Supreme Court of Canada

Statistics 2000 to 2010

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 2010 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 table on page 4, "Summary 2000 to 2010," outlines the Court's workload during that period, broken down into five categories.

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. In 2010, 512 new cases were filed – 488 applications for leave to appeal and 24 appeals as of right.

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 2010, there were 488 leave applications filed with the Court and 465 submitted to panels of the Court for decision.

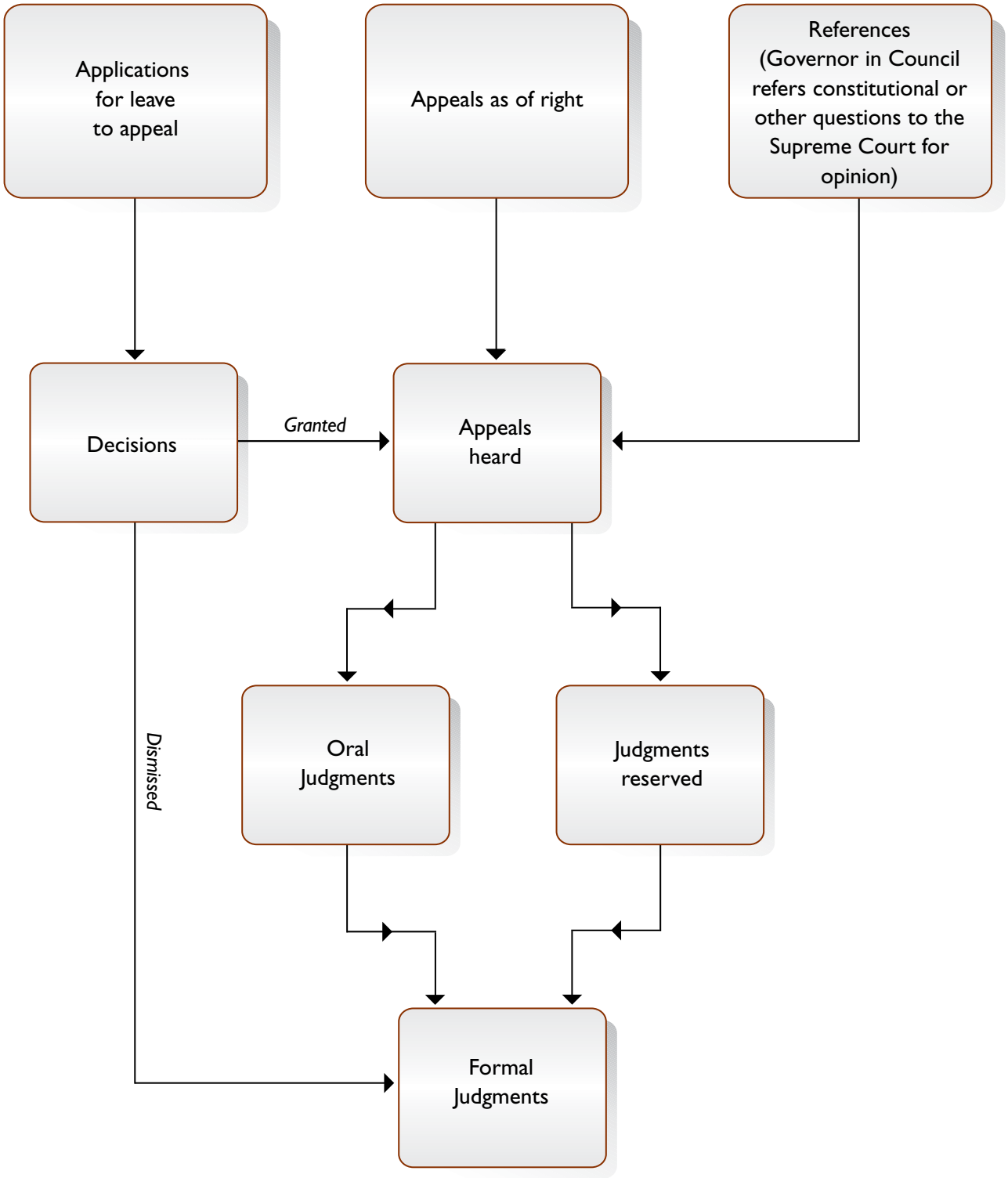
The third category, "Appeals Heard", shows the number of appeals heard each year and the number of hearing days over the year. In 2010, the Court heard 65 appeals over 51 hearing days.

