

UNITED STATES BANKRUPTCY APPELLATE PANEL *for the Eighth Circuit*

STATISTICAL REPORT

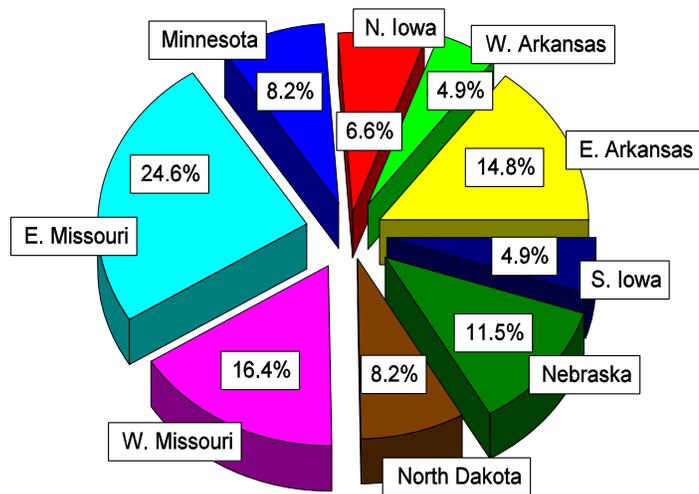
JANUARY 1, 2005 thru DECEMBER 31, 2005

New Case Filings

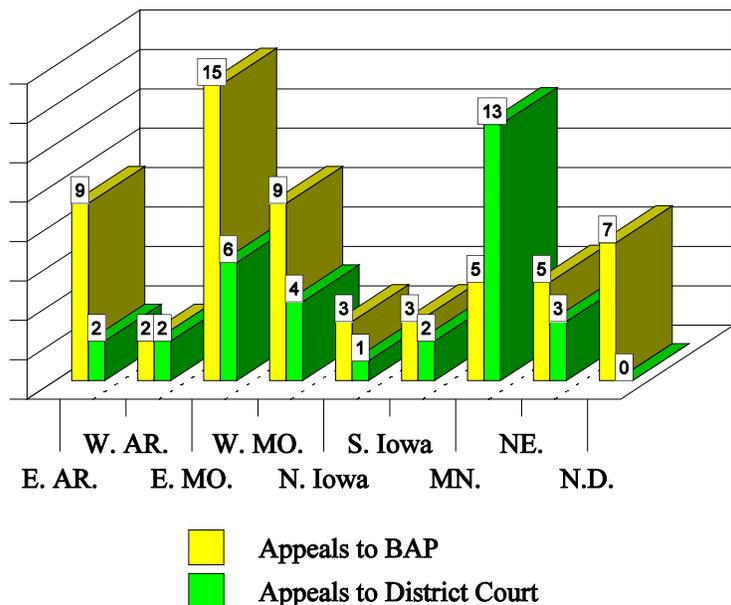
Sixty-one cases were docketed by the Bankruptcy Appellate Panel in 2005. Fourteen of those cases (23%) were filed by pro se litigants. Of the cases filed, thirty-nine were appeals from contested matters, twenty-one were appeals from adversary proceedings and one appeal was from a miscellaneous case. The graphics below illustrate the breakdown of case origin by district.

New Cases

Eastern Arkansas	9
Western Arkansas	3
Northern Iowa	4
Southern Iowa	3
Minnesota	5
Eastern Missouri	15
Western Missouri	10
Nebraska	5
North Dakota	7
TOTAL	61



District Court Elections



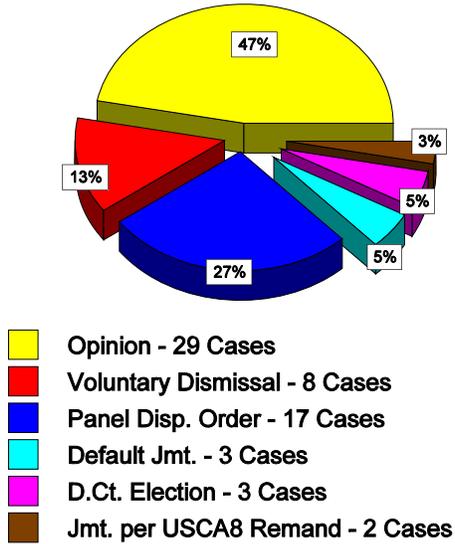
The chart to the left compares the number of appeals taken to the Bankruptcy Appellate Panel with those taken to the District Courts. In 2005, ninety-one appeals were taken from the Bankruptcy Courts. Fifty-eight of those cases (64%) were appealed to and remained with the Bankruptcy Appellate Panel; thirty-three of the cases (36%) were appealed directly to or were transferred to the District Courts.

