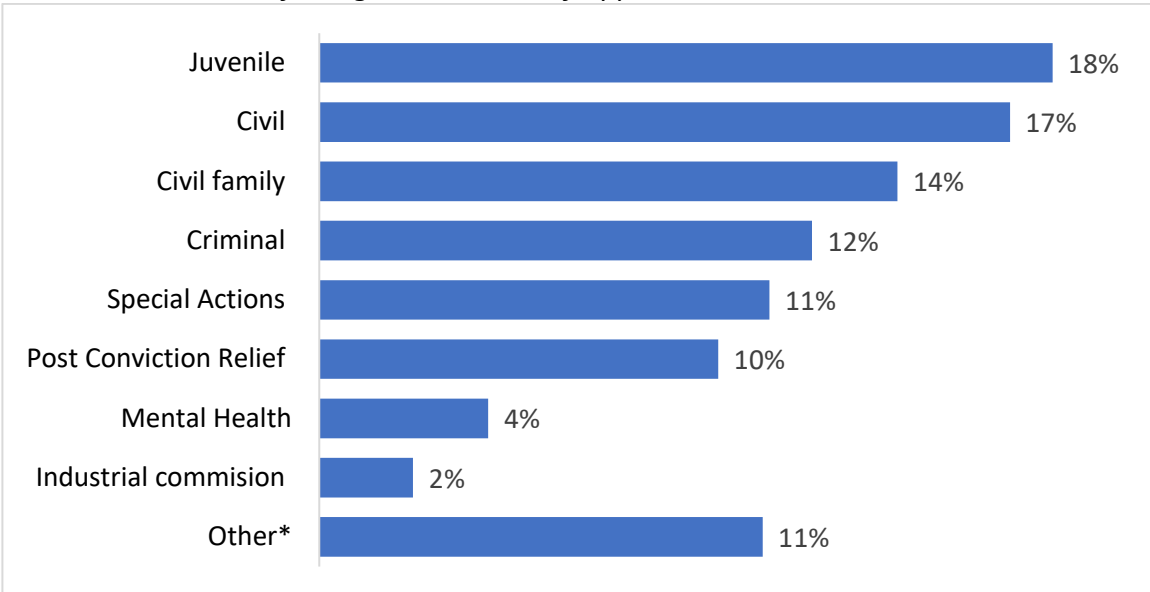
Filings in the unemployment board decreased by 4.2% from 260 filings in FY 2020 to 249 in FY 2021. Civil case filings decreased 10.0% from FY 2020 to FY 2021.

Terminations & Pending Caseloads

Total dispositions slightly increased 0.6%, from 2,679 in FY 2020 to 2,696 in FY 2021. The total pending caseload decreased by 350 cases from 1,751 on July 1, 2020 to 1,401 on June 30, 2021.

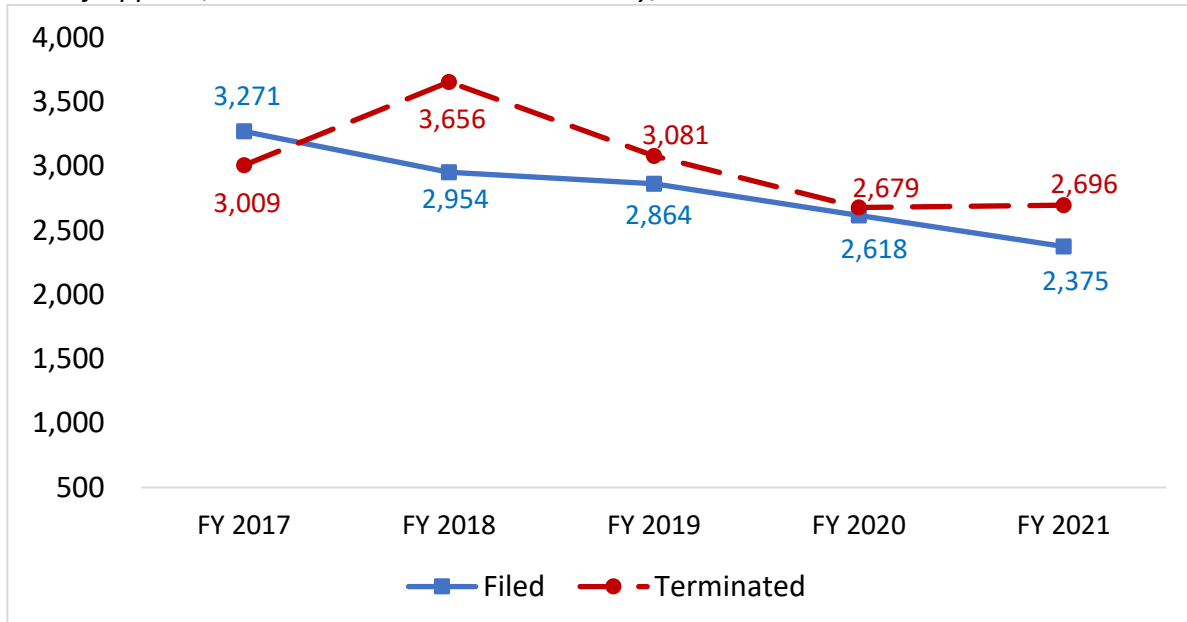
CASES FILED ARE ORIGINAL FILINGS ONLY.
 CASES TERMINATED DO NOT INCLUDE TRANSFERS OUT.

