

# **Analysis of Case Processing Performance in the Supreme Court**

**September Term, 2021**



Administrative Office of the Courts

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## Introduction

The Supreme Court of Maryland (formerly the Court of Appeals) adopted case time standards effective for its 2013 September Term (the period spanning September 1, 2013 through August 31, 2014). The case processing goals adopted by the Court provide that all cases argued<sup>a</sup> (or filed, depending on the appeal type) during a Term are to be decided before the Term's completion. This goal is similar to that of the Supreme Court of the United States and is an expansion of the Judiciary's commitment, which began in the trial courts, to ensure timely adjudication for all those with business before the courts. Case time standards are central to the Maryland Judiciary's mission to provide fair, efficient, and effective justice for all.

This report contains performance results compared against the Court's case time standards for September Term, 2021. During part of that time, the Judiciary operated under Phase III and Phase V guidelines as outlined in the Coronavirus Phased Reopening Plan<sup>b</sup>. Under these provisions, the Supreme Court remained fully operational, holding oral arguments by videoconference through the February session as outlined in COVID-19 Administrative Orders<sup>c</sup>.

## Methodology

Case processing performance in the Supreme Court is based on all cases argued (or filed for certain types of appeals) during the Court's September Term, 2021.<sup>d</sup> The Court's case time standards begin at the date of *argument* for appeals on its Regular Docket, Certified Questions of Law, and Attorney Grievance cases, and at *filing* for Extraordinary Writs and Bar Admissions. See [Appendix](#) for the complete table of case time standards in the Supreme Court.

Prior to the Supreme Court's transition to the Maryland Electronic Courts (MDEC) case management system, research staff would review the Court's docket sheets at the end of the term. With the Supreme Court transition to MDEC, research staff pull data directly from the case management system and then enter the pertinent data fields from all cases filed or argued during the September 2021 Term, including case number, caption (case title), argument date, filing date, and disposition date (opinion, dismissal, or other order/disposition) into data analysis software. Data quality checks were performed comparing the data entry to the docket sheets and to the electronic record in the Maryland Electronic Courts (MDEC) system.

Research staff calculated the number and percentage of appeals disposed within standard as a proportion of the total number of cases argued or filed (depending on the appeal type) during the Court's September Term, 2021. Average and median case processing times for all disposed cases were also computed.

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<sup>a</sup> The Supreme Court typically hears cases from September through June.

<sup>b</sup> The details of the Coronavirus Phased Reopening Plan are available at <https://mdcourts.gov/coronavirusphasedreopening>. The March 28, 2022, Administrative Order Lifting the COVID-19 Health Emergency as to the Maryland Judiciary is available at <https://mdcourts.gov/sites/default/files/admin-orders/20220328liftingthecovid19healthemergencyastothemarylandjudiciary.pdf>.

<sup>c</sup> Operating under Administrative Orders, all cases scheduled for oral argument were heard by videoconference during from September Session through the February Session of the 2021 Term, [Ninth Administrative Order on Remote Oral Arguments](#) (January 14, 2022).

<sup>d</sup> The Court disposed of a number of cases during the period examined (September 1, 2021 through August 31, 2022) that did not contain an argument. These cases were *not* subject to this analysis.

## Performance Results

The Supreme Court achieved the case time standard goal in each of the appeal types during the September Term, 2021. See [Table 1](#) and [Table 2](#). Sixty-two Regular Docket cases were disposed within the Term, averaging 139 days from argument to disposition. The next largest number of cases was Extraordinary Writs, with 39 filed in the September 2021 Term. All extraordinary writs reached disposition within the Term, and averaged 52 days from filing to disposition.

All twelve Attorney Grievance cases that contained arguments were decided within the Term, taking an average of 112 days from argument to disposition. There were seven Bar Admission cases filed in the Court in the September Term, 2021; each was disposed within that Term, taking an average of 26 days from filing to disposition. For the September 2021 Term, there were six Certified Question of Law argued, and they took an average of 159 days to dispose.

*Table 1. Cases Disposed Within Time Standard Goals, Supreme Court, September Term, 2021*

Case Type	Time Standard	Judiciary Goal	September Term, 2021 Cases <sup>1,2</sup>	Number of Cases Disposed Within Standard	% Within Standard
<b>Regular Docket</b>	Argument to Disposition	Cases argued must be decided before the end of the term (100%)	62	62	<b>100%</b>
<b>Certified Questions of Law</b>			6	6	<b>100%</b>
<b>Attorney Grievances</b>			12	12	<b>100%</b>
<b>Extraordinary Writs</b>	Filing to Disposition	Cases filed must be decided before the end of the term (100%)	39	39	<b>100%</b>
<b>Bar Admissions</b>			7	7	<b>100%</b>

<sup>1</sup> The number of September Term, 2021 cases represent either the number of cases (1) argued or (2) filed, depending on the appeal type.

*Table 2. Overall Average & Median Case Processing Times, Supreme Court, September Term, 2021*

Case Type	Time Standard	September Term, 2021 Average & Median Case Times (in days)	
		Average	Median
<b>Regular Docket</b>	Argument to Disposition Cases argued must be decided before the end of the term	139	125
<b>Certified Questions of Law</b>		159	145
<b>Attorney Grievances</b>		112	91
<b>Extraordinary Writs</b>	Filing to Disposition	52	24
<b>Bar Admissions</b>		26	25

**Appendix: Supreme Court Case Time Standards**

<b>Proceeding / Appeal Type</b>	<b>Standard</b>	<b>Case Time Start</b>	<b>Stay Begins (Suspends the standard)</b>	<b>Stay Ends</b>	<b>Case Time Stop</b>	<b>Comments</b>
Regular Docket	Cases argued in term must be decided before end of term	Argument	None	None	<ul style="list-style-type: none"> <li>• Disposition</li> <li>• Opinion Filed</li> <li>• Dismissed</li> <li>• Order</li> </ul>	New Policy beginning with the 2013 Term (September 1, 2013 – August 31, 2014)
Extraordinary Writs	Cases must be decided before end of term	Filing	None	None	<ul style="list-style-type: none"> <li>• Disposition</li> <li>• Opinion Filed</li> <li>• Dismissed</li> <li>• Order</li> </ul>	
Bar Admissions	Cases must be decided before end of term	Filing	None	None	<ul style="list-style-type: none"> <li>• Disposition</li> <li>• Opinion Filed</li> <li>• Dismissed</li> <li>• Order</li> </ul>	
Certified Questions of Law	Cases argued in term must be decided before end of term	Argument	None	None	<ul style="list-style-type: none"> <li>• Disposition</li> <li>• Opinion Filed</li> <li>• Dismissed</li> <li>• Order</li> </ul>	
Attorney Grievances	Cases argued in term must be decided before end of term	Argument	None	None	<ul style="list-style-type: none"> <li>• Disposition</li> <li>• Opinion Filed</li> <li>• Dismissed</li> <li>• Order</li> </ul>	