

Indiana Court of Appeals 2000 Annual Report

First District

John G. Baker, Presiding Judge
Edward W. Najam, Jr., Judge
L. Mark Bailey, Judge

Second District

James S. Kirsch, Presiding Judge
Patrick D. Sullivan, Judge
Ezra H. Friedlander, Judge

Third District

Sanford M. Brook, Presiding Judge
Paul D. Mathias, Judge
Michael P. Barnes, Judge

Fourth District

Melissa S. Mattingly, Presiding Judge
Patricia A. Riley, Judge
Carr L. Darden, Judge

Fifth District

John T. Sharpnack, Chief Judge
Margret G. Robb, Judge
Nancy H. Vaidik, Judge

Indiana Court of Appeals
200 West Washington Street, Room 414
Indianapolis, Indiana 46204
Phone: (317) 232-4196
www.IN.gov/judiciary



Indiana Court of Appeals 2000 Court Summary

	CRIMINAL	POST-CONVICTION	CIVIL	EXPEDITE	OTHER	TOTAL
Cases Pending 12-31-99	184	35	172	4	19	414
Cases Fully-Briefed Received	1089	149	690	34	198	2160
Geographic District One	218	38	220	N/A	56	532
Geographic District Two	666	54	244	34	81	1079
Geographic District Three	205	57	226	N/A	61	549
Cases Disposed	1059	158	701	34	205	2157
By Majority Opinion	1059	158	692	34	201	2144
By Order	0	0	9	0	4	13
Net Increase	32	-10	-26	0	7	3
Cases Pending 12-31-00*	216	25	146	4	26	4147
Cases Affirmed	902	134	429	24	150	1639
Cases Affirmed Percent	85.0%	85.5%	62.0%	70.6%	74.6%	76.4%
Cases Reversed	142	22	247	9	50	470
Cases Reversed Percent	13.40%	14.1%	35.7%	26.5%	24.9%	21.9%
Cases Remanded	17	0	16	1	1	35
Cases Remanded Percent	1.6%	0%	2.3%	2.5%	0.5%	1.6%
Oral Arguments Heard**	23	1	68	4	6	102

*Cases Pending 12-31-00 includes classification changes.

**Oral Arguments Heard includes 9 Stay Hearings.

Average Age of Cases Pending

12/31/99 1.3 Months
12/31/00 1.5 Months

Motions, Petitions for Time, Miscellaneous Orders Handed Down 5,628

Indiana Court of Appeals Summary by Judge

	MAJORITY OPINIONS ISSUED	ALL OPINIONS ISSUED	ORDERS ISSUED	CASES VOTED ON	ORAL ARGUMENTS HEARD	CASES PENDING 12-31-99	CASES PENDING 12-31-99
<i>District One</i>							
Najam	141	146	0	417	34	19	38
Bailey	140	146	0	440	24	25	26
Baker	191	213	2	532	23	40	13
<i>District Two</i>							
Sullivan	80	110	0	332	24	19	34
Friedlander	146	151	1	438	16	35	22
Kirsch	167	180	1	510	18	18	20
<i>District Three</i>							
Garrard	4	4	0	32	0	25	0
Staton	17	22	1	79	3	37	0
Brook	159	163	0	462	27	35	31
Mathias	65	69	0	225	10	0	34
Barnes	49	50	1	181	4	0	23
<i>District Four</i>							
Darden	146	154	0	479	25	31	29
Riley	153	162	2	541	18	25	19
Mattingly	124	135	1	389	27	30	35
<i>District Five</i>							
Sharpnack	110	120	0	371	15	15	22
Robb	171	193	2	416	21	36	18
Vaidik	90	99	0	332	16	0	25
<i>Senior Judges</i>	0	0	0	0	0	24	38
Ratliff	42	43	1	43	1	0	0
Robertson	53	53	1	54	0	0	0
Hoffman	60	65	0	63	0	0	0
Garrard	23	25	0	81	0	0	0
Staton	13	15	0	15	0	0	0
TOTAL	2144	2318	13	6432	306	414	417

