### Table S-1.

U.S. Courts of Appeals—Appeals Terminated on the Merits After Oral Hearings or Submission on Briefs During the 12-Month Period Ending September 30, 2013

| Circuit  |        | Cases                              |                                      | After Oral Hearing |                     |         |       | After Submission on Briefs |                     |         |        |
|----------|--------|------------------------------------|--------------------------------------|--------------------|---------------------|---------|-------|----------------------------|---------------------|---------|--------|
|          | Total  | Disposed<br>of by<br>Consolidation | Total<br>Excluding<br>Consolidations | Total              | Percent<br>of Total | En Banc | Panel | Total                      | Percent<br>of Total | En Banc | Panel  |
| TOTAL    | 37,820 | 2,518                              | 35,302                               | 6,914              | 19.6                | 41      | 6,873 | 28,388                     | 80.4                | 4       | 28,384 |
| DC       | 537    | 98                                 | 439                                  | 233                | 53.1                | -       | 233   | 206                        | 46.9                | -       | 206    |
| First    | 997    | 61                                 | 936                                  | 259                | 27.7                | 1       | 258   | 677                        | 72.3                | -       | 677    |
| Second   | 3,399  | 314                                | 3,085                                | 958                | 31.1                | -       | 958   | 2,127                      | 68.9                | -       | 2,127  |
| Third    | 2,845  | 130                                | 2,715                                | 225                | 8.3                 | 2       | 223   | 2,490                      | 91.7                | -       | 2,490  |
| Fourth   | 4,023  | 195                                | 3,828                                | 432                | 11.3                | 2       | 430   | 3,396                      | 88.7                | -       | 3,396  |
| Fifth    | 4,789  | 613                                | 4,176                                | 796                | 19.1                | 11      | 785   | 3,380                      | 80.9                | -       | 3,380  |
| Sixth    | 3,798  | 210                                | 3,588                                | 655                | 18.3                | 4       | 651   | 2,933                      | 81.7                | 1       | 2,932  |
| Seventh  | 1,868  | 166                                | 1,702                                | 644                | 37.8                | 4       | 640   | 1,058                      | 62.2                | -       | 1,058  |
| Eighth   | 2,296  | 135                                | 2,161                                | 396                | 18.3                | 2       | 394   | 1,765                      | 81.7                | -       | 1,765  |
| Ninth    | 7,582  | 335                                | 7,247                                | 1,512              | 20.9                | 12      | 1,500 | 5,735                      | 79.1                | 2       | 5,733  |
| Tenth    | 1,490  | 30                                 | 1,460                                | 354                | 24.2                | -       | 354   | 1,106                      | 75.8                | -       | 1,106  |
| Eleventh | 4,196  | 231                                | 3,965                                | 450                | 11.3                | 3       | 447   | 3,515                      | 88.7                | 1       | 3,514  |

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

# Table S-2.U.S. Courts of Appeals—Total Case Participations in Cases Terminated on the MeritsAfter Oral Hearings or Submission on BriefsDuring the 12-Month Period Ending September 30, 2013

