

**Appellate Courts
Fiscal Year 2023
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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ABBREVIATIONS
(Appellate)

App. Sp. Examiner	Appointment of Special Examiner
Corp. Comm/ Electr Power.....	Corporation Commission/Electrical Power
Decis	Decisions
Disb.....	Disability
Exam/Admiss.....	Examination/Admission
Extraord.....	Extraordinary
Ind. Comm.	Industrial Commission
Memo	Memorandum
MH Sexual Predator.....	Mental Health Sexual Predator
Pet Rev/PR.....	Petition for Review
Post-Conv. Relief.....	Post-Conviction Relief
Resig..	Resignation
Settlement Conf.	Settlement Conference
SP Action-Other.....	Special Action - Other
Stat. Adj.	Statistical Adjustment
Term.....	Terminated
WCIR.....	Water Case in Review

SUPREME COURT
Narrative Summary

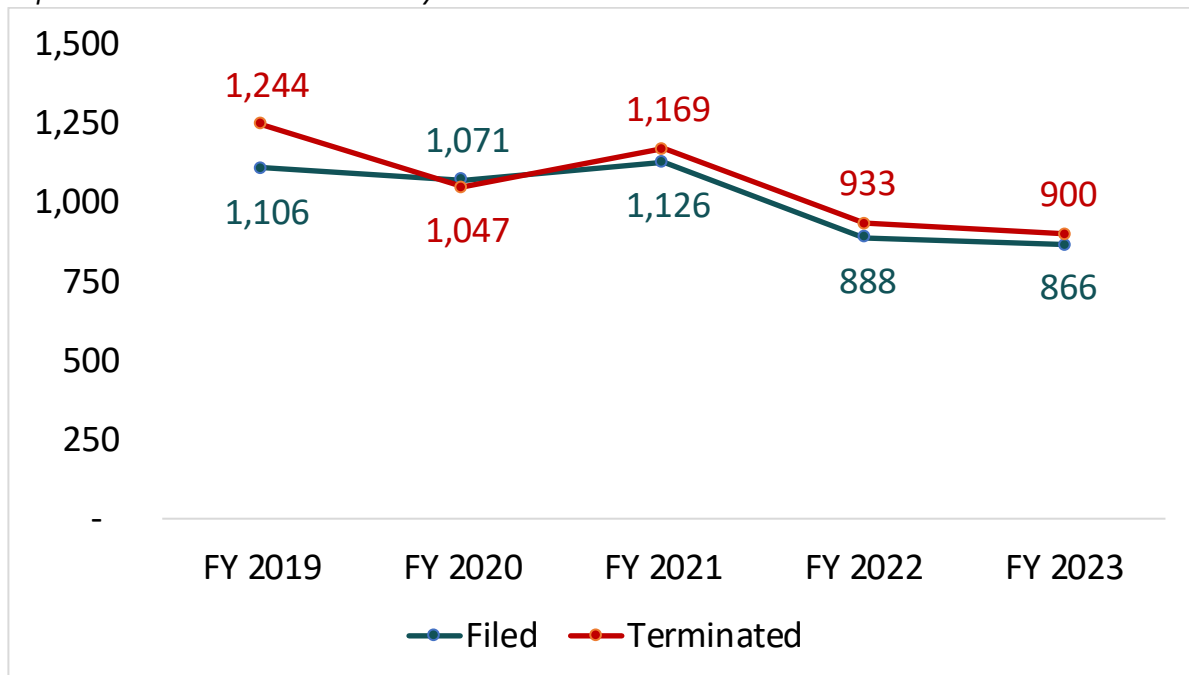
Filings

During fiscal year 2023, 866 cases were filed in the Supreme Court, a decrease of 2.5% from the 888 cases filed during FY 2022. The total petitions for review decreased from 597 in FY 2022 to 579 in FY 2023, a decrease of 3.0%. Special action case filings also decreased, from 104 in FY 2022 to 94 in FY 2023, down 9.6%.