Indiana Court of Appeals Caseload Statistics

	CASES PENDING 1-1-99	INTAKE				DISPOSITIONS			CASES PENDING 12-31-99
		CASES ASSIGNED	TRANSFERS		TOTAL	MAJORITY OPINIONS	ORDERS	TOTAL	
			IN	OUT					
<i>District One</i>									
Najam	19	139	28	7	160	141	0	141	38
Bailey	25	139	10	8	141	140	0	140	26
Baker	40	141	32	7	166	191	2	193	13
<i>District Two</i>									
Sullivan	19	138	10	53	95	80	0	80	34
Friedlander	35	146	4	16	134	146	1	147	22
Kirsch	18	141	31	2	170	167	1	168	20
<i>District Three</i>									
Garrard	25	12	0	33	-21	4	0	4	0
Staton	37	9	2	30	-19	17	1	18	0
Brook	35	148	16	9	155	159	0	159	31
Mathias	0	102	5	8	99	65	0	65	34
Barnes	0	76	3	6	73	49	1	50	23
<i>District Four</i>									
Darden	31	141	3	0	144	146	0	146	29
Riley	25	141	23	15	149	153	2	155	19
Mattingly	30	142	3	15	130	124	1	125	35
<i>District Five</i>									
Sharpnack	15	111	12	6	117	110	0	110	22
Robb	36	141	17	6	155	171	2	173	18
Vaidik	0	127	17	29	115	90	0	90	25
<i>Senior Judges</i>	24	163	42	201	4	0	0	0	28
Ratliff	0	0	43	0	43	42	1	43	0
Robertson	0	0	54	0	54	53	1	54	0
Hoffman	0	0	60	0	60	60	0	60	0
Garrard	0	0	23	0	23	23	0	23	0
Staton	0	0	13	0	13	13	0	13	0
TOTAL	414	2160	451	451	2160	2144	13	2157	417

Indiana Court of Appeals Opinions Issued

	Majority Opinions				DISSENTING OPINIONS	REHEARING OPINIONS	OTHER OPINIONS	TOTAL
	ISSUED	PUBLISHED	PERCENT PUBLISHED	CONCURRING OPINIONS				
<i>District One</i>								
Najam	141	26	18.40%	2	1	2	0	146
Bailey	140	35	25.00%	0	5	1	0	146
Baker	191	56	29.30%	6	14	1	1	213
<i>District Two</i>								
Sullivan	80	35	43.80%	10	17	2	1	110
Friedlander	146	36	24.70%	1	4	0	0	151
Kirsch	167	40	24.00%	1	10	2	0	180
<i>District Three</i>								
Garrard	4	1	25.00%	0	0	0	0	4
Staton	17	5	29.40%	3	2	0	0	22
Brook	159	44	27.70%	2	2	0	0	163
Mathias	65	14	21.50%	3	1	0	0	69
Barnes	49	14	28.60%	0	1	0	0	50
<i>District Four</i>								
Darden	146	22	15.10%	1	7	0	0	154
Riley	153	50	32.70%	1	6	1	1	162
Mattingly	124	37	29.80%	5	4	2	0	135
<i>District Five</i>								
Sharpnack	110	24	21.80%	0	10	0	0	120
Robb	171	50	29.20%	13	4	5	0	193
Vaidik	90	23	25.60%	4	5	0	0	99
<i>Senior Judges</i>								
Ratliff	42	8	19.00%	0	1	0	0	43
Robertson	53	4	7.50%	0	0	0	0	53
Hoffman	60	23	38.30%	0	3	1	1	65
Garrard	23	7	30.40%	0	2	0	0	25
Staton	13	6	46.20%	0	2	0	0	15
TOTAL	2144	560	26.10%	52	101	17	4	2318

