



SUPREME COURT OF CANADA

STATISTICS 1999 TO 2009

Bulletin of Proceedings: Special Edition



INTRODUCTION

This special edition of the *Bulletin* sets out a statistical view of the work of the Supreme Court of Canada in 2009 with comparisons to the previous ten years' work.

The following brief description of the appeal process is provided to help explain the statistical charts and tables. The Court decides cases that come to it from three sources. First, in most cases, a party who wishes to appeal the decision of another court (usually a provincial or territorial court of appeal or the Federal Court of Appeal) must obtain permission from a panel of three judges of the Court. Such permission, or leave to appeal, is given if the panel concludes that the case involves a question of public importance or raises an important issue of law. Second, there are cases, referred to as "as of right" appeals, for which leave to appeal is not required. These include certain serious criminal cases, for example, those where there is a dissent on a point of law in the court of appeal, and appeals from provincial references. The third group is references from the federal government. Federal references (which are counted as appeals as of right for the purposes of these statistics) require the Court to give an opinion on the questions referred to it by the Governor in Council. The figure on page 3 summarizes the progress of a case from the filing of a complete application for leave to appeal, a notice of appeal as of right or a reference to the issuing of a judgment.

The "Summary 1999 to 2009" table on page 4 outlines the Court's workload for that period and is broken down into five categories. Graphical representations for each category are also provided.

The first category, "Cases Filed", shows the number of complete applications for leave to appeal and notices of appeal as of right filed by litigants with the Court's Registry each year. The total of 556 new cases filed in the year 2009 represents a 2% increase from the number of cases filed in 2008 (546). The number of cases filed in 2009 is about 4% lower than the annual average number of cases filed over the last ten years (581).

The second category, "Applications for Leave Submitted", shows the number of leave applications submitted to panels of the Court for decision, the number of leave applications granted and the percentage granted of the total submitted. As leave applications filed one year may be submitted to a panel the next year due to the time required for processing, the number of complete leave applications filed and the number submitted to panels will differ in each year. In 2009, there were 542 leave applications filed with the Court and 518 submitted to panels of the Court for decision. The total number of leave applications submitted to the Court for decision in 2009 is 2% higher than the number submitted in 2008 (509).

The third category, "Appeals Heard", shows the number of appeals heard each year and the number of hearing days over the year. In 2009, the Court heard 72 appeals over 55 hearing days. The number of appeals heard was consistent with the average number of appeals heard over the previous ten years (79).

The fourth category, "Appeal Judgments", gives information with respect to the number of judgments rendered each year. The Court released 70 judgments in 2009, of which 2 were pronounced from the bench ("oral judgments"). In 63% of the judgments, all judges agreed in the result of the appeal.