Case Processing Time

In 2005, Administrative Panel matters were resolved, on average, in nine days. Listed in the table below are average processing times calculated for cases which were briefed, submitted on the merits and subsequently closed in 2005.

Interval:	1	2	3	Total Processing Time
From:	Docketing	Aplee's Brief	Submission	
To:	Aplee's Brief	Submission	Disposition	
Cases Submitted w/Arg.	70 days 2.3 months	76 days 2.5 months	31 days 1 month	177 days 5.8 months
Cases Submitted w/o Arg.	98 days 3.2 months	26 days .8 months	21 days .7 months	145 days 4.7 months
All Cases	82 days 2.7 months	55 days 1.8 months	26 days .8 months	163 days 5.4 months

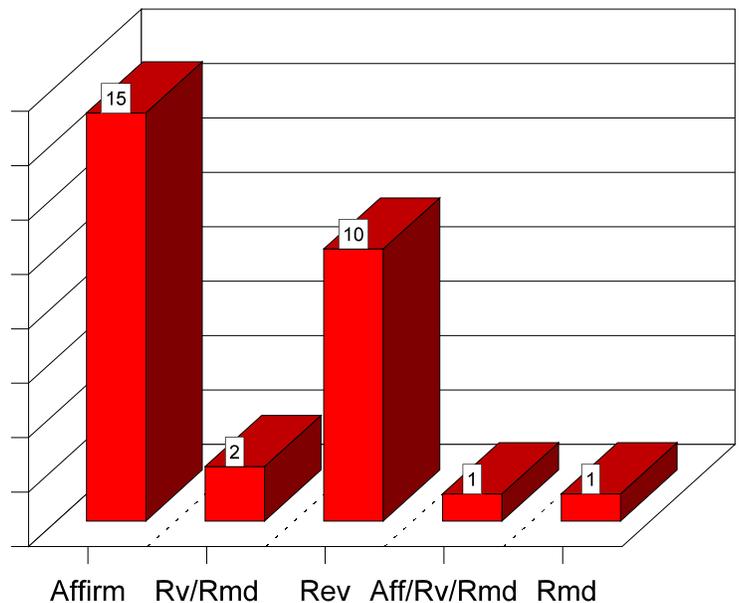
Case Dispositions



Sixty cases were closed in 2005. In addition, two cases which had previously been closed were re-opened and new judgments were entered pursuant to remand orders from the U.S. Court of Appeals. The court wrote a total of twenty-nine opinions which disposed of twenty-nine cases. In addition, sixteen orders disposing of seventeen cases were entered at the direction of the court. 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 (52%) affirmed the Bankruptcy Court decision.



Panel Referrals

In 2005, twenty-six referrals were made to Administrative Panels; four of those cases were subsequently referred back to the panels, resulting in a total of thirty Administrative Panel referrals. Twelve cases were submitted on the merits without oral argument and twenty-two cases were submitted on the merits after oral argument in 2005. Hearings were held in St. Louis, Des Moines, St. Paul, Kansas City, Little Rock and Fargo.

Appeals to the U.S. Court of Appeals

A total of twenty-seven bankruptcy appeals were taken to the U.S. Court of Appeals in 2005. Of those appeals, fifteen (56%) were from District Court decisions and twelve (44%) were from Bankruptcy Appellate Panel decisions.

In addition to the twelve notices of appeal taken from the Bankruptcy Appellate Panel to the Court of Appeals in 2005, eleven cases were pending before the Court of Appeals at the beginning of the year. Ten cases were closed by the Court of Appeals during the last year, leaving a total of thirteen pending cases. In addition, one case which had been closed was re-opened and new judgment was entered by order of the U.S. Supreme Court. Following is a breakdown of the method by which BAP cases appealed to the Court of Appeals were closed:

Affirmed	7
Affirmed in Part/Reversed in Part	1
Voluntarily Dismissed	2
Reversed/Remanded (by order of S.Ct.)	1