Indiana Court of Appeals Cases Handed Down

	CRIMINAL		POST-CONVICTION		CIVIL		EXPEDITE		OTHER		TOTAL	
	Writing	Panel	Writing	Panel	Writing	Panel	Writing	Panel	Writing	Panel	Writing	Panel
<i>Dist. One</i>												
Najam	74	135	7	15	54	97	2	5	4	24	141	276
Bailey	68	146	14	22	42	101	0	5	16	26	140	300
Baker	86	174	22	24	59	103	2	6	22	34	191	341
<i>Dist. Two</i>												
Sullivan	34	130	8	19	34	77	0	1	4	25	80	252
Friedlander	72	157	11	14	40	91	1	5	22	25	146	292
Kirsch	79	162	13	28	50	116	3	8	22	29	176	343
<i>Dist. Three</i>												
Garrard	3	15	0	3	1	7	0	1	0	2	4	28
Staton	14	27	0	9	3	19	0	0	0	7	17	62
Brook	77	153	13	20	55	101	3	4	11	25	159	303
Mathias	33	86	5	7	21	51	2	4	4	12	65	160
Barnes	28	64	2	14	13	34	2	1	4	19	49	132
<i>Dist. Four</i>												
Darden	74	156	9	26	49	109	3	3	11	39	146	333
Riley	70	182	16	28	45	129	6	5	16	44	153	388
Mattingly	54	131	9	24	48	80	4	4	9	26	124	265
<i>Dist. Five</i>												
Sharpnack	58	122	4	24	37	79	0	7	11	29	110	261
Robb	82	126	12	16	53	86	2	6	22	11	171	245
Vailik	43	119	7	21	24	80	2	3	14	19	90	242
<i>Sr. Judges</i>												
Garrard	9	32	2	2	9	18	0	0	3	6	23	58
Hoffman	22	0	2	0	33	3	0	0	3	0	60	3
Ratliff	26	0	0	0	14	1	1	0	1	0	42	1
Robertson	48	1	1	0	3	0	0	0	1	0	53	1
Staton	5	0	1	0	5	2	1	0	1	0	13	2
TOTAL	1059	2118	158	316	692	1384	34	68	201	402	2144	4288

Indiana Court of Appeals Oral Arguments Heard

	CRIMINAL		POST-CONVICTION		CIVIL		EXPEDITE		OTHER		TOTAL	
	Writing	Panel	Writing	Panel	Writing	Panel	Writing	Panel	Writing	Panel	Writing	Panel
<i>Dist. One</i>												
Najam	3	8	0	0	4	15	1	2	0	1	8	26
Bailey	1	5	0	0	2	14	0	1	0	1	3	21
Baker	2	3	0	0	6	11	0	0	1	0	9	14
<i>Dist. Two</i>												
Sullivan	0	5	0	0	6	11	0	2	0	0	6	18
Friedlander	0	1	1	0	3	7	1	0	2	1	7	9
Kirsch	0	2	0	0	5	10	0	0	1	0	6	12
<i>Dist. Three</i>												
Garrard	0	0	0	0	0	0	0	0	0	0	0	0
Staton	0	0	0	1	0	2	0	0	0	0	0	3
Brook	5	5	0	0	7	8	1	0	0	1	13	14
Mathias	0	3	0	0	3	2	0	1	0	1	3	7
Barnes	0	0	0	0	1	3	0	0	0	0	1	3
<i>Dist. Four</i>												
Darden	3	1	0	1	4	13	0	0	1	2	8	17
Riley	0	1	0	0	5	12	0	0	0	0	5	13
Mattingly	1	7	0	0	11	7	0	0	0	1	12	15
<i>Dist. Five</i>												
Sharpnack	1	1	0	0	2	8	0	1	0	2	3	12
Robb	5	2	0	0	4	8	0	1	1	0	10	11
Vaidik	2	2	0	0	4	5	1	0	0	2	7	9
<i>Sr. Judges</i>												
Garrard	0	0	0	0	0	0	0	0	0	0	0	0
Hoffman	0	0	0	0	0	0	0	0	0	0	0	0
Ratliff	0	0	0	0	1	0	0	0	0	0	1	0
Robertson	0	0	0	0	0	0	0	0	0	0	0	0
Staton	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	23	46	1	2	68	136	4	8	6	12	102	204

Indiana Court of Appeals Cases Pending

	CRIMINAL	POST-CONVICTION	CIVIL	EXPEDITE	OTHER	TOTAL
<i>District One</i>						
Najam	18	5	14	1	0	38
Bailey	13	3	8	1	1	26
Baker	7	1	3	0	2	13
<i>District Two</i>						
Sullivan	22	1	8	0	3	34
Friedlander	13	0	4	0	5	22
Kirsch	10	0	9	0	1	20
<i>District Three</i>						
Garrard	0	0	0	0	0	0
Staton	0	0	0	0	0	0
Brook	15	2	13	0	1	31
Mathias	15	3	14	0	2	34
Barnes	12	1	10	0	0	23
<i>District Four</i>						
Darden	15	0	11	0	3	29
Riley	7	2	8	0	2	19
Mattingly	18	3	13	0	1	35
<i>District Five</i>						
Sharpnack	10	0	9	1	2	22
Robb	9	2	6	0	1	18
Vaidik	14	2	7	1	1	25
<i>Senior Judges</i>	15	1	12	0	0	28
TOTAL	213	26	149	4	25	417

