

UNITED STATES BANKRUPTCY APPELLATE PANEL *for the Eighth Circuit*

STATISTICAL REPORT

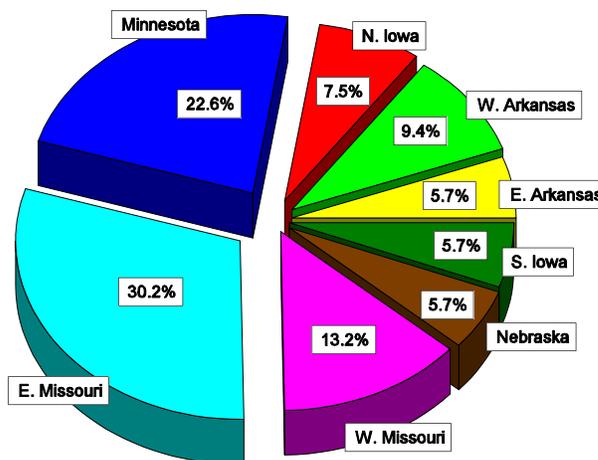
JANUARY 1, 2002 thru SEPTEMBER 30, 2002

New Case Filings

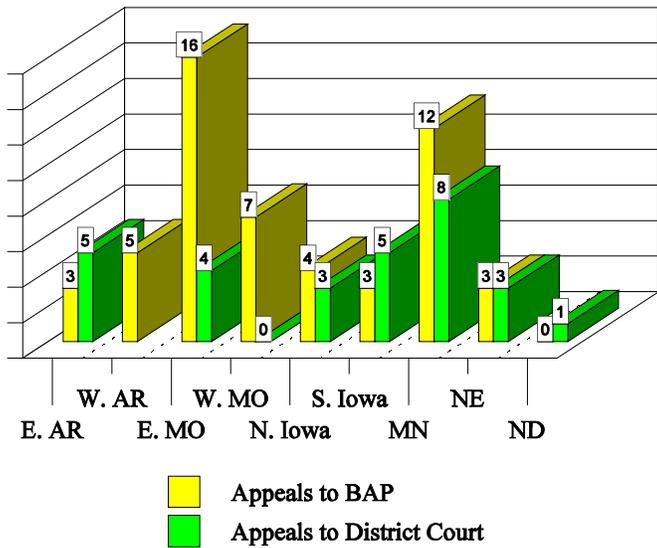
Fifty-three cases were docketed in the first nine months of 2002. Twelve of these cases (23%) were filed by pro se litigants. Of the cases filed, thirty-seven were appeals from contested matters and sixteen were appeals from adversary proceedings. The graphics below illustrate the breakdown of case origin by district.

New Cases

Eastern Arkansas	3
Western Arkansas	5
Northern Iowa	4
Southern Iowa	3
Minnesota	12
Eastern Missouri	16
Western Missouri	7
Nebraska	3
North Dakota	0
TOTAL	53



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 the first three quarters of 2002, eighty-one appeals were taken from the Bankruptcy Courts. Fifty-three of those cases (65%) were appealed to and remained with the Bankruptcy Appellate Panel. Twenty-eight of the cases were appealed directly to the District Courts and one case which was opened in the BAP in 2001 was transferred to the District Court in 2002.¹

Case Processing Time

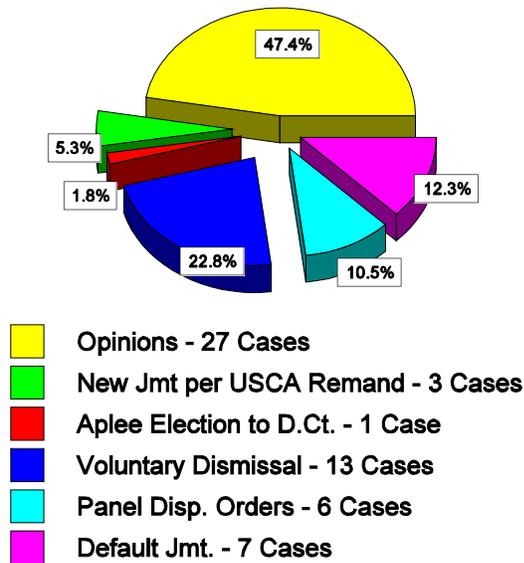
Listed in the table below are average processing times calculated for cases submitted on the merits which were subsequently closed between January 1, 2002 and September 30, 2002.