Terminations & Pending Caseloads

The Supreme Court disposed of 900 cases during FY 2023, a decrease of 3.5% compared to the 933 terminated the previous fiscal year. The number of cases pending at the end of the fiscal year decreased 9.8% from 400 at the end of FY 2022 to 361 at the end of FY 2023. Detailed breakdowns of “State Bar Matters” and “All Other Cases” and a State Bar Activity Report follow the filings and terminations summaries in this publication.

Figure 1
Supreme Court Annual Case Activity FY 2019-2023 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 2023

ALL CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2022	CASES FILED	REIN- STATED	TRANS-	TRANS-	STAT ADJ	TOTAL CASES ON FILE	FISCAL YEAR 2022	
				FER IN	FER OUT			PENDING 7/1/2021	CASES FILED
CIVIL APPEALS	0	6	0	0	0	0	6	1	8
CRIMINAL APPEALS	5	2	0	0	0	0	7	6	1
POST-CONV RELIEF	6	4	1	0	0	0	11	9	3
SPECIAL ACTION	10	23	0	0	0	0	33	4	41
SP ACTION-OTHER	8	71	0	0	0	0	79	1	63
STATE BAR MATTERS	15	84	0	0	0	-1	98	19	92
HABEAS CORPUS	4	23	0	0	0	0	27	4	26
RULE 28	43	56	0	0	0	0	99	45	43
ALL OTHER CASES	16	18	0	0	0	0	34	15	14
SUBTOTAL	107	287	1	0	0	-1	394	104	291
PET REV-CIVIL	120	227	2	0	0	0	349	128	215
PET REV-CRIMINAL	151	315	0	0	0	-7	459	191	329
PET REV-IND COMM	3	3	0	0	0	0	6	3	9
PET REV-JUVENILE	15	29	0	0	0	0	44	10	38
PET REV-TAX	4	5	0	0	0	0	9	5	6
SUBTOTAL	293	579	2	0	0	-7	867	337	597
TOTAL	400	866	3	0	0	-8	1,261	441	888

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2023

ALL CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL		FISCAL YEAR 2022	
	WRITTEN	MEMO	OTHER	TOTAL	PENDING	TOTAL		
	OPINION	DECIS	ORDER[1]			DECIS[1]	CASES	PENDING
				TERM	6/30/2023	TERM	6/30/2022	
CIVIL APPEALS	2	0	1	2	5	1	9	0
CRIMINAL APPEALS	1	0	0	0	1	6	2	5
POST-CONV RELIEF	1	0	6	0	7	4	6	6
SPECIAL ACTION	2	0	26	2	30	3	35	10
SP ACTION-OTHER	0	0	66	6	72	7	56	8
STATE BAR MATTERS	1	0	77	5	83	15	96	15
HABEAS CORPUS	0	0	20	2	22	5	27	4
RULE 28	0	0	46	1	47	52	45	43
ALL OTHER CASES	<u>2</u>	<u>0</u>	<u>17</u>	<u>2</u>	<u>21</u>	<u>13</u>	<u>13</u>	<u>16</u>
SUBTOTAL	9	0	259	20	288	106	289	107
PET REV-CIVIL	23	0	217	8	248	101	224	120
PET REV-CRIMINAL	9	0	311	7	327	132	371	151
PET REV-IND COMM	1	0	3	0	4	2	9	3
PET REV-JUVENILE	0	0	29	1	30	14	33	15
PET REV-TAX	<u>1</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>3</u>	<u>6</u>	<u>7</u>	<u>4</u>
SUBTOTAL	34	0	562	16	612	255	644	293
TOTAL	43	0	821	36	900	361	933	400

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2023

"ALL OTHER CASES" DETAIL
CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2022	CASES FILED	REIN- STATED	TRANS- FER IN	TRANS- FER OUT	STAT ADJ	TOTAL CASES ON FILE	FISCAL YEAR 2022	
								PENDING 7/1/2021	CASES FILED
EXTRAORD MATTERS	8	0	0	0	0	0	8	9	3
JUDICIAL CONDUCT	0	0	0	0	0	0	0	0	0
TRANSFERS	2	10	0	0	0	0	12	0	5
WATER CASES	2	0	0	0	0	0	2	2	0
WCIR CASES	0	1	0	0	0	0	1	0	0
GRAND JURY	0	2	0	0	0	0	2	0	2
CERTIFIED QUESTION	4	5	0	0	0	0	9	4	4
ORIGINAL COMPLAINT	0	0	0	0	0	0	0	0	0
TOTAL	16	18	0	0	0	0	34	15	14