The fourth category, "Appeal Judgments", gives information with respect to the number of judgments rendered each year. The Court released 69 judgments in 2010, of which 4 were pronounced from the bench ("oral judgments"). In 75% 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 36 appeal judgments in reserve at year-end.

The final category, "Average Time Lapses", shows average time lines in the life of a case at the Court. In 2010, 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 3.4 months. Appeals were heard 7.7 months after leave was granted or the notice of appeal as of right was filed, and judgments were rendered, on average, 7.7 months after the appeal hearing.

The Appeal Process in the Supreme Court of Canada



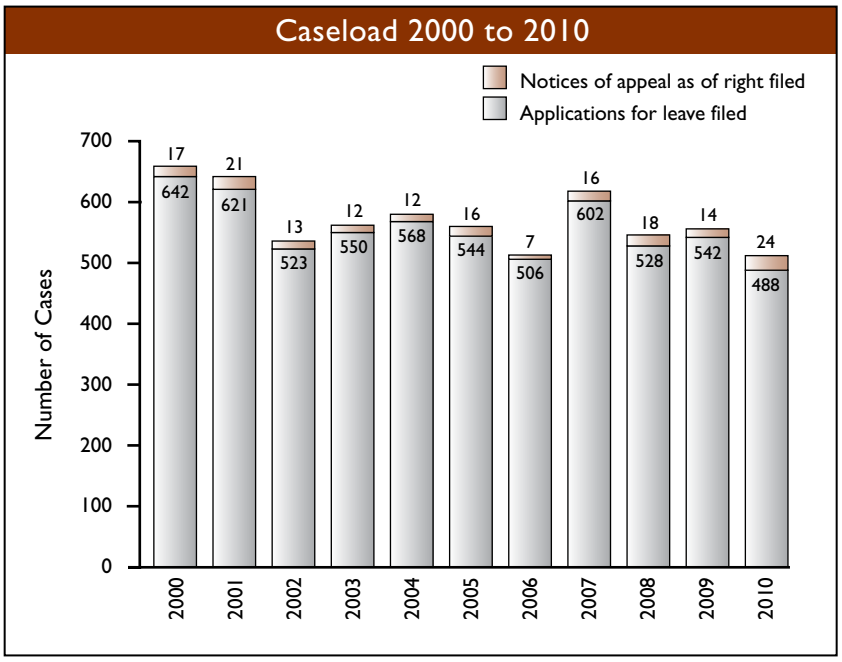
Summary 2000 to 2010

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Cases Filed											
Complete applications for leave to appeal	642	621	523	550	568	544	506	602	528	542	488
Notices of appeal as of right	17	21	13	12	12	16	7	16	18	14	24
Applications for Leave											
Submitted to the Court	640	668	498	609	559	575	477	629	509	518	465
Granted (pending)	84	79	53	75	83	65	55	69	51	59(2)	51(53)
Percentage granted	13	12	11	12	15	11	12	11	10	11*	11*
Appeals Heard											
Total number	78	96	72	82	83	93	80	53	82	72	65
As of right	14	17	16	16	13	13	13	10	16	12	15
By leave	64	79	56	66	70	80	67	43	66	60	50
Hearing days	57	62	51	56	61	62	56	46	60	55	51
Appeal Judgments											
Total number	72	91	88	81	78	89	79	58	74	70	69
Delivered from the bench	15	20	20	19	16	17	4	2	5	2	4
Delivered after being reserved	57	71	68	62	62	72	75	56	69	68	65
Unanimous	52	75	61	62	57	65	63	36	56	44	52
Split	20	16	27	19	21	24	16	22	18	26	17
Percentage of unanimous judgments	72	82	69	76	73	73	80	62	76	63	75
Appeals standing for judgment at the end of each year	39	44	25	25	32	35	35	30	38	40	36
Average Time Lapses (in months)											
Between filing of application for leave and decision on application for leave	5.4	4.3	5.7	3.9	3.7	3.7	3.4	3.5	3.2	3.2	3.4
Between date leave granted (or date notice of appeal as of right filed) and hearing	12.5	11.4	12.2	10.5	9.4	9.1	7.7	9.0	8.9	7.6	7.7
Between hearing and judgment	5.8	5.6	5.6	5.1	4.0	5.2	5.9	6.6	4.8	7.4	7.7