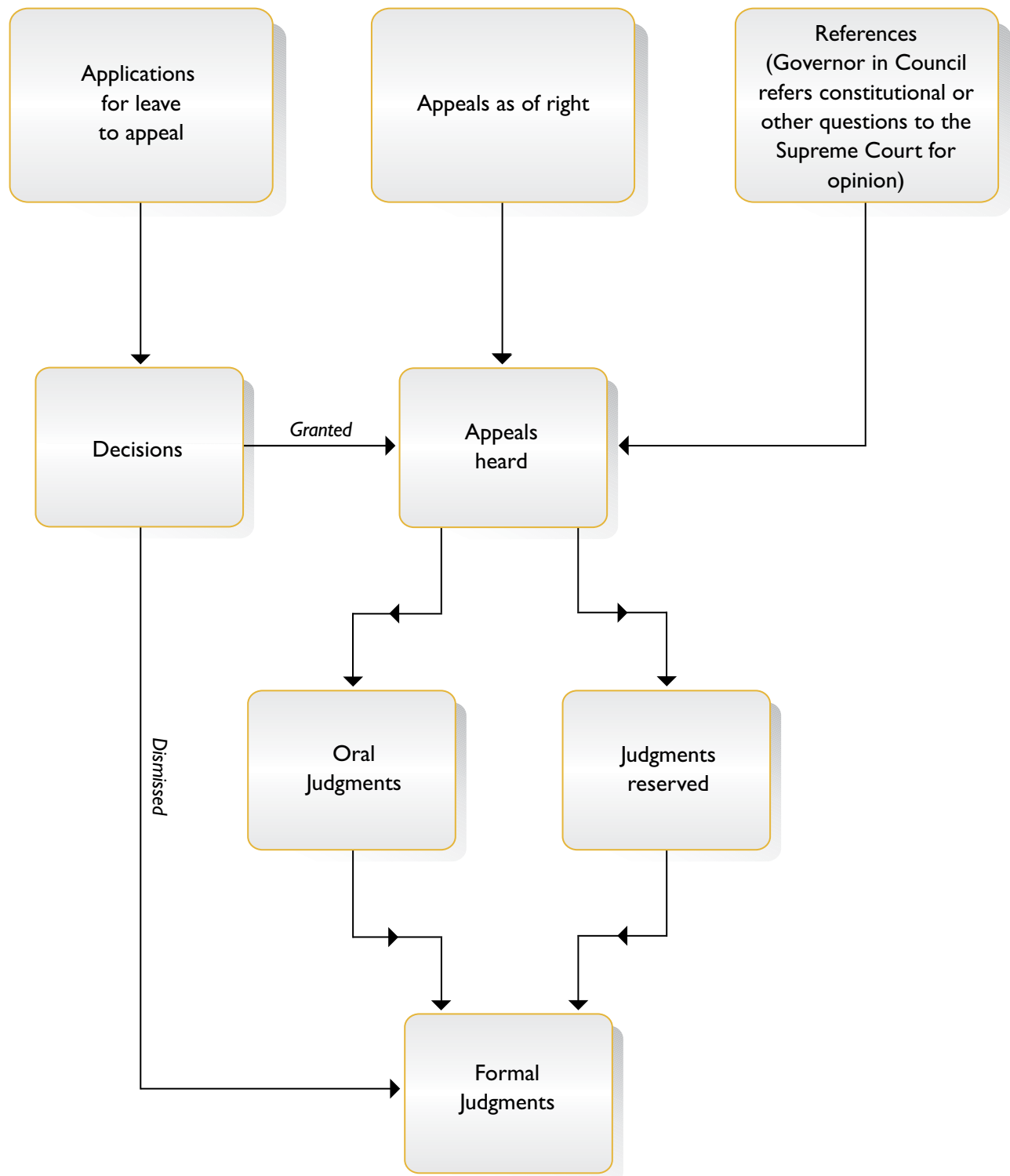


Since the Court does not always render judgments in the same year in which the appeal is heard, there is usually a difference between the total number of appeals heard in a year and the number of judgments rendered in the same year. There were 40 appeal judgments in reserve at year-end.

The final category, “Average Time Lapses”, shows time lines in the life of a case at the Court. On average, in 2009, the time between the filing of a complete application for leave to appeal and the Court’s decision on whether leave should be granted or denied was 3.2 months. In 2009, appeals were heard, on average, 7.6 months after leave was granted or the notice of appeal as of right was filed. In 2009, the Court rendered judgment, on average, 7.4 months after the hearing of an appeal. This figure includes oral judgments. The average time lapse between the hearing of the appeal and the delivery of reasons (including cases where judgment was reserved and where judgment was rendered with reasons to follow) was 7.6 months.