Figure 2
 Percent Distribution of Filings in the Court of Appeals, Division One Fiscal Year 2021



*Other includes the following categories: Unemployment board, Habeas Corpus, Tax and Corporation Commission / Electrical Power cases.

Figure 3
 Court of Appeals, Division One Annual Case Activity, FY 2017-2021 Cases Filed and Terminated



Note. Cases filed are original filing only; cases terminated do not include transfers out.

COURT OF APPEALS CASE ACTIVITY
 FISCAL YEAR 2021
 DIVISION ONE
 ALL CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2020	CASES FILED	REIN- STATED	TRANS- FER IN	TRANS- FER OUT	STAT ADJ	TOTAL ON FILE	FISCAL YEAR 2020	
								PENDING 7/1/2019	CASES FILED
CIVIL	441	405	16	0	3	0	859	472	450
CIVIL FAMILY [1]	205	339	7	0	0	0	551	186	304
MENTAL HEALTH	36	99	1	0	0	0	136	17	136
MH SEXUAL PREDATOR	0	0	0	0	0	0	0	2	3
SPECIAL ACTIONS	81	264	3	0	0	0	348	79	276
CRIMINAL	500	289	7	0	0	0	796	525	424
POST CONV RELIEF	230	234	8	0	67	0	405	195	267
INDUSTRIAL COMMISSION	36	55	1	0	6	0	86	41	56
JUVENILE	153	430	3	0	0	0	586	176	425
HABEAS CORPUS	3	2	0	0	0	0	5	4	5
UNEMPLOYMENT BOARD	50	249	1	0	0	0	300	36	260
TAX	12	9	0	0	0	0	21	11	11
CORP COMM/ELECTR POWER	4	0	0	0	0	0	4	4	1
TOTAL	1,751	2,375	47	0	76	0	4,097	1,748	2,618

COURT OF APPEALS CASE ACTIVITY
FISCAL YEAR 2021
DIVISION ONE

ALL CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL CASES TERM	PENDING 6/30/2021	FISCAL YEAR 2020	
	WRITTEN OPINION	MEMO DECIS	ORDER	OTHER DECIS			TOTAL CASES TERM	PENDING 6/30/2020
CIVIL	31	254	155	53	493	366	506	441
CIVIL FAMILY [1]	17	135	123	54	329	222	295	205
MENTAL HEALTH	1	9	107	2	119	17	117	36
MH SEXUAL PREDATOR	0	0	0	0	0	0	5	0
SPECIAL ACTIONS	8	6	256	11	281	67	279	81
CRIMINAL	15	320	139	6	480	316	463	500
POST-CONV RELIEF	1	146	88	12	247	158	245	230
INDUSTRIAL COMMISSION	1	32	15	3	51	35	54	36
JUVENILE	2	184	233	4	423	163	453	153
HABEAS CORPUS	0	3	1	0	4	1	5	3
UNEMPLOYMENT BOARD	1	1	259	1	262	38	246	50
TAX	2	1	1	0	4	17	10	12
CORP COMM/ELECTR POWER	0	0	1	2	3	1	1	4
TOTAL	79	1,091	1,378	148	2,696	1,401	2,679	1,751

[1] CIVIL FAMILY WAS FIRST REPORTED AS A SEPARATE LINE ITEM IN FY 2015 FOR DIVISION ONE AND FY 2017 FOR DIVISION TWO. IN PRIOR YEARS THIS CATEGORY WAS COMBINED WITH CIVIL.

COURT OF APPEALS - DIVISION TWO Narrative Summary

Filings

Filings in Division Two of the Court of Appeals decreased 16.3% from 706 in FY 2020 to 591 in FY 2021. Additionally, there were 17 cases transferred into the court during the fiscal year. Filings in the criminal, civil and special action categories decreased while in the post-conviction relief filings increased from the previous fiscal year.