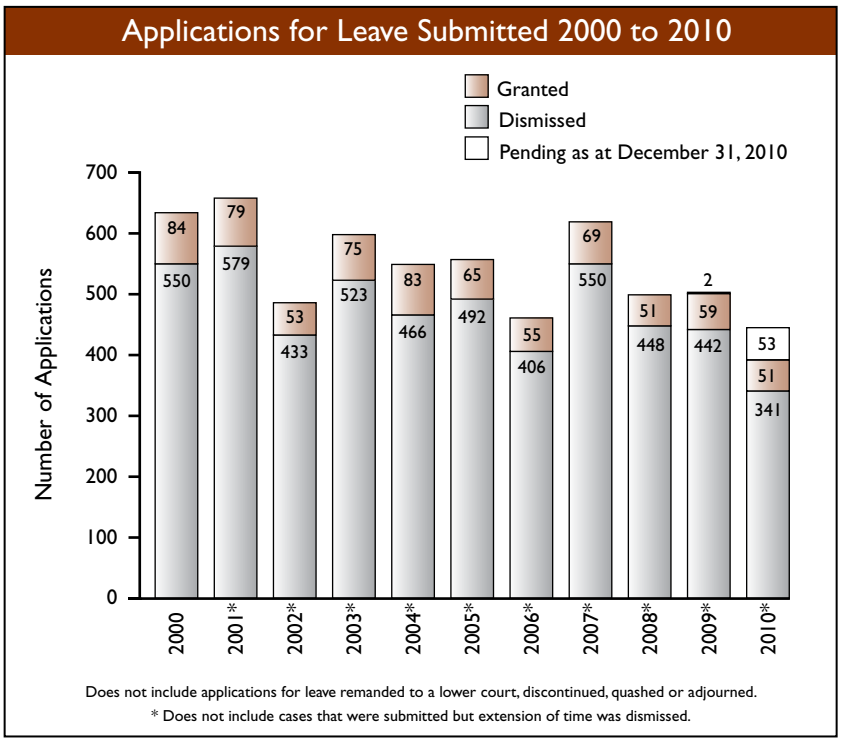
All applications for leave, appeals and judgments are counted by individual file number.

* This percentage may change once all pending leave applications are decided.