"ALL OTHER CASES" DETAIL
CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED						FISCAL YEAR 2022	
	CASES TERMINATED				TOTAL		TOTAL	
	WRITTEN OPINION	MEMO DECIS	ORDER[1] DECIS[1]	OTHER DECIS[1]	CASES TERM	PENDING 6/30/2023	CASES TERM	PENDING 6/30/2022
EXTRAORD MATTERS	0	0	3	0	3	5	4	8
JUDICIAL CONDUCT	0	0	0	0	0	0	0	0
TRANSFERS	0	0	10	2	12	0	3	2
WATER CASES	0	0	0	0	0	2	0	2
WCIR CASES	0	0	0	0	0	1	0	0
GRAND JURY	0	0	2	0	2	0	2	0
CERTIFIED QUESTION	2	0	2	0	4	5	4	4
ORIGINAL COMPLAINT	0	0	0	0	0	5	0	0
TOTAL	2	0	17	2	21	13	13	16

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2023

"STATE BAR MATTERS" DETAIL
MATTERS ON FILE

TYPE OF MATTER	PENDING 7/1/2022	MATTERS FILED	REIN- STATED	STAT ADJ	TOTAL MATTERS ON FILE	FISCAL YEAR 2022	
						PENDING 7/1/2021	MATTERS FILED
DISCIPLINARY	3	4	0	0	7	0	7
TRANSFER TO DISB.	0	0	0	0	0	0	0
CONDITIONAL ADMISS	1	10	0	0	11	1	7
PR EXAM/ADMISS	3	17	0	0	20	4	28
APPT SP EXAMINER	0	0	0	0	0	0	0
RESIG IN GOOD STAND	1	8	0	0	9	1	9
RULE 39	0	0	0	0	0	0	0
RULE 40	0	0	0	0	0	0	0
REINSTATEMENTS	3	30	0	0	33	6	26
MISCELLANEOUS	4	15	0	-1	18	7	15
TOTAL	15	84	0	-1	98	19	92

"STATE BAR MATTERS" DETAIL
MATTERS TERMINATED

TYPE OF MATTER	MATTERS TERMINATED					TOTAL MATTERS PENDING 6/30/2023	FISCAL YEAR 2022	
	WRITTEN	MEMO	OTHER	TOTAL	TOTAL		PENDING	
	OPINION	DECIS	ORDER[1]	DECIS[1]	TERM		6/30/2022	
DISCIPLINARY	1	0	4	0	5	2	4	3
TRANSFER TO DISB	0	0	0	0	0	0	0	0
CONDITIONAL ADMISS	0	0	8	0	8	3	7	1
PR EXAM/ADMISS	0	0	17	0	17	3	29	3
APPT SP EXAMINER	0	0	0	0	0	0	0	0
RESIG IN GOOD STAND	0	0	9	0	9	0	9	1
RULE 39	0	0	0	0	0	0	0	0
RULE 40	0	0	0	0	0	0	0	0
REINSTATEMENTS	0	0	27	1	28	5	29	3
MISCELLANEOUS	0	0	12	4	16	2	18	4
TOTAL	1	0	77	5	83	15	96	15

SUPREME COURT CASE ACTIVITY
FISCAL YEAR 2023

STATE BAR ACTIVITY REPORT

TYPE OF ACTIVITY	NUMBER	FISCAL YEAR 2022 NUMBER
ADMISSIONS	0	0
ADMISSIONS BY MAIL	378	453
ADMISSIONS BY MOTION [1]	208	231
ADMISSIONS BY TRANSFER [2]	91	76
REINSTATEMENTS	80	76
SERVICE OF COMPLAINT AND SUBPOENAS	0	0
CERTIFICATE OF GOOD STANDING	918	945
ATTORNEYS SUSPENDED	308	218
EXPUNGED	7	7
RULE 38 (CERTIFICATIONS)	311	407
TRANSFERS TO DISABILITY	1	0
TOTAL	2,302	2,413

[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 a 3.2% increase in case filings during fiscal year 2023. Original filings increased from 2,557 in FY 2022 to 2,638 in FY 2023. An additional 54 cases were reinstated or transferred in during the year.