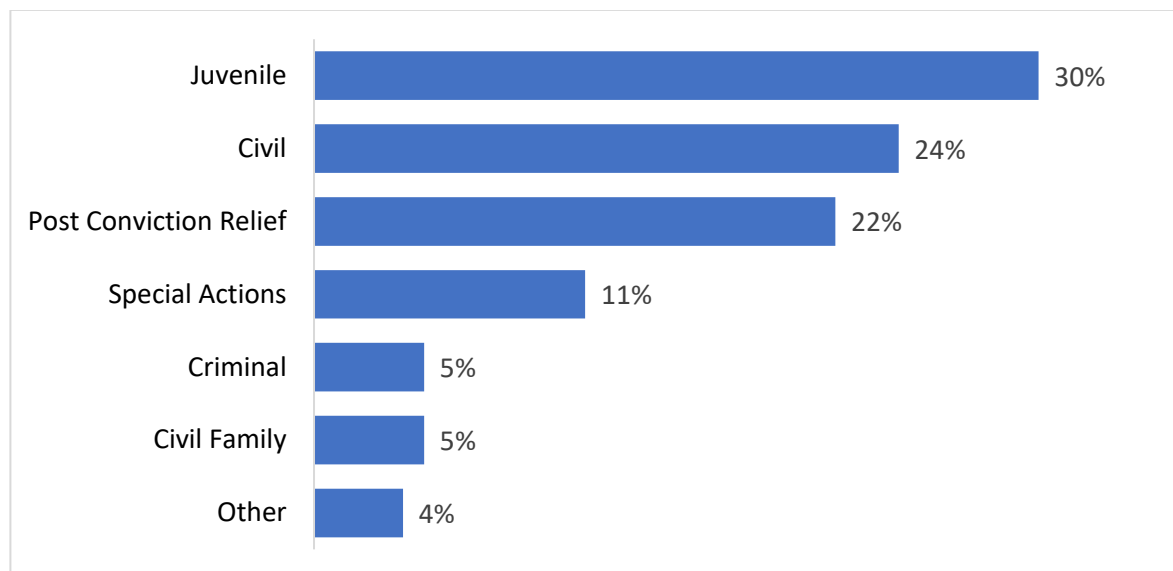
Terminations & Pending Caseloads

Total terminations slightly decreased (1.3%) from 836 in FY 2019 to 825 in FY 2020. The juvenile, criminal, and postconviction relief categories had the highest number of terminations. The total pending caseload decreased by 119 cases, from 758 on July 1, 2019 to 639 at the end of FY 2020, down 15.7%.

Total terminations decreased (12.8%) from 825 in FY 2020 to 719 in FY 2021. The criminal, civil and juvenile categories had the highest number of terminations. The total pending caseload decreased by 124 cases, from 639 on July 1, 2020, to 515 at the end of FY 2021, down 19.4%.

Figure 5

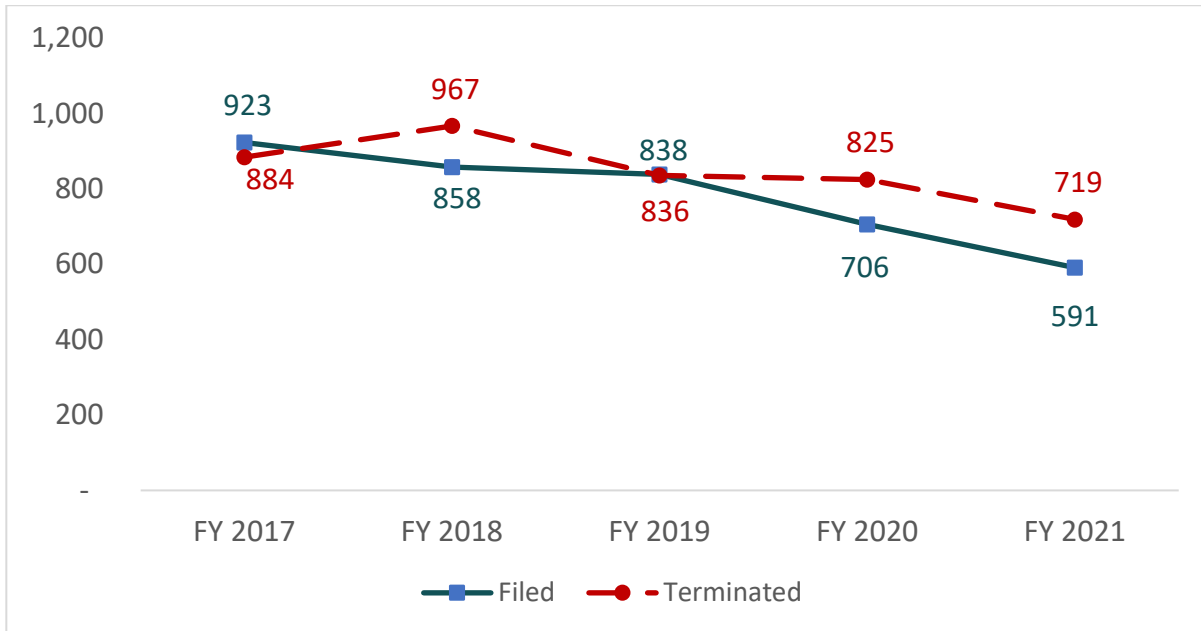
Percent Distribution of Filings in the Court of Appeals, Division Two Fiscal Year 2021