|                      | Total   |   | Total<br>Excluding<br>Consolidation | Case Participations by            |         |                                   |         |                    |         | -                             |
|----------------------|---------|---|-------------------------------------|-----------------------------------|---------|-----------------------------------|---------|--------------------|---------|-------------------------------|
|                      |         | Cases<br>Disposed<br>of by<br>Consolidation |                                     | Resident Active<br>Circuit Judges |         | Resident Senior<br>Circuit Judges |         | Visiting<br>Judges |         | Percent by                    |
| Circuit              |         |   |                                     | Number                            | Percent | Number                            | Percent | Number             | Percent | Senior and<br>Visiting Judges |
| TOTAL                | 107,383 | 7,527                                       | 99,856                              | 76,648                            | 76.8    | 19,238                            | 19.3    | 3,970              | 4.0     | 23.2                          |
| District of Columbia | 1,605   | 294   | 1,311                               | 1,083                             | 82.6    | 228                               | 17.4    | -                  | 0.0     | 17.4                          |
| First                | 2,993   | 183   | 2,810                               | 2,195                             | 78.1    | 388                               | 13.8    | 227                | 8.1     | 21.9                          |
| Second               | 10,130  | 939   | 9,191                               | 6,217                             | 67.6    | 2,328                             | 25.3    | 646                | 7.0     | 32.4                          |
| Third                | 8,554   | 390   | 8,164                               | 6,539                             | 80.1    | 1,553                             | 19.0    | 72                 | 0.9     | 19.9                          |
| Fourth               | 12,110  | 609   | 11,501                              | 10,631                            | 92.4    | 759                               | 6.6     | 111                | 1.0     | 7.6                           |
| Fifth                | 13,146  | 1,732                                       | 11,414                              | 9,515                             | 83.4    | 1,857                             | 16.3    | 42                 | 0.4     | 16.6                          |
| Sixth                | 10,179  | 654   | 9,525                               | 6,323                             | 66.4    | 1,834                             | 19.3    | 1,368              | 14.4    | 33.6                          |
| Seventh              | 5,333   | 509   | 4,824                               | 3,761                             | 78.0    | 954                               | 19.8    | 109                | 2.3     | 22.0                          |
| Eighth               | 6,905   | 405   | 6,500                               | 5,133                             | 79.0    | 1,305                             | 20.1    | 62                 | 1.0     | 21.0                          |
| Ninth                | 21,229  | 1,051                                       | 20,178                              | 14,223                            | 70.5    | 5,003                             | 24.8    | 952                | 4.7     | 29.5                          |
| Tenth                | 4,468   | 90  | 4,378                               | 2,905                             | 66.4    | 1,445                             | 33.0    | 28                 | 0.6     | 33.6                          |
| Eleventh             | 10,731  | 671   | 10,060                              | 8,123                             | 80.7    | 1,584                             | 15.7    | 353                | 3.5     | 19.3                          |

NOTE: Due to rounding, percents may not add up to 100. This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

## Table S-3.U.S. Courts of Appeals—Types of Opinions or Orders Filed in Cases Terminatedon the Merits After Oral Hearings or Submission on BriefsDuring the 12-Month Period Ending September 30, 2013

|          |        | Cases<br>Disposed      | Opinion<br>or  | Writter |           | n, Signed <sup>1</sup> | , , ,     | Written, Reasoned,<br>Unsigned <sup>1</sup> |           | Written, Unsigned,<br>Without Comment |                        |
|----------|--------|------------------------|----------------|---------|-----------|------------------------|-----------|---|-----------|---------------------------------------|------------------------|
| Circuit  | Total  | of by<br>Consolidation | Order<br>Total | Oral    | Published | Unpublished            | Published | Unpublished                                 | Published | Unpublished                           | Percent<br>Unpublished |
| TOTAL    | 37,820 | 2,518                  | 35,302         | -       | 3,850     | 6,737                  | 292       | 19,684                                      | 23        | 4,716                                 | 88.2                   |
| DC       | 537    | 98                     | 439            | -       | 191       | -                      | 11        | 237   | -         | -                                     | 54.0                   |
| FIRST    | 997    | 61                     | 936            | -       | 307       | 16                     | 11        | 585   | 7         | 10                                    | 65.3                   |
| SECOND   | 3,399  | 314                    | 3,085          | -       | 303       | 2,725                  | 56        | 1   | -         | -                                     | 88.4                   |
| THIRD    | 2,845  | 130                    | 2,715          | -       | 163       | 1,663                  | 3         | 759   | 3         | 124                                   | 93.8                   |
| FOURTH   | 4,023  | 195                    | 3,828          | -       | 227       | 433                    | 6         | 3,162                                       | -         | -                                     | 93.9                   |
| FIFTH    | 4,789  | 613                    | 4,176          | -       | 312       | 63                     | 46        | 3,734                                       | -         | 21                                    | 91.4                   |
| SIXTH    | 3,798  | 210                    | 3,588          | -       | 329       | 750                    | 9         | 2,493                                       | 2         | 5                                     | 90.5                   |
| SEVENTH  | 1,868  | 166                    | 1,702          | -       | 544       | 1                      | 25        | 1,124                                       | 1         | 7                                     | 66.5                   |
| EIGHTH   | 2,296  | 135                    | 2,161          | -       | 484       | 8                      | 35        | 510   | -         | 1,124                                 | 76.0                   |
| NINTH    | 7,582  | 335                    | 7,247          | -       | 537       | 1                      | 42        | 3,356                                       | 10        | 3,301                                 | 91.9                   |
| TENTH    | 1,490  | 30                     | 1,460          | -       | 259       | 1,042                  | 5         | 154   | -         | -                                     | 81.9                   |
| ELEVENTH | 4,196  | 231                    | 3,965          | -       | 194       | 35                     | 43        | 3,569                                       | -         | 124                                   | 94.0                   |