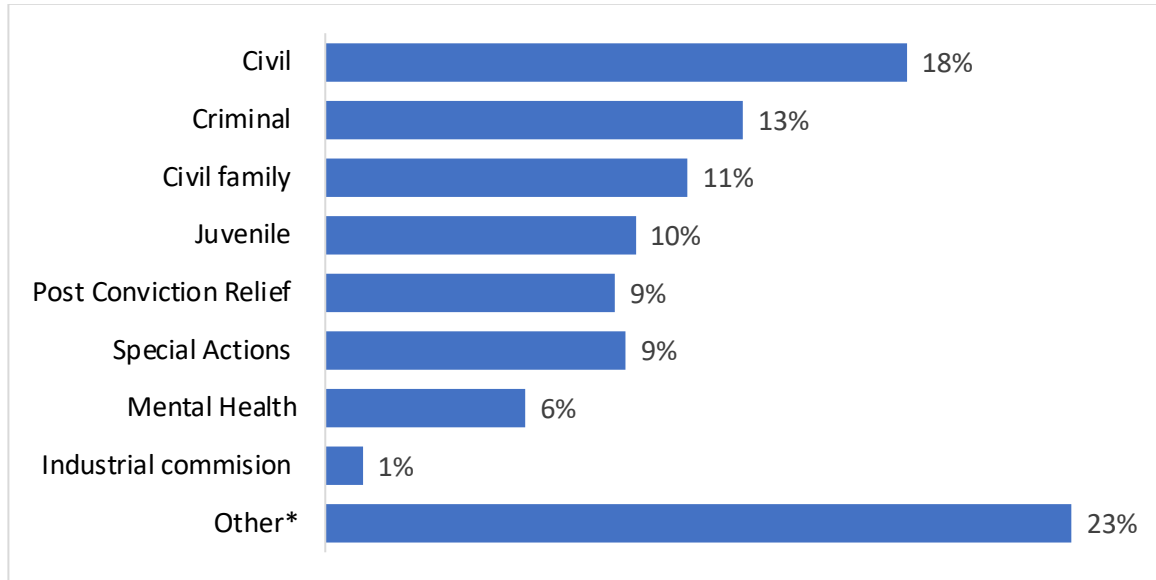
Filings in the unemployment board increased by 78.6% from 336 filings in FY 2022 to 600 in FY 2023. Civil case filings increased 2.6% from FY 2022 to FY 2023.

Terminations & Pending Caseloads

Total dispositions increased 9.1%, from 2,535 in FY 2022 to 2,766 in FY 2023. The total pending caseload decreased by 233 cases from 1,477 on July 1, 2022, to 1,244 on June 30, 2023.

