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THE WORK OF THE COURT OF APPEALS:
A STATISTICAL MISCELLANY*

July 1, 1988 through
June 30, 1989**

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* Tables prepared by Marc A. Greidinger, Assistant Editor, *Maryland Law Review*.

** Throughout these tables, unless otherwise noted, the data include all published opinions of the Court of Appeals issued between July 1, 1988, and June 30, 1989. Separately captioned cases consolidated and disposed of by the court in a single decision are treated as a single case.

TABLE I
PROCEDURAL SOURCES OF CASES

	Number	Percentage
Writ of Certiorari		
To the Court of Special Appeals		
Decided in the Court of Special Appeals		
Reported	39	
Unreported	37	
Total	76	43.9
Expedited to the Court of Appeals	51	29.5
From the Circuit Courts	6	3.5
Direct Appeals from Circuit Courts	4	2.3
Certified Questions		
From Federal Courts	4	2.3
From the Court of Special Appeals	1	0.6
Professional Supervision		
Reported	20	11.6
Unreported Per Curiam	6	3.5
Remand from Supreme Court	1	0.6
On Motion for Reconsideration	0	0.0
Writ of Certiorari Dismissed	<u>4</u>	<u>2.3</u>
TOTAL	173	100.1

TABLE II
OPINIONS OF THE COURT OF SPECIAL APPEALS
IN THE COURT OF APPEALS¹

	Number	Percentage
Unreported		
Affirmed	16	43.2
Reversed	17	45.9
Affirmed in Part/Reversed in Part	4	10.8
Total	<u>37</u>	<u>99.9</u>
Reported		
Affirmed	14	35.9
Reversed	22	56.4
Affirmed in Part/Reversed in Part	3	7.7
Total	<u>39</u>	<u>100.0</u>
Total		
Affirmed	30	39.5
Reversed	39	51.3
Affirmed in Part/Reversed in Part	7	9.2
Total ²	<u>76</u>	<u>100.0</u>

TABLE III
FREQUENCY OF SEPARATE OPINIONS

The Court	Number	Percentage
Unanimous Opinions	134	80.2
Decisions with Concurring Opinions	9	5.4
Decisions with Dissenting Opinions	18	10.8
Decisions with Both Concurring Opinions and Dissenting Opinions	1	0.6
Decisions Concurring in Part and Dissenting in Part	5	3.0
TOTAL	<u>167³</u>	<u>100.0</u>

1. In these tables, a decision has been designated as "affirmed" or "reversed" if that is the label placed upon it by the Court of Appeals. The "reversed" column also includes decisions that were "modified," "vacated," or "remanded" either wholly or in part.

"Affirmed" and "reversed" are fairly crude labels. A decision may be "affirmed," for example, even if the reviewing court thought the grounds given by the lower court to support the decision below were completely wrong. Nevertheless, the terms serve as rough indicators of possible trends or problems.

2. Does not include cases in which the Court of Appeals dismissed the Writ of Certiorari as improvidently granted.

3. Does not include unreported Per Curiam opinions.

TABLE IV
PRIMARY SUBJECT MATTER OF OPINIONS

	Number of Opinions		
	Decision ⁴ For	Ag	Gov
	Total	Gov	Gov
A. Public Law			
Criminal			
Constitutional Issues (federal and/or state)	14	6	8
Evidentiary	6	3	3
Procedural (nonconstitutional)	20	7	13
Substantive	15	6	9
Civil			
Administrative	10	8	2
Antitrust	2	2	0
Constitutional			
Federal	2	1	1
State	1	1 ⁵	0
Civil Rights (statutory)	1	0	1
Consumer Law	0	0	0
Health Care	0	0	0
Municipal Law	1	0	1
Real Property			
Eminent Domain	2	2	0
Zoning and Planning	5	4	0
Taxation	7	3	4
B. Private Law			
Procedural	14	0	1
Substantive			
Bankruptcy	1	1	0
Commercial	1	0	0
Contracts	3	0	0
Corporations	1	0	0
Custody/Domestic Relations	4	0	0
Insurance	9	3	0
Labor	4	1	1
Property	4	1	0
Torts	12	1	2
Wills/Estates/Trusts	4	0	0
C. Writ of Certiorari Dismissed	4	-	-
D. Professional Questions			
Reinstatement	1	1	0
Disciplinary	17	3	14
Admission to Bar	2	0	2
Unreported Per Curiam	6	-	-
	173	54	48

4. Tabulation includes questions certified from the federal courts and the Maryland Court of Special Appeals in which the outcomes discernably favor or disfavor the government.

5. State of Maryland wins against Talbot County.

TABLE V
OUTCOMES BY SELECTED SUBJECT MATTER OF CASE⁶

	<u>Number of</u>	
	<u>Opinions</u>	
	Decision	
	For	Ag
	Gov	Gov
	<u>Total</u>	
Violent Crime	20	13
Death Sentence Review	5	5
Property Crime	18	11
Involving Law Enforcement Misconduct	8	5
Firearms Involved with Crime	8	5
Drugs/Alcohol Involved with Crime	11	6
Crimes Against Children	2	1
	<u>72</u>	<u>46</u>

6. Categories are not mutually exclusive. This table reflects only those cases in which the subject matter is identifiable through the text of the Maryland Reports.