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

<sup>1</sup> Includes only those opinions and orders that expound on the law as applied to the facts of each case and that detail the judicial reasons upon which the judgment is based.

### Table S-4.U.S. Courts of Appeals—Sources of Pro Se Appeals During the12-Month Periods Ending September 30, 2012 and 2013

|                         | 20     | )12    | 20     | Pro Se Appeals<br>Percent Change |             |  |
|-------------------------|--------|--------|--------|----------------------------------|-------------|--|
| Source                  | Total  | Pro Se | Total  | Pro Se                           | 2012 - 2013 |  |
| Total                   | 57,501 | 29,075 | 56,475 | 28,800                           | -0.9        |  |
| U.S. District Courts    | 44,034 | 22,370 | 42,175 | 21,062                           | -5.8        |  |
| Criminal                | 13,675 | 3,342  | 11,924 | 2,301                            | -31.1       |  |
| Civil—Total             | 30,359 | 19,028 | 30,251 | 18,761                           | -1.4        |  |
| Prisoner Petitions      | 15,020 | 13,582 | 15,031 | 13,556                           | -0.2        |  |
| U.S. Civil              | 2,655  | 1,100  | 2,649  | 1,067                            | -3.0        |  |
| Private Civil           | 12,684 | 4,346  | 12,571 | 4,138                            | -4.8        |  |
| Other Appeals           |        |        |        |                                  |             |  |
| Bankruptcy Courts       | 811    | 227    | 907    | 313                              | 37.9        |  |
| Administrative Agencies | 8,391  | 2,508  | 8,287  | 2,723                            | 8.6         |  |
| Original Proceedings    | 4,265  | 3,970  | 5,106  | 4,702                            | 18.4        |  |

NOTE: This table does not include data for the U.S. Court of Appeals for the Federal Circuit.

### Table S-5. U.S. Courts of Appeals—Appeals Under Submission More Than Three Months on September 30, 2012 and 2013

|          |            | 2013  |              |              |               |                      |  |  |  |
|----------|------------|-------|--------------|--------------|---------------|----------------------|--|--|--|
| Circuit  | 2012 Total | Total | 3 - 5 Months | 6 - 8 Months | 9 - 11 Months | 12 Months<br>or More |  |  |  |
| Total    | 938        | 904   | 429          | 215          | 110           | 150                  |  |  |  |
| Federal  | 37         | 21    | 11           | 6            | 2             | 2                    |  |  |  |
| DC       | 1          | 0     | 0            | 0            | 0             | 0                    |  |  |  |
| First    | 23         | 23    | 15           | 6            | 2             | 0                    |  |  |  |
| Second   | 261        | 294   | 129          | 62           | 29            | 74                   |  |  |  |
| Third    | 83         | 66    | 42           | 9            | 4             | 11                   |  |  |  |
| Fourth   | 3          | 4     | 4            | 0            | 0             | 0                    |  |  |  |
| Fifth    | 33         | 44    | 21           | 13           | 4             | 6                    |  |  |  |
| Sixth    | 92         | 61    | 37           | 17           | 5             | 2                    |  |  |  |
| Seventh  | 99         | 103   | 40           | 18           | 23            | 22                   |  |  |  |
| Eighth   | 21         | 16    | 9            | 5            | 2             | 0                    |  |  |  |
| Ninth    | 89         | 113   | 57           | 31           | 14            | 11                   |  |  |  |
| Tenth    | 109        | 108   | 38           | 40           | 18            | 12                   |  |  |  |
| Eleventh | 87         | 51    | 26           | 8            | 7             | 10                   |  |  |  |