THE APPEAL PROCESS IN THE SUPREME COURT OF CANADA



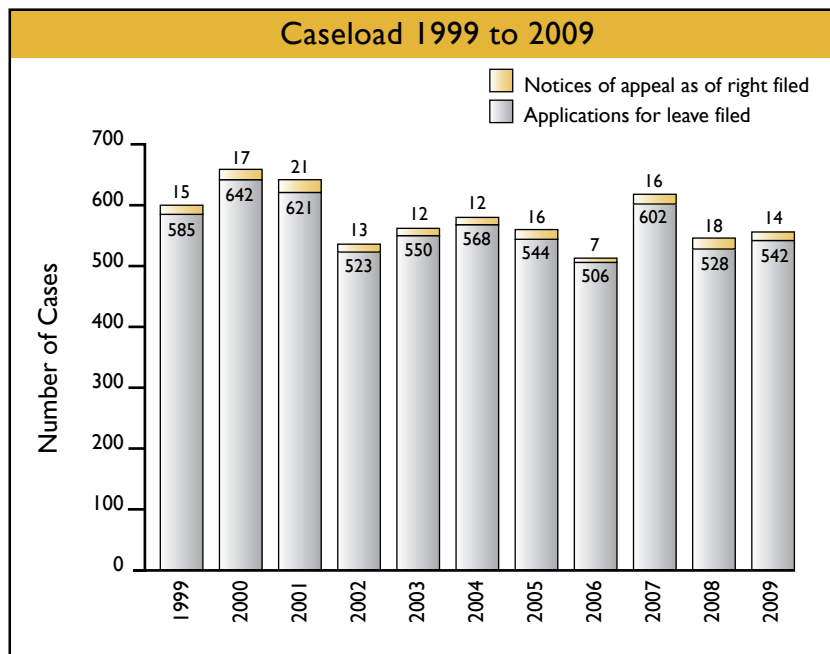


SUMMARY 1999 TO 2009

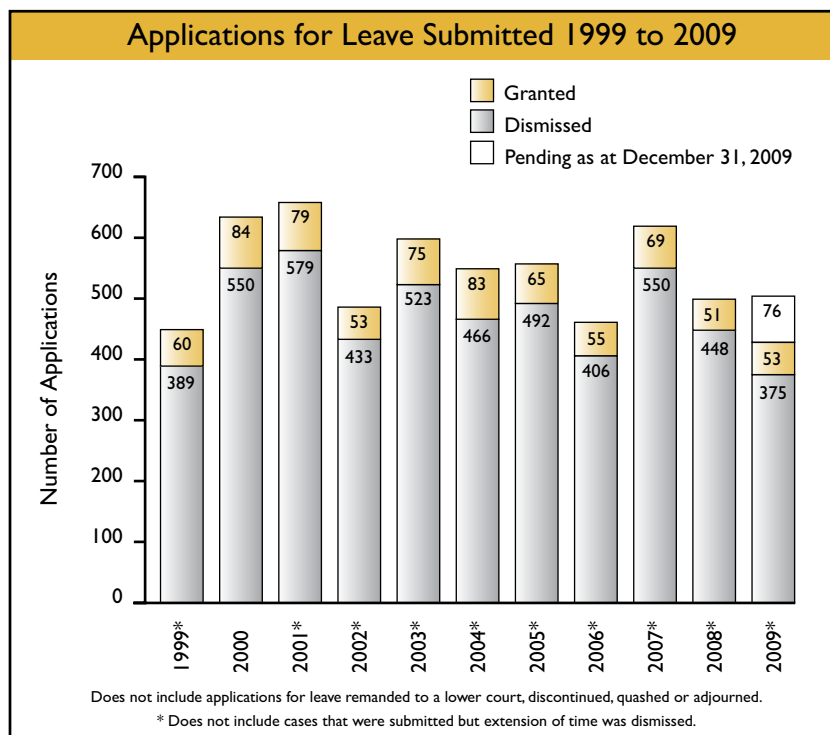
| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|------|------|------|------|------|------|------|------|------|------|--------|
| Cases Filed | | | | | | | | | | | |
| Complete applications for leave to appeal | 585 | 642 | 621 | 523 | 550 | 568 | 544 | 506 | 602 | 528 | 542 |
| Notices of appeal as of right | 15 | 17 | 21 | 13 | 12 | 12 | 16 | 7 | 16 | 18 | 14 |
| Applications for Leave | | | | | | | | | | | |
| Submitted to the Court | 458 | 640 | 668 | 498 | 609 | 559 | 575 | 477 | 629 | 509 | 518 |
| Granted (pending) | 60 | 84 | 79 | 53 | 75 | 83 | 65 | 55 | 69 | 51 | 53(76) |
| Percentage granted | 13 | 13 | 12 | 11 | 12 | 15 | 11 | 12 | 11 | 10 | 10* |
| Appeals Heard | | | | | | | | | | | |
| Total number | 75 | 78 | 96 | 72 | 82 | 83 | 93 | 80 | 53 | 82 | 72 |
| As of right | 19 | 14 | 17 | 16 | 16 | 13 | 13 | 13 | 10 | 16 | 12 |
| By leave | 56 | 64 | 79 | 56 | 66 | 70 | 80 | 67 | 43 | 66 | 60 |
| Hearing days | 55 | 57 | 62 | 51 | 56 | 61 | 62 | 56 | 46 | 60 | 55 |
| Appeal Judgments | | | | | | | | | | | |
| Total number | 73 | 72 | 91 | 88 | 81 | 78 | 89 | 79 | 58 | 74 | 70 |
| Delivered from the bench | 20 | 15 | 20 | 20 | 19 | 16 | 17 | 4 | 2 | 5 | 2 |
| Delivered after being reserved | 53 | 57 | 71 | 68 | 62 | 62 | 72 | 75 | 56 | 69 | 68 |
| Unanimous | 53 | 52 | 75 | 61 | 62 | 57 | 65 | 63 | 36 | 56 | 44 |
| Split | 20 | 20 | 16 | 27 | 19 | 21 | 24 | 16 | 22 | 18 | 26 |
| Percentage of unanimous judgments | 73 | 72 | 82 | 69 | 76 | 73 | 73 | 80 | 62 | 76 | 63 |
| Appeals standing for judgment at the end of each year | 33 | 39 | 44 | 25 | 25 | 32 | 35 | 35 | 30 | 38 | 40 |
| Average Time Lapses (in months) | | | | | | | | | | | |
| Between filing of application for leave and decision on application for leave | 5.2 | 5.4 | 4.3 | 5.7 | 3.9 | 3.7 | 3.7 | 3.4 | 3.5 | 3.2 | 3.2 |
| Between date leave granted (or date notice of appeal as of right filed) and hearing | 11.1 | 12.5 | 11.4 | 12.2 | 10.5 | 9.4 | 9.1 | 7.7 | 9.0 | 8.9 | 7.6 |
| Between hearing and judgment | 5.4 | 5.8 | 5.6 | 5.6 | 5.1 | 4.0 | 5.2 | 5.9 | 6.6 | 4.8 | 7.4 |
| <i>All applications for leave, appeals and judgments are counted by individual file number.</i> | | | | | | | | | | | |
| * This percentage will change once all pending leave applications are decided. | | | | | | | | | | | |



