

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

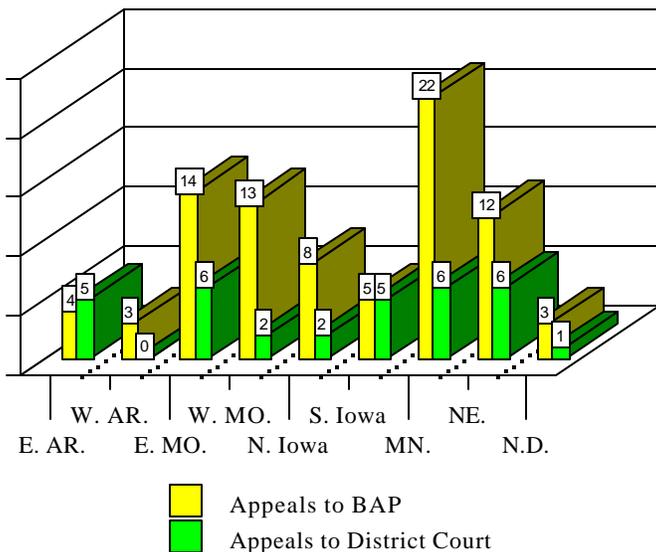
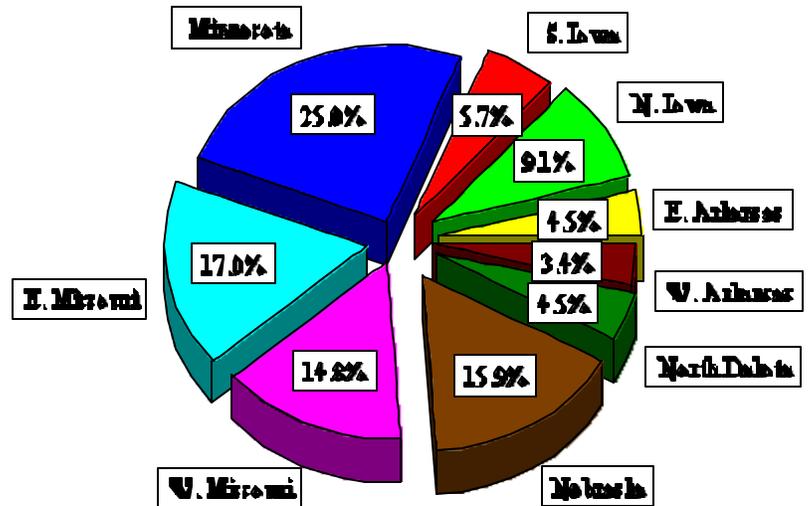
**1999 STATISTICAL REPORT**

# New Case Filings

In 1999, eighty-eight cases were docketed by the Bankruptcy Appellate Panel. Fourteen of those cases (16%) were filed by pro se litigants. Of the cases filed, forty-four were appeals from contested matters and forty-four were appeals from adversary proceedings. Five applications to take an interlocutory appeal were filed, four of which were denied. The graphics below illustrate the breakdown of case origin by district.

**New Cases**

Eastern Arkansas	4
Western Arkansas	3
Northern Iowa	8
Southern Iowa	5
Minnesota	22
Eastern Missouri	15
Western Missouri	13
Nebraska	14
North Dakota	4
<b>TOTAL</b>	<b>88</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 1999, 117 appeals were taken from the Bankruptcy Courts. Eighty-four of those cases (72%) were appealed to and remained with the Bankruptcy Appellate Panel; thirty-three of the cases (28%) were appealed directly to or were transferred to the District Courts.