Indiana Court of Appeals Age of Cases Pending

	0 TO 3 MONTHS	4 TO 6 MONTHS	7 TO 9 MONTHS	10 TO 12 MONTHS	OVER 12 MONTHS	AVERAGE AGE (IN MONTHS)
<i>District One</i>						
Najam	29	9	0	0	0	2.1
Bailey	24	0	2	0	0	1.7
Baker	12	1	0	0	0	1.1
<i>District Two</i>						
Sullivan	23	7	4	0	0	2.5
Friedlander	20	2	0	0	0	1.4
Kirsch	19	1	0	0	0	1.2
<i>District Three</i>						
Garrard	0	0	0	0	0	0
Staton	0	0	0	0	0	0
Brook	25	6	0	0	0	1.8
Mathias	26	7	1	0	0	2.2
Barnes	19	4	0	0	0	1.7
<i>District Four</i>						
Darden	24	4	1	0	0	1.8
Riley	17	2	0	0	0	1.3
Mattingly	24	11	0	0	0	2
<i>District Five</i>						
Sharpnack	20	2	0	0	0	1.5
Robb	15	3	0	0	0	1.3
Vaidik	22	3	0	0	0	1.4
<i>Senior Judges</i>	23	5	0	0	0	1.5
TOTAL	342	67	8	0	0	1.5
Percent						
	82.00%	16.10%	1.90%	0.00%	0.00%	

Indiana Court of Appeals Fully-Briefed Cases Distributed

	CRIMINAL	POST-CONVICTION	CIVIL	EXPEDITE	OTHER	TOTAL
<i>District One</i>						
Najam	87	11	55	3	4	160
Bailey	69	14	42	1	15	141
Baker	76	17	52	2	19	166
<i>District Two</i>						
Sullivan	48	7	34	0	6	95
Friedlander	69	8	32	1	24	134
Kirsch	85	9	50	3	23	170
<i>District Three</i>						
Garrard	-8	-2	-8	0	-3	-21
Staton	-5	-1	-12	0	-1	-19
Brook	75	11	54	3	12	155
Mathias	48	8	35	2	6	99
Barnes	41	3	22	2	5	73
<i>District Four</i>						
Darden	75	7	49	2	11	144
Riley	66	16	46	6	15	149
Mattingly	61	10	48	2	9	130
<i>District Five</i>						
Sharpnack	59	4	40	1	13	117
Robb	74	13	50	1	17	155
Vaidik	57	9	31	3	15	115
<i>Senior Judges</i>	112	5	70	2	8	197
TOTAL	1089	149	690	34	198	2160

Indiana Court of Appeals

Successive Petitions for Post-Conviction Relief

Pending 12-31-99	.4
Petitions Filed	105
TOTAL	109

Compliance

Petitions Not in Compliance with Form of Rule	.0
Petitions in Compliance with Form of Rule	92
TOTAL	92

Authorization

Petitions Not in Compliance with Form of Rule	.0
Petitions Authorized To Be Filed in Trial Court for Hearing	.31
Petitions Not Authorized To Be Filed in Trial Court for Hearing ("No Merit")	.61
Petitions Pending	17
TOTAL	119

Motions to Dismiss or Affirm

Pending Motions 12-31-99	.17
Motions Filed	132
TOTAL	149

Dispositions:

Motion to Dismiss of Affirm Sustained	.58
Motion to Dismiss or Affirm Overruled	.67
Dismissed on Appellant's Motion	.3
Miscellaneous	8
Subtotal	136
By Per Curiam Opinions	0
TOTAL	136

Pending Motions 12-31-00 **13

**5 Stayed

Indiana Court of Appeals Disposition of Chief Judge Matters

Preliminary Actions

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Petitions for Time to File Appellee’s Brief Denied2
Petitions for Time to File Appellant’s Reply Brief Granted131
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Others

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Orders Granting Petitions to Amend Brief32
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Dismissals

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Rehearings

Petitions for Rehearing Granted without Opinion0
Petitions for Rehearing Denied without Opinion266
Petitions for Rehearing Granted with Opinion15
Petitions for Rehearing Denied with Opinion2

TOTAL5628
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