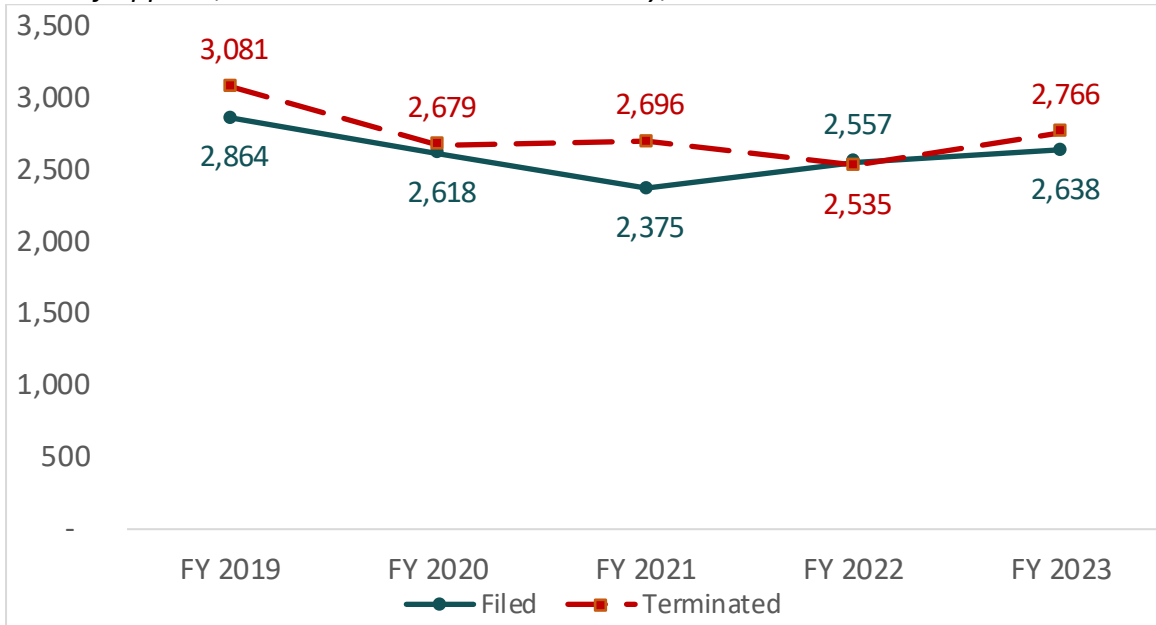
CASES FILED ARE ORIGINAL FILINGS ONLY.
 CASES TERMINATED DO NOT INCLUDE TRANSFERS OUT.

Figure 2
 Percent Distribution of Filings in the Court of Appeals, Division One Fiscal Year 2023



*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 2019-2023 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 2023
 DIVISION ONE
 ALL CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2022	CASES FILED	REIN- STATED	TRANS-	TRANS-	STAT ADJ	TOTAL	FISCAL YEAR 2022	
				FER IN	FER OUT		CASES ON FILE	PENDING 7/1/2021	CASES FILED
CIVIL	382	473	13	0	50	0	818	366	461
CIVIL FAMILY [1]	202	295	8	0	32	0	473	222	345
MENTAL HEALTH	24	158	0	0	0	0	182	17	93
MH SEXUAL PREDATOR	1	4	0	0	0	0	5	0	4
SPECIAL ACTIONS	70	244	3	0	0	0	317	67	269
CRIMINAL	323	340	9	0	14	0	658	316	365
POST CONV RELIEF	185	235	19	0	63	0	376	158	277
INDUSTRIAL COMMISSION	35	30	0	0	0	0	65	35	50
JUVENILE	154	252	1	0	0	0	407	163	341
HABEAS CORPUS	1	3	0	0	0	0	4	1	2
UNEMPLOYMENT BOARD	80	600	1	0	0	0	681	38	336
TAX	16	4	0	0	0	0	20	17	10
CORP COMM/ELECTR POWER	4	0	0	0	0	0	4	1	4
TOTAL	1,477	2,638	54	0	159	0	4,010	1,401	2,557

COURT OF APPEALS CASE ACTIVITY
FISCAL YEAR 2023
DIVISION ONE

ALL CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL CASES TERM	PENDING 6/30/2023	FISCAL YEAR 2022	
	WRITTEN OPINION	MEMO DECIS	OTHER ORDER	OTHER DECIS			TOTAL CASES TERM	PENDING 6/30/2022
CIVIL	37	194	181	66	478	340	457	382
CIVIL FAMILY [1]	9	137	115	48	309	164	374	202
MENTAL HEALTH	0	4	146	0	150	32	86	24
MH SEXUAL PREDATOR	0	1	3	0	4	1	3	1
SPECIAL ACTIONS	11	3	233	12	259	58	274	70
CRIMINAL	10	207	118	23	358	300	364	323
POST-CONV RELIEF	3	161	72	21	257	119	267	185
INDUSTRIAL COMMISSION	2	23	16	0	41	24	47	35
JUVENILE	2	151	134	3	290	117	355	154
HABEAS CORPUS	0	0	4	0	4	0	2	1
UNEMPLOYMENT BOARD	2	4	599	3	608	73	294	80
TAX	3	3	0	1	7	13	11	16
CORP COMM/ELECTR POWER	0	0	1	0	1	3	1	4
TOTAL	79	888	1,622	177	2,766	1,244	2,535	1,477