Category 1: Cases Filed

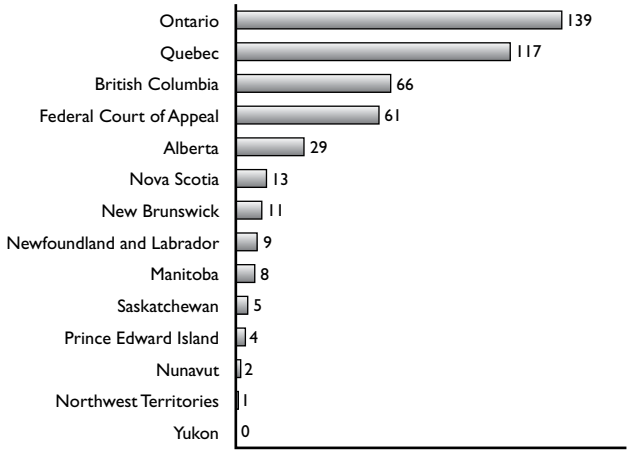


Category 2: Applications for Leave Submitted



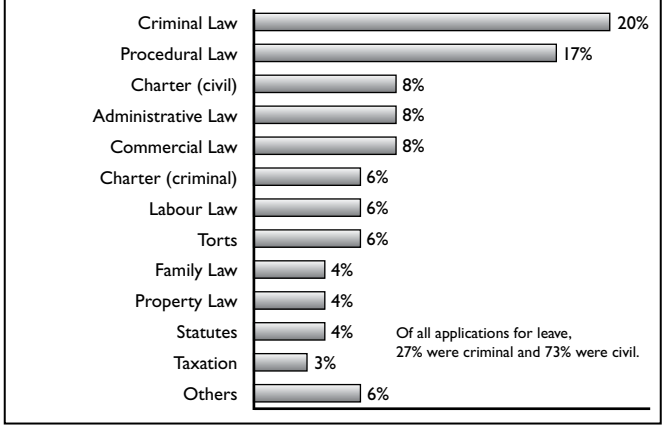
Category 2: Applications for Leave Submitted (continued)

Applications for Leave 2010: Origin



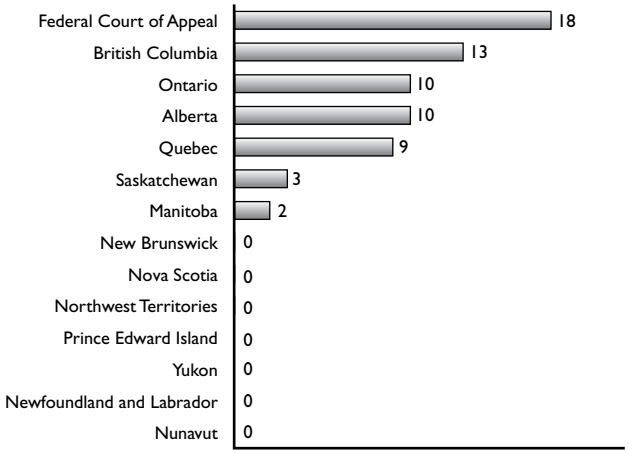
Applications for Leave 2010: Type

Cases are classified by the principal area of law.



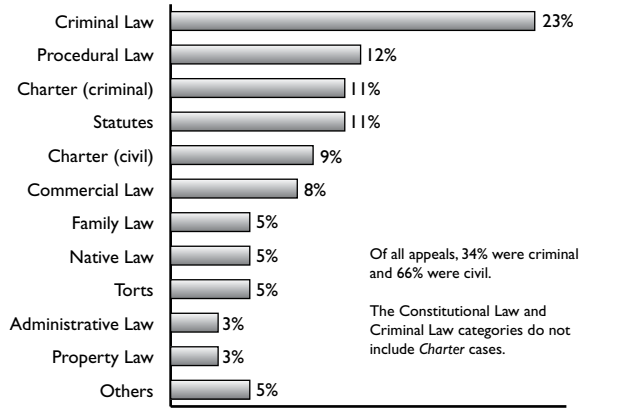
Category 3: Appeals Heard

Appeals Heard 2010: Origin

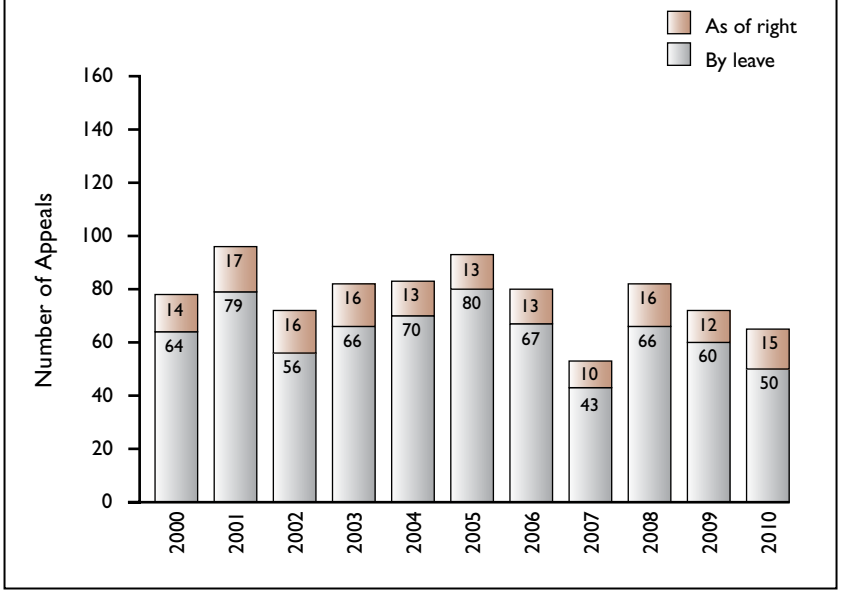


Appeals Heard 2010: Type

Cases are classified by the principal area of law.

