

# UNITED STATES BANKRUPTCY APPELLATE PANEL *for the Eighth Circuit*

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## STATISTICAL REPORT

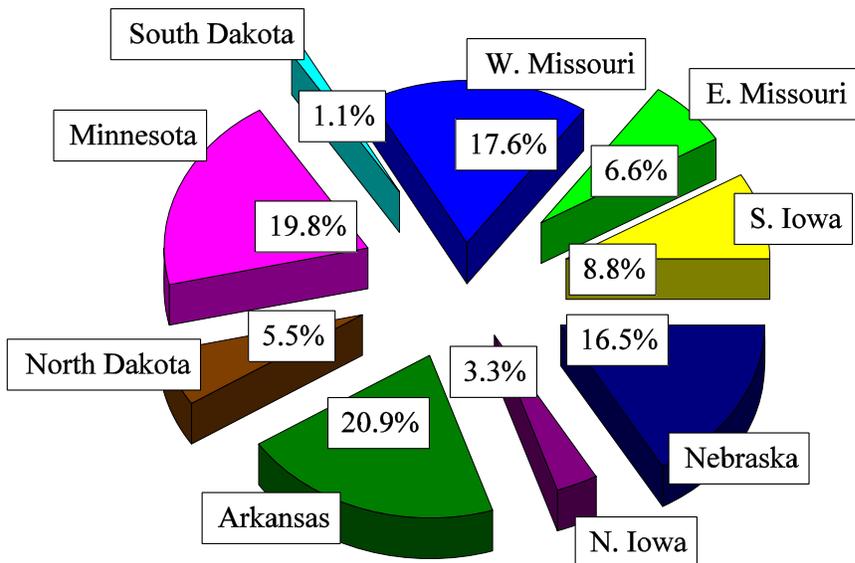
**JANUARY 1, 2010 thru DECEMBER 31, 2010**

### New Case Filings

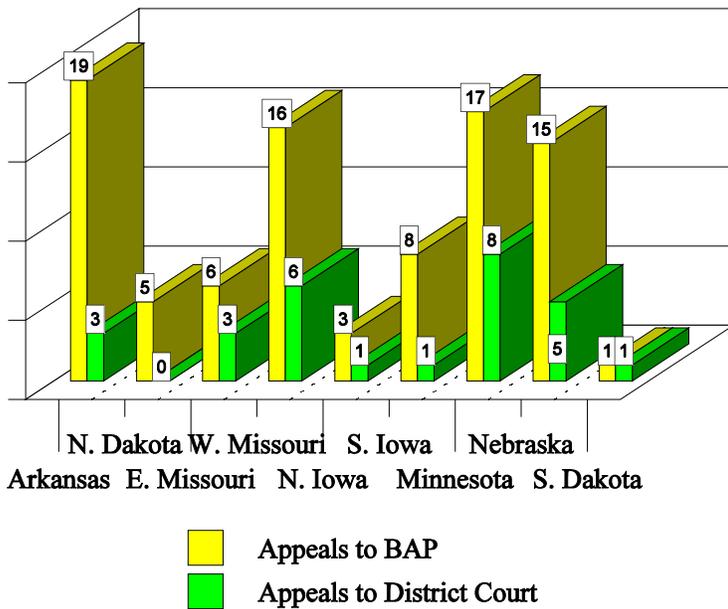
Ninety-one new cases were docketed by the Bankruptcy Appellate Panel in 2010. Twenty-two of those cases (24%) were filed by pro se litigants. Of the cases filed, fifty-five were appeals from contested matters and thirty-four were appeals from adversary proceedings. The graphics below illustrate the breakdown of case origin by district.

**New Cases**

Arkansas	19
Northern Iowa	3
Southern Iowa	8
Minnesota	18
Eastern Missouri	6
Western Missouri	16
Nebraska	15
South Dakota	1
North Dakota	5
<b>TOTAL</b>	<b>91</b>