CATEGORY 1: CASES FILED



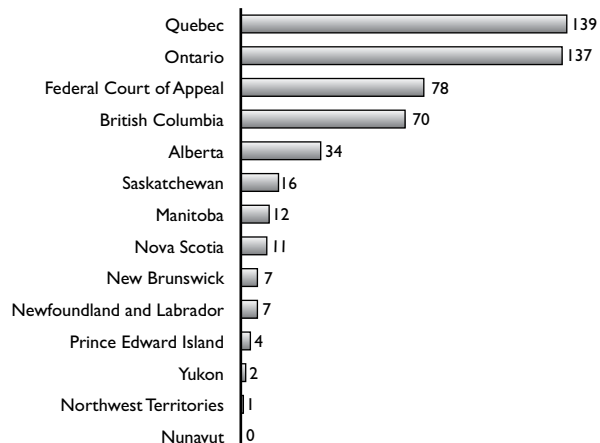
CATEGORY 2: APPLICATIONS FOR LEAVE SUBMITTED



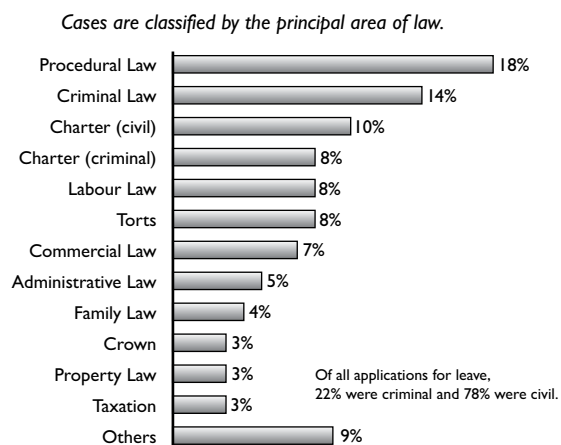


CATEGORY 2: APPLICATIONS FOR LEAVE SUBMITTED (CONTINUED)