Interval:	1	2	3	Total Processing Time
From:	Docketing	Aplee's Brief	Submission	
To:	Aplee's Brief	Submission	Disposition	
Cases Submitted w/Arg.	80 days 2.6 months	79 days 2.6 months	29 days .9 months	188 days 6.1 months
Cases Submitted w/o Arg.	66 days 2.2 months	25 days .8 months	22 days .7 month	113 days 3.7 months
All Cases	74 days 2.4 months	55 days 1.8 months	26days .8 months	155 days 5 months

¹These figures do not include appeals taken to the U.S. District Court for the Western District of Arkansas.

Panel Referrals

In the first three quarters of 2002, twelve referrals were made to Administrative Panels; two of those cases were subsequently referred back to the panel, resulting in a total of fourteen Administrative Panel referrals. Nine cases were submitted on the merits without oral argument and fifteen cases were submitted on the merits after oral argument. Hearings were held in St. Paul (3), Kansas City (2), St. Louis and Little Rock.

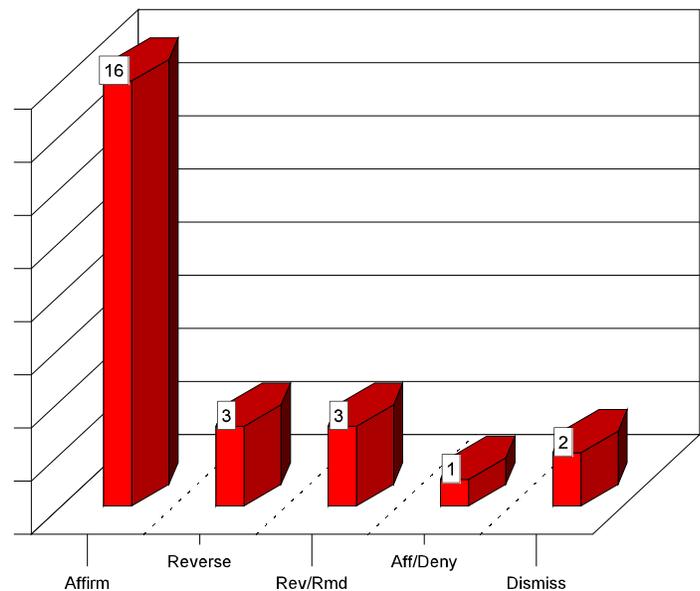


Case Dispositions

Fifty-four cases were closed in the first nine months of 2002. In addition, three previously-closed cases were re-opened and dispositive orders were entered pursuant to remand orders from the 8th Circuit Court. The Panel wrote a total of twenty-five opinions which disposed of twenty-seven 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 dispositive opinion by its outcome. As shown in the chart, 72% of the opinions either affirmed the Bankruptcy Court decision or dismissed the appeal.



Appeals to the U.S. Court of Appeals

Twelve notices of appeal were taken to the Court of Appeals from the Bankruptcy Appellate Panel in the first three quarters of 2002. In addition, one petition for extraordinary writ was filed with the Court of Appeals from a BAP case. Seventeen cases were pending before the Court of Appeals at the beginning of the year and nineteen cases were closed by them during the last nine months, leaving a total of eleven pending cases. Following is a breakdown of the method by which BAP cases appealed to the Court of Appeals were closed:

Affirmed	11
Voluntarily Dismissed	2
Denied	1
Dismissed	2
Reversed/Remanded	1
Affirmed/Reversed/Remanded	1
Vacated/Dismissed as Moot	1