[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

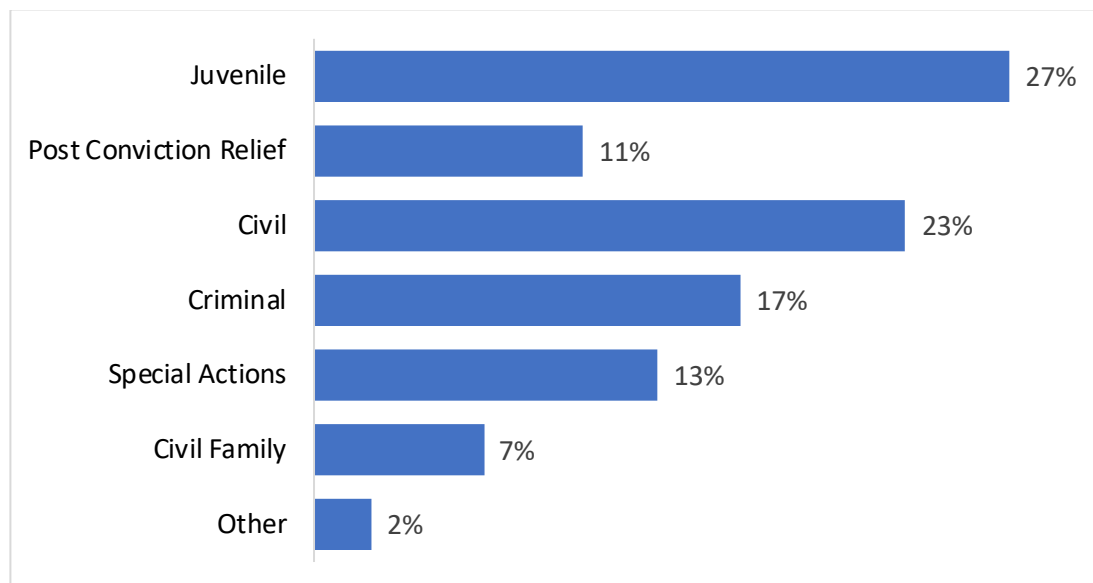
Filings in Division Two of the Court of Appeals increased 0.2% from 616 in FY 2022 to 617 in FY 2023. Additionally, there were 125 cases transferred into the court during the fiscal year. Filings in the criminal, civil and special action categories increased while filings in the juvenile and post-conviction relief decreased from the previous fiscal year.

Terminations & Pending Caseloads

Total terminations increased (12.4%) from 542 in FY 2022 to 609 in FY 2023. The categories post-conviction relief, criminal and civil categories had the highest number of terminations. The total pending caseload increased by 97 cases, from 581 on July 1 of 2022 to 678 at the end of FY 2023, up 16.7%.