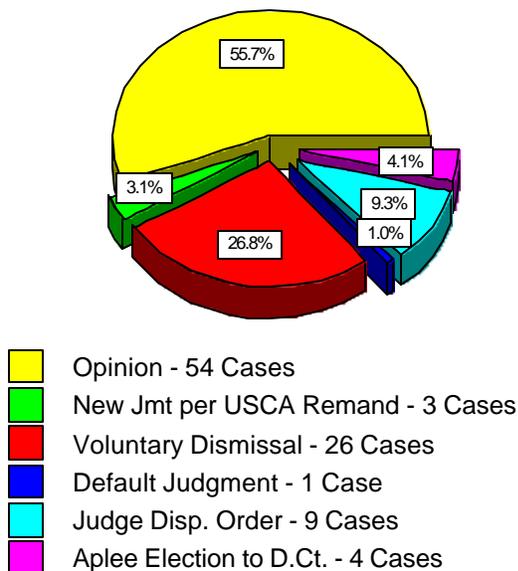
# Panel Referrals

In 1999, twenty-two referrals were made to Administrative Panels; one of those cases was subsequently referred back to the panel, resulting in a total of twenty-three Administrative Panel referrals. Nine cases were submitted to Screening Panels and forty cases were submitted to Hearing Panels in 1999. Hearings were held in St. Paul (3), St. Louis (3), Kansas City (2), Fargo, Cedar Rapids and Omaha. In addition, the Panel held its first hearing via video-conference between Minneapolis and Little Rock.

## Case Processing Time

In 1999, Administrative Panel matters were resolved, on average, in six days. Listed in the table below are average processing times calculated for cases which were briefed, submitted on the merits and subsequently closed in 1999.

Interval:	1	2	3	Total Processing Time
From:	Docketing	Aplee's Brief	Submission	
To:	Aplee's Brief	Submission	Disposition	
Hearing Panel Matters	72 days 2.4 months	68 days 2.2 months	41 days 1.4 months	181 days 6 months
Screening Panel Matters	80 days 2.6 months	14 days .5 months	40 days 1.3 months	134 days 4.4 months
All Cases	74 days 2.4 months	56 days 1.85 months	41 days 1.35 months	171 days 5.6 months

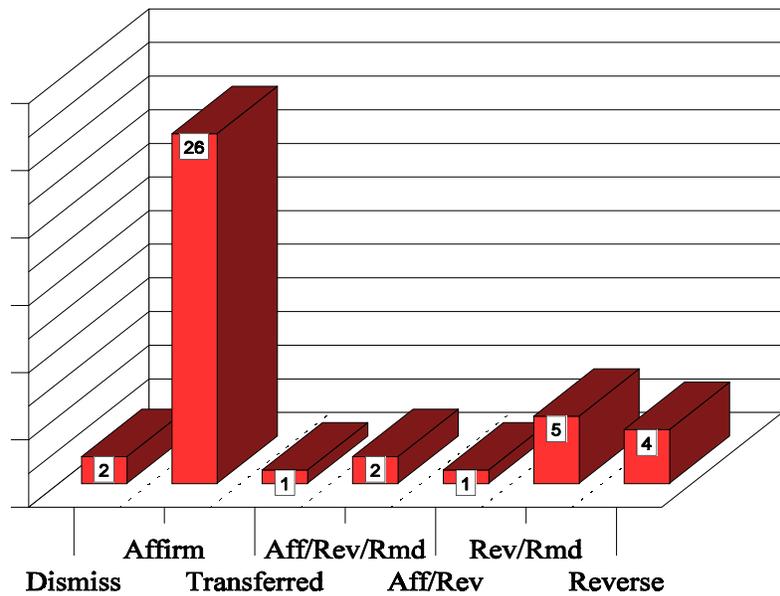


## Case Dispositions

Ninety-four cases were closed in 1999. In addition, three previously-closed cases were re-opened and dispositive orders were entered pursuant to remand orders from the 8<sup>th</sup> Circuit Court. The Panel wrote a total of forty-one opinions which disposed of fifty-four cases. In addition, nine dispositive orders were entered at the direction of the Panel. 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 (53%) either affirmed the Bankruptcy Court decision or dismissed the appeal.



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

A total of thirty-six appeals were taken to the U.S. Court of Appeals in bankruptcy cases in 1999. Of those appeals, seventeen (47%) were from District Court decisions and nineteen (53%) were from Bankruptcy Appellate Panel decisions.

In addition to the nineteen appeals taken from Bankruptcy Appellate Panel to the Court of Appeals, ten Panel cases were pending before the Court of Appeals at the beginning of the year. Fifteen cases were closed by the Court of Appeals during the last year, leaving a total of fourteen cases pending. Following is a breakdown of the method by which BAP cases appealed to the Court of Appeals were closed:

Affirmed . . . . .	6
Dismissed as Frivolous . . . . .	1
Reversed/Remanded . . . . .	2
Affirmed in Part/Reversed in Part . . . . .	1
Voluntarily Dismissed . . . . .	3
Reversed . . . . .	1
Remanded . . . . .	1