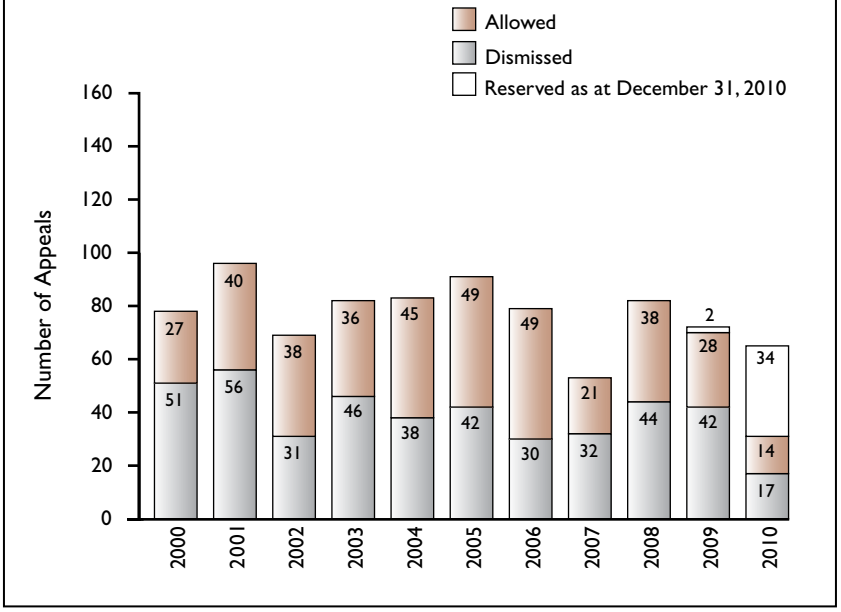


Appeals Heard 2000 to 2010: By Leave/As of Right



Appeals Heard 2000 to 2010: Disposition

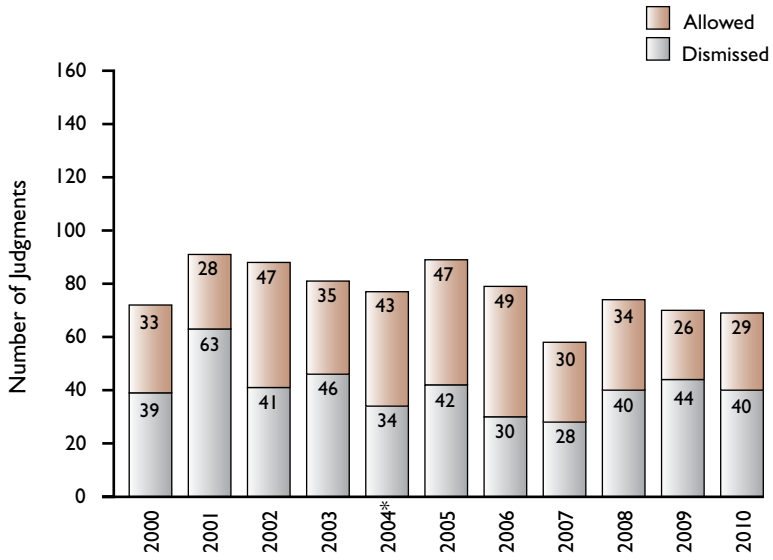
Appeals where a rehearing or remand was ordered or that were discontinued after hearing are not counted. Appeals that were adjourned are counted in the year in which the judgments are rendered. Appeals that were quashed are counted as dismissed.