Applications for Leave 2009: Origin

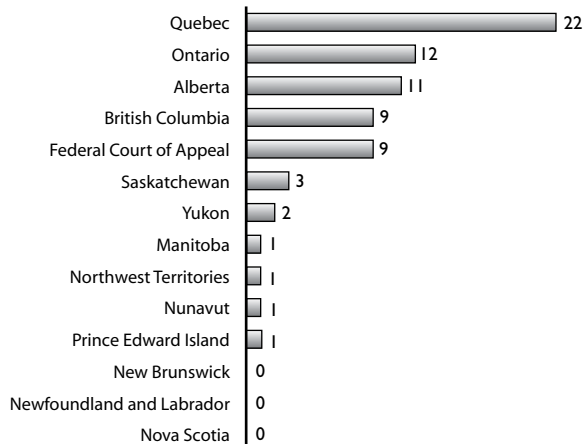


Applications for Leave 2009: Type

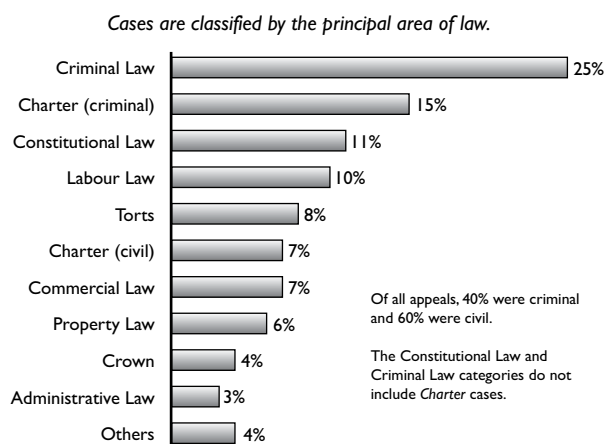


CATEGORY 3: APPEALS HEARD

Appeals Heard 2009: Origin

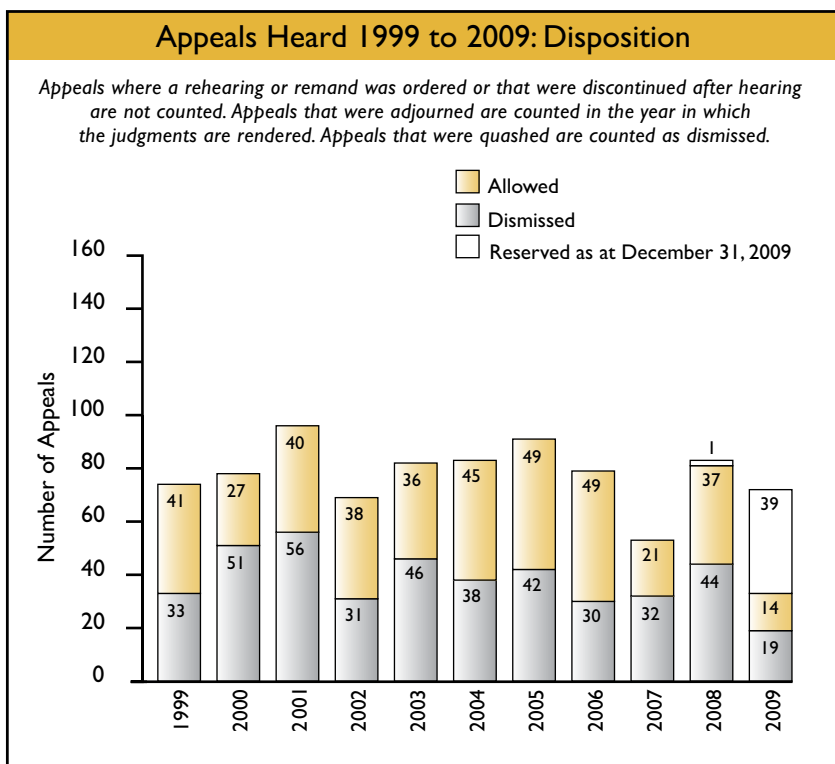
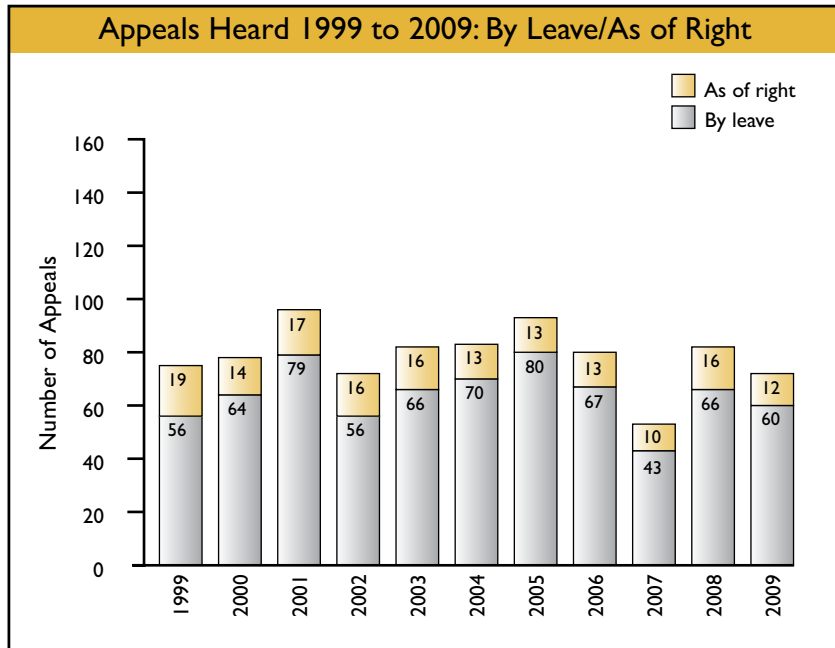