## District Court Elections



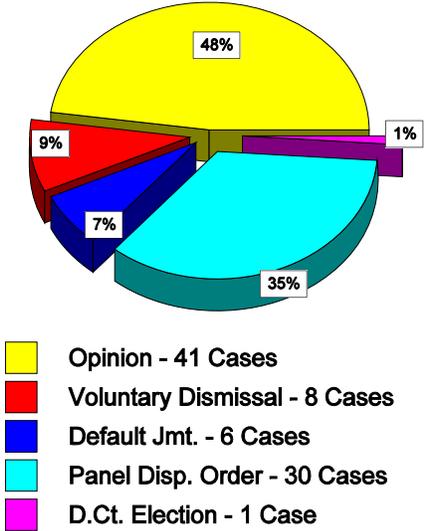
The chart to the left compares the number of appeals taken to the Bankruptcy Appellate Panel with those taken to the District Courts. In 2010, one hundred eighteen appeals were taken from the Bankruptcy Courts. Ninety of those cases (76%) were appealed to and remained with the Bankruptcy Appellate Panel; twenty-eight of the cases (24%) were appealed directly to or were transferred to the District Courts.

## Case Processing Time

In 2010, Administrative Panel matters were resolved, on average, in four days. Listed in the table below are average processing times calculated for cases which were briefed, submitted on the merits and subsequently closed in 2010.

Interval:	1	2	3	Total Processing Time
From:	Docketing	Aplee's Brief	Submission	
To:	Aplee's Brief	Submission	Disposition	
Cases Submitted w/Arg.	65 days 2.1 months	101 days 3.3 months	32 days 1 month	198 days 6.4 months
Cases Submitted w/o Arg.	69 days 2.2 months	36 days 1.2 months	24 days .8 months	129 days 4.2 months
All Cases	67 days 2.2 months	67 days 2.2 months	28 days .9 month	162 days 5.3 months

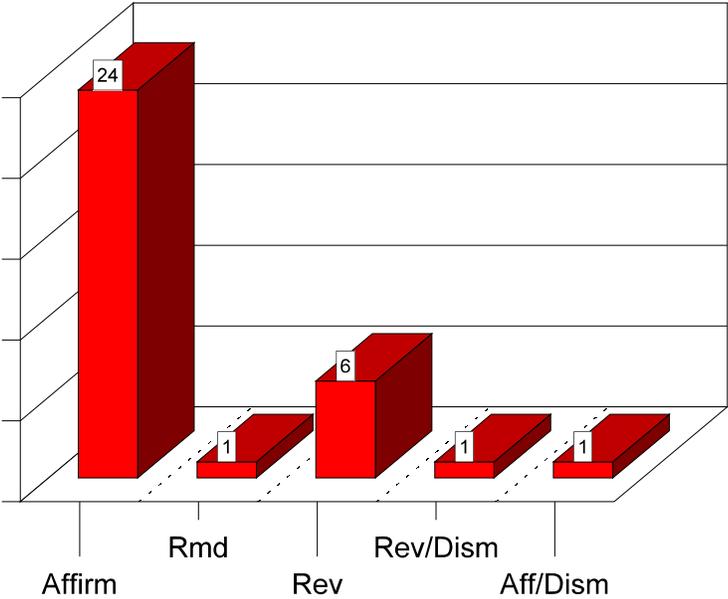
# Case Dispositions



Eighty-six cases were closed in 2010; however, one of those cases was subsequently re-opened. The court wrote a total of thirty-three opinions which disposed of forty-one cases. To the left is a breakdown of the method by which each case was closed.

# Opinion Breakdown

The chart to the right breaks down each opinion by its outcome. As shown in the chart, the majority of opinions (75%) affirmed the Bankruptcy Court decision.



## **Panel Referrals**

In 2010, thirty-two referrals were made to Administrative Panels; eleven of those cases were subsequently referred back to the panels, resulting in a total of forty-three Administrative Panel referrals. Twenty-one cases were submitted on the merits without oral argument and forty-one cases were submitted on the merits after oral argument in 2010. Hearings were held in Fargo, Omaha (3), Kansas City, St. Paul and St. Louis.

## **Appeals to the U.S. Court of Appeals**

A total of twenty bankruptcy appeals were taken to the U.S. Court of Appeals in 2010. Of those appeals, seven were from District Court decisions and thirteen were from Bankruptcy Appellate Panel decisions.

In addition to the thirteen notices of appeal taken from the Bankruptcy Appellate Panel to the Court of Appeals in 2010, nine cases were pending before the Court of Appeals at the beginning of the year. Nine cases were closed by the Court of Appeals during the last year, leaving a total of thirteen pending cases. Following is a breakdown of the method by which BAP cases appealed to the Court of Appeals were closed:

Affirmed .....	8
Reversed .....	1