Category 4: Appeal Judgments

Appeal Judgments 2000 to 2010: Disposition

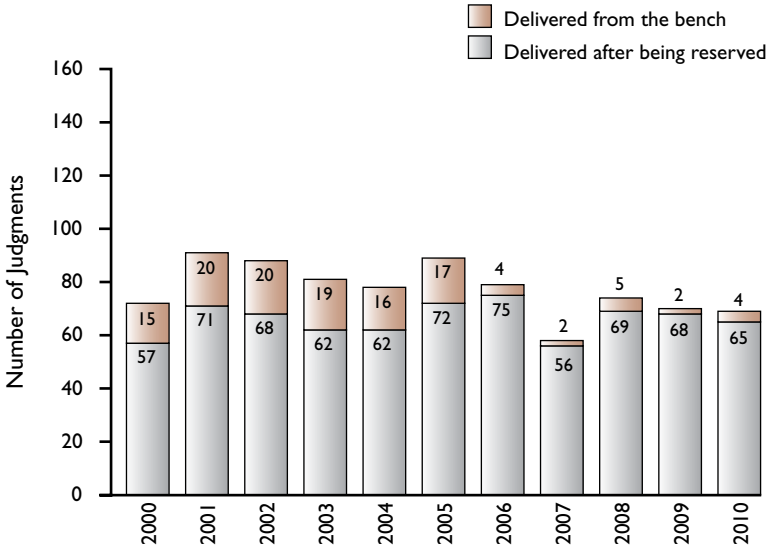
The appeals to which the judgments relate may have been heard in a previous year.
Appeals that were quashed are counted as dismissed.



* Includes one appeal that was remanded.

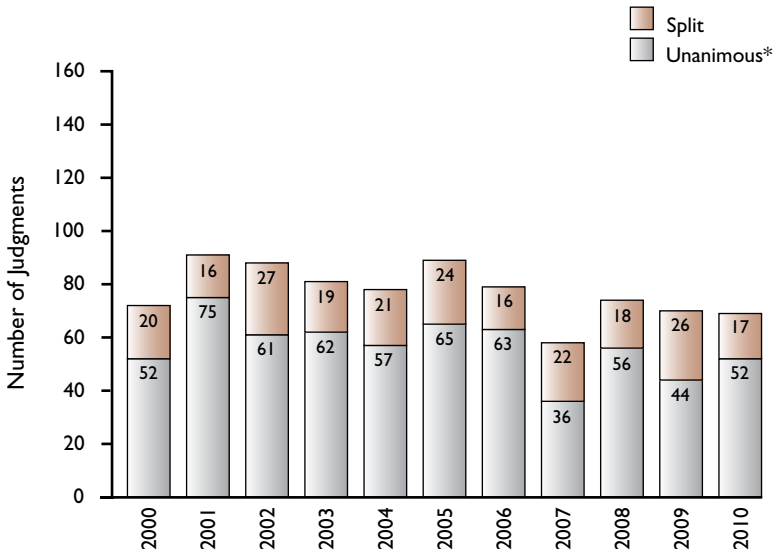
Appeal Judgments 2000 to 2010: From the Bench/Reserved

The appeals to which the judgments relate may have been heard in a previous year.



Appeal Judgments 2000 to 2010: Unanimous/Split

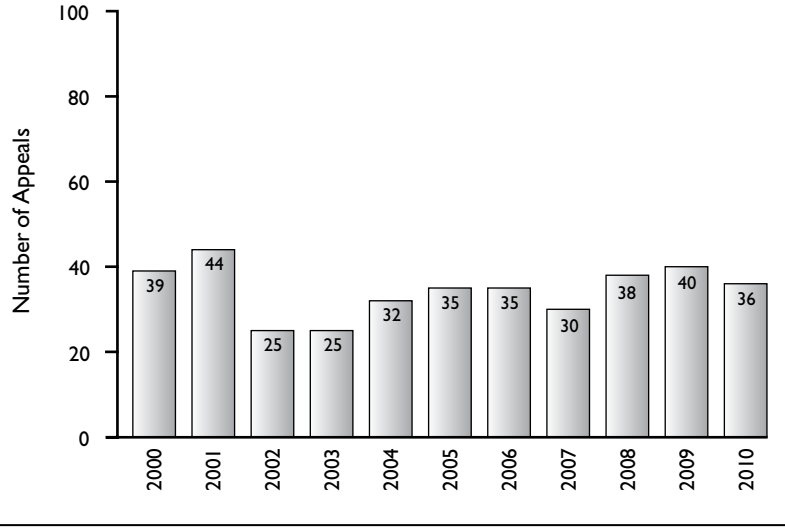
The appeals to which the judgments relate may have been heard in a previous year.