Appeals Heard 2009: Type



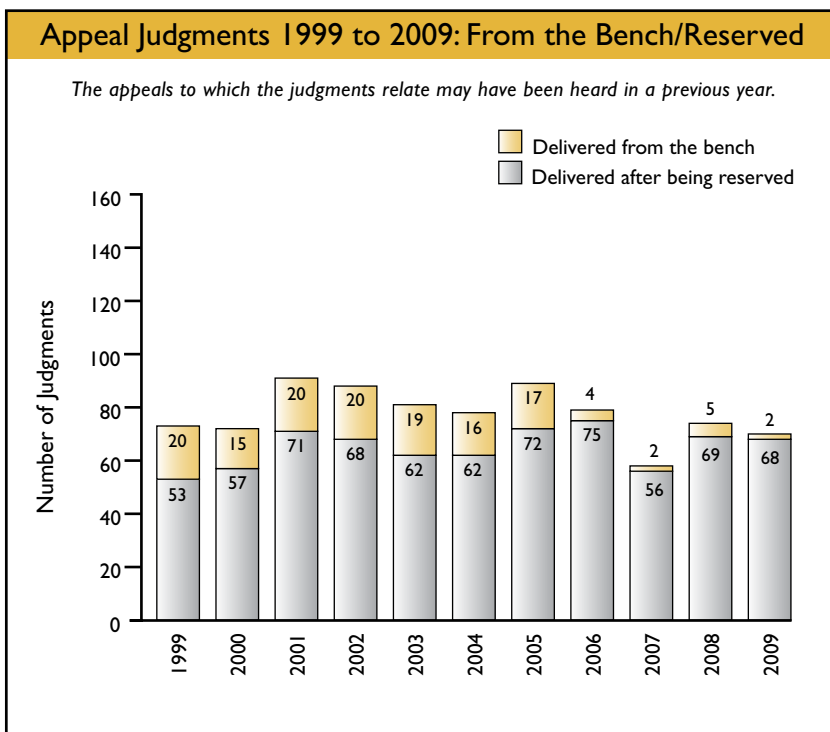
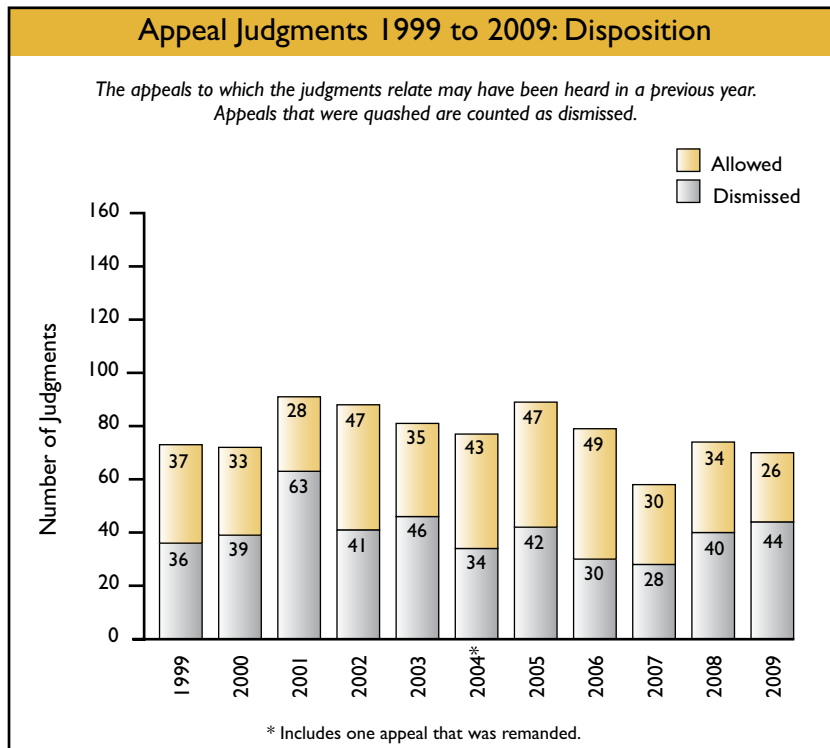