Figure 5

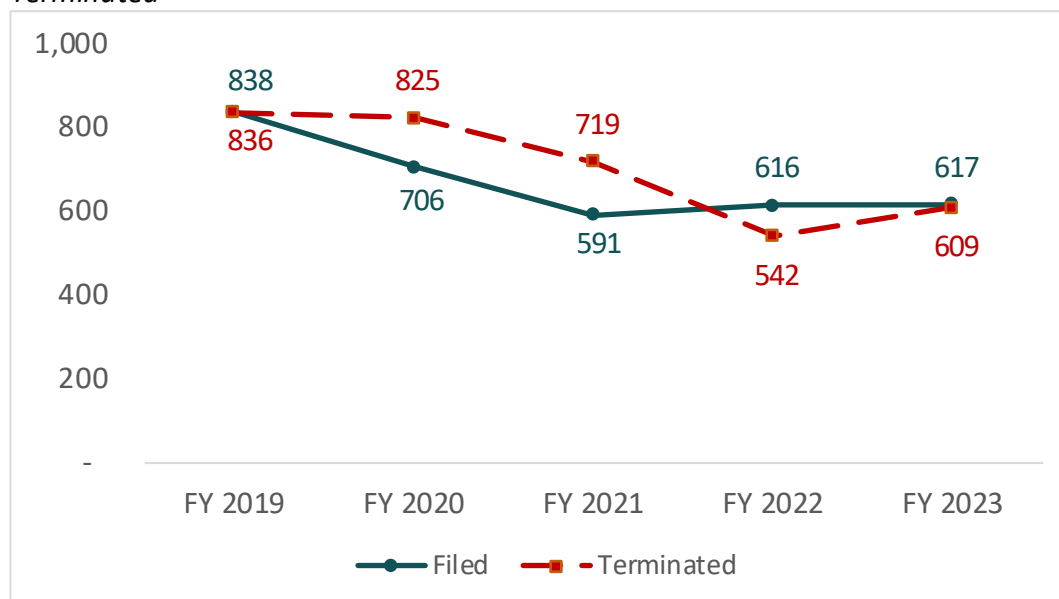
Percent Distribution of Filings in the Court of Appeals, Division Two Fiscal Year 2023



**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 2019-2023 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 2023
DIVISION TWO
ALL CASES ON FILE

TYPE OF ACTION	PENDING 7/1/2022	CASES FILED	REIN- STATED	TRANS- FER IN	TRANS- FER OUT	STAT ADJ	TOTAL CASES ON FILE	FISCAL YEAR 2022	
								PENDING 7/1/2021	CASES FILED
CIVIL	151	143	0	38	1	-7	324	144	111
RULE 29	0	0	0	0	0	0	0	0	0
SETTLEMENT CONF	0	0	0	0	0	0	0	0	0
CIVIL FAMILY [1]	38	41	0	17	0	3	99	33	37
MENTAL HEALTH	8	13	0	0	0	-1	20	4	7
MH SEXUAL PREDATOR	1	0	0	0	0	0	1	1	1
SPECIAL ACTIONS	23	83	0	0	0	5	111	22	67
CRIMINAL	90	103	0	14	0	0	207	142	74
POST CONV RELIEF	151	65	0	56	0	-1	271	72	134
INDUSTRIAL COMMISSION	6	0	0	0	0	0	6	8	1
JUVENILE	85	168	0	0	0	-13	240	75	169
HABEAS CORPUS	28	1	0	0	0	-21	8	14	15
CORP COMM/ELECTR POWER	0	0	0	0	0	0	0	0	0
TOTAL	581	617	0	125	1	-35	1,287	515	616

COURT OF APPEALS CASE ACTIVITY
FISCAL YEAR 2023
DIVISION TWO

ALL CASES TERMINATED

TYPE OF ACTION	CASES TERMINATED				TOTAL CASES TERM	PENDING 6/30/2023	FISCAL YEAR 2022	
	WRITTEN OPINION	MEMO DECIS	OTHER ORDER	OTHER DECIS			TOTAL CASES TERM	PENDING 6/30/2022
CIVIL	4	46	2	60	112	212	92	151
RULE 29	0	0	0	0	0	0	0	0
SETTLEMENT CONF	0	0	0	0	0	0	0	0
CIVIL FAMILY [1]	0	19	0	28	47	52	37	38
MENTAL HEALTH	0	6	0	10	16	4	2	8
MH SEXUAL PREDATOR	0	0	0	0	0	1	1	1
SPECIAL ACTIONS	4	8	1	74	87	24	59	23
CRIMINAL	5	56	1	14	76	131	124	90
POST-CONV RELIEF	1	90	0	7	98	173	62	151
INDUSTRIAL COMMISSION	0	3	0	0	3	3	6	6
JUVENILE	0	22	0	140	162	78	158	85
HABEAS CORPUS	0	5	0	3	8	0	1	28
CORP COMM/ELECTR POWER	0	0	0	0	0	0	0	0
TOTAL	14	255	4	336	609	678	542	581

[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.