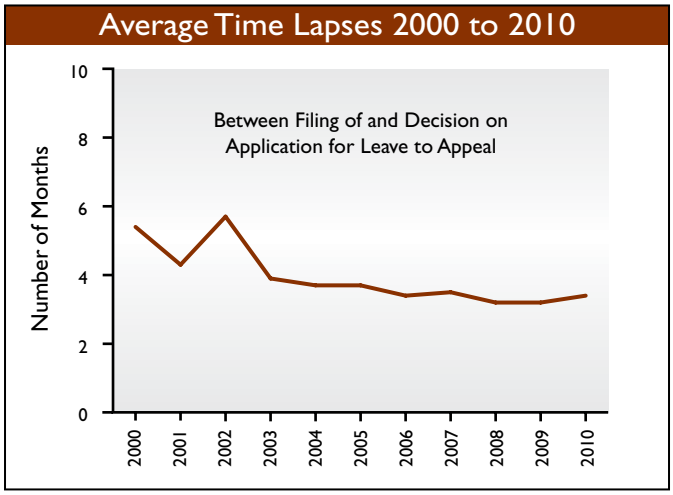
* All judges agreed in the disposition of the appeal.

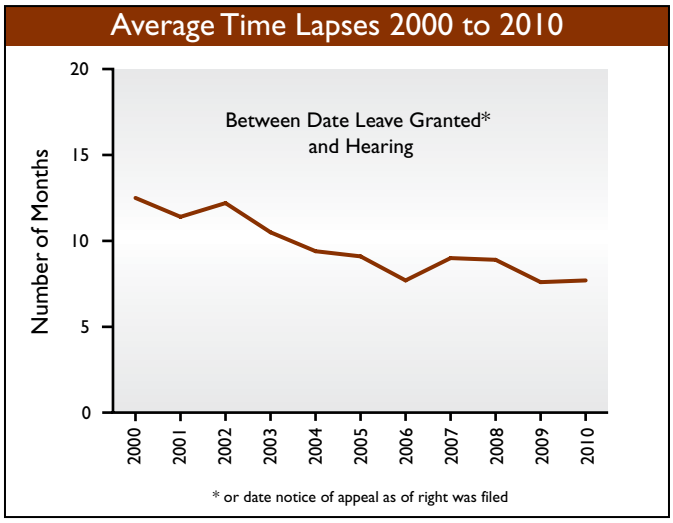
Appeals Standing for Judgment 2000 to 2010

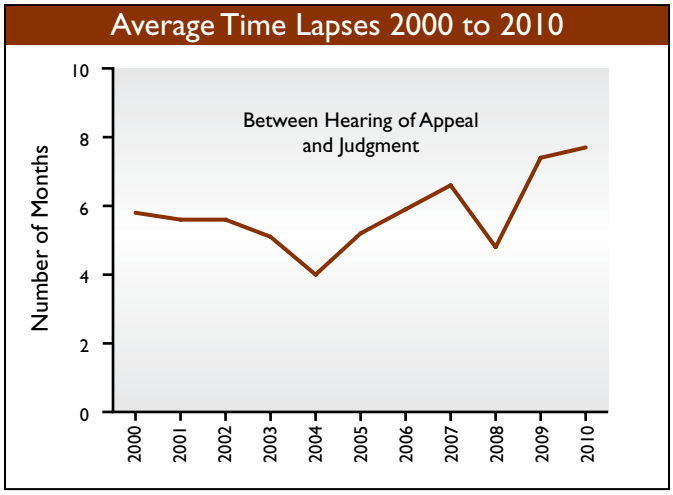
Appeals that were under reserve as at December 31st of each year.



Category 5: Average Time Lapses







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