CATEGORY 3: APPEALS HEARD (CONTINUED)



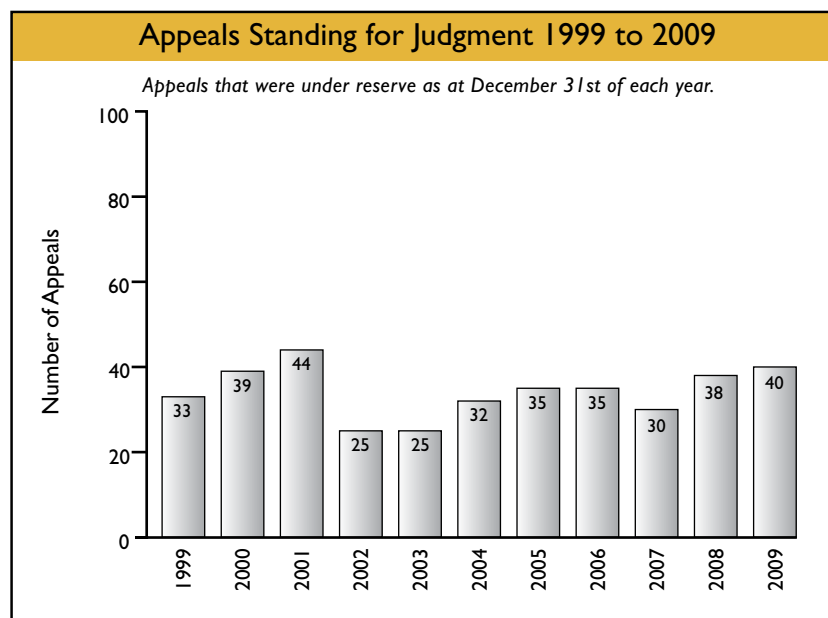
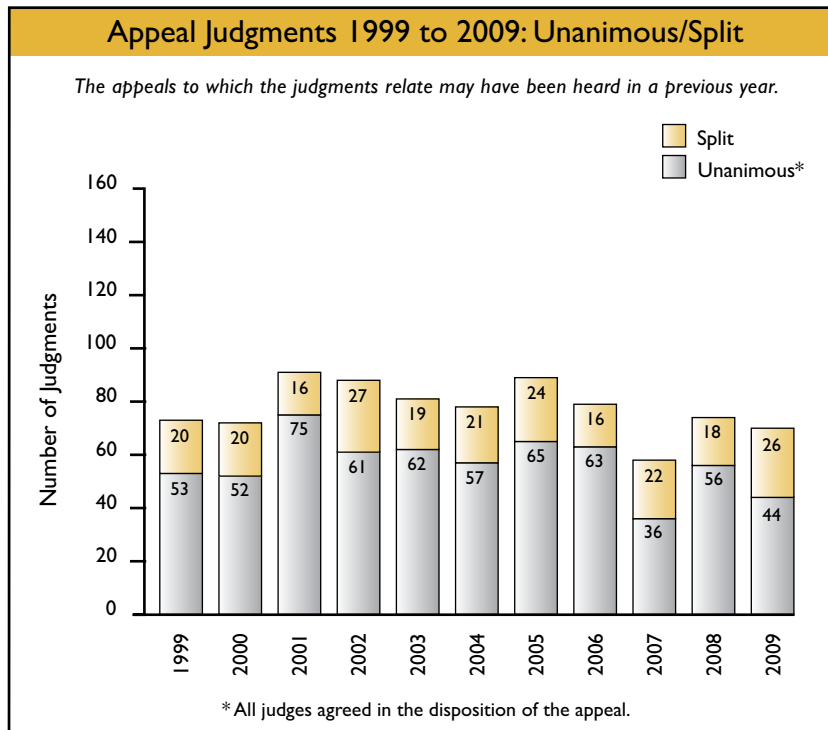


CATEGORY 4: APPEAL JUDGMENTS





CATEGORY 4: APPEAL JUDGMENTS (CONTINUED)





CATEGORY 5: AVERAGE TIME LAPSES