**Other" includes the following categories: Rule 29, Settlement Conf., Mental Health, Industrial Commission, Habeas Corpus and Corporation Commission*

CASES FILED ARE ORIGINAL FILINGS ONLY.
CASES TERMINATED DO NOT INCLUDE TRANSFERS OUT.

Figure 6
 Court of Appeals, Division Two Annual Case Activity, FY 2017-2021 Cases Filed and Terminated



Note. cases filed are original filing only; cases terminated do not include transfers out.

CASES FILED ARE ORIGINAL FILINGS ONLY.
 CASES TERMINATED DO NOT INCLUDE TRANSFERS OUT.

COURT OF APPEALS CASE ACTIVITY
 FISCAL YEAR 2021
 DIVISION TWO
 ALL CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2020	CASES FILED	REIN- STATED	TRANS- FER IN	TRANS- FER OUT	STAT ADJ	TOTAL ON FILE	FISCAL YEAR 2020	
								PENDING 7/1/2019	CASES FILED
CIVIL	130	138	0	0	0	-5	263	149	151
RULE 29	0	0	0	0	0	0	0	0	0
SETTLEMENT CONF	1	0	0	0	0	-1	0	2	6
CIVIL FAMILY [1]	44	26	0	0	0	6	76	40	51
MENTAL HEALTH	0	6	0	0	1	0	5	6	0
MH SEXUAL PREDATOR	1	1	0	0	0	0	2	1	0
SPECIAL ACTIONS	24	64	0	0	5	0	83	28	68
CRIMINAL	264	48	0	0	3	2	311	322	166
POST CONV RELIEF	96	123	0	11	4	-2	224	109	94
INDUSTRIAL COMMISSION	8	1	0	6	0	0	15	12	0
JUVENILE	65	171	0	0	0	0	236	70	164
HABEAS CORPUS	6	13	0	0	0	0	19	7	6
CORP COMM/ELECTR POWER	0	0	0	0	0	0	0	0	0
TOTAL	639	591	0	17	13	0	1,234	746	706

COURT OF APPEALS CASE ACTIVITY
FISCAL YEAR 2021
DIVISION TWO

ALL CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL CASES TERM	PENDING 6/30/2021	FISCAL YEAR 2020	
	WRITTEN OPINION	MEMO DECIS	ORDER	OTHER DECIS			TOTAL CASES TERM	PENDING 6/30/2020
CIVIL	7	49	0	63	119	144	173	130
RULE 29	0	0	0	0	0	0	0	0
SETTLEMENT CONF	0	0	0	0	0	0	2	1
CIVIL FAMILY [1]	1	18	0	24	43	33	53	44
MENTAL HEALTH	0	0	0	1	1	4	6	0
MH SEXUAL PREDATOR	1	0	0	0	1	1	0	1
SPECIAL ACTIONS	3	2	2	54	61	22	69	24
CRIMINAL	14	140	0	15	169	142	218	264
POST-CONV RELIEF	3	132	2	15	152	72	113	96
INDUSTRIAL COMMISSION	0	6	0	1	7	8	14	8
JUVENILE	1	41	0	119	161	75	170	65
HABEAS CORPUS	0	3	0	2	5	14	7	6
CORP COMM/ELECTR POWER	0	0	0	0	0	0	0	0
TOTAL	30	391	4	294	719	515	825	639

[1] CIVIL FAMILY WAS FIRST REPORTED AS A SEPARATE LINE ITEM IN FY 2015 FOR DIVISION ONE AND FY 2017 FOR DIVISION TWO. IN PRIOR YEARS THIS CATEGORY WAS COMBINED WITH CIVIL.