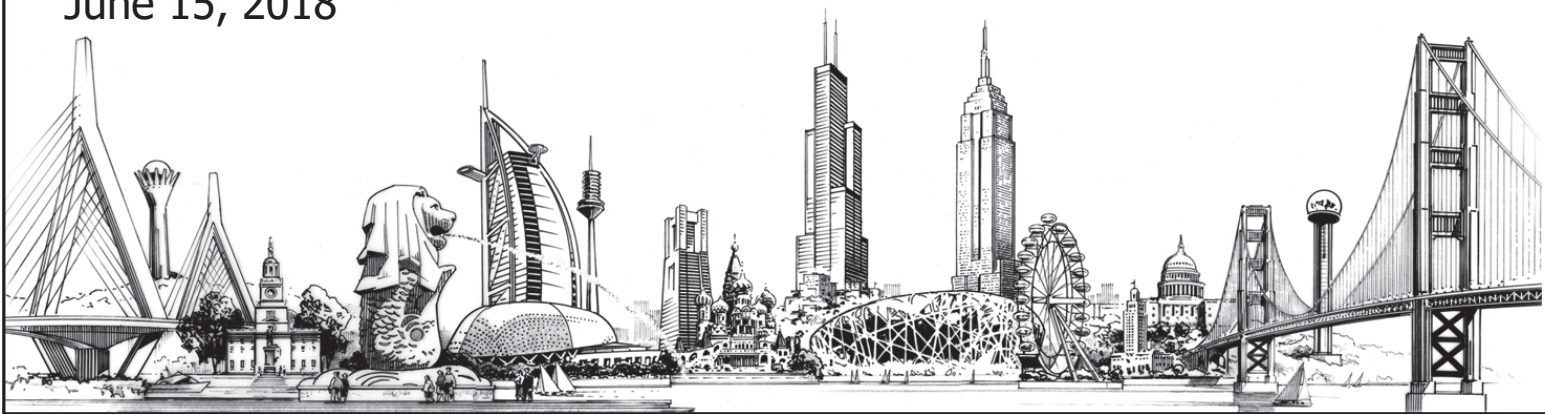


# FIFTH CIRCUIT STATISTICS

William R. Peterson  
June 15, 2018



## Composition of the Fifth Circuit

### June 2016

Stewart  
**Jolly**  
**Davis**  
Jones  
Smith  
Dennis  
**Clement**  
**Prado**  
Owen  
Elrod  
Southwick  
Haynes  
Graves  
Higginson  
Costa

### Today

Stewart  
Jones  
Smith  
Dennis  
Owen  
Elrod  
Southwick  
Haynes  
Graves  
Higginson  
Costa  
**Willett**  
**Ho**  
**Duncan**  
**Engelhardt**

## Common Questions About the Fifth Circuit

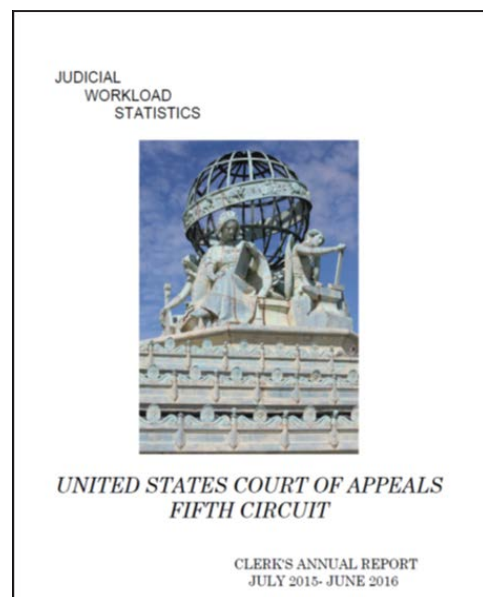
- Will the court hold oral argument in my case?
- What are the odds that my case will be reversed?
- How frequently do the judges on my panel disagree with one another?
- Does the passage of time since argument indicate anything about the likely result?
- In civil cases, why does the Fifth Circuit reverse district courts?

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## Clerk's Annual Report

- Published annually
- Reports case results based on the results of the screening process
- Does not include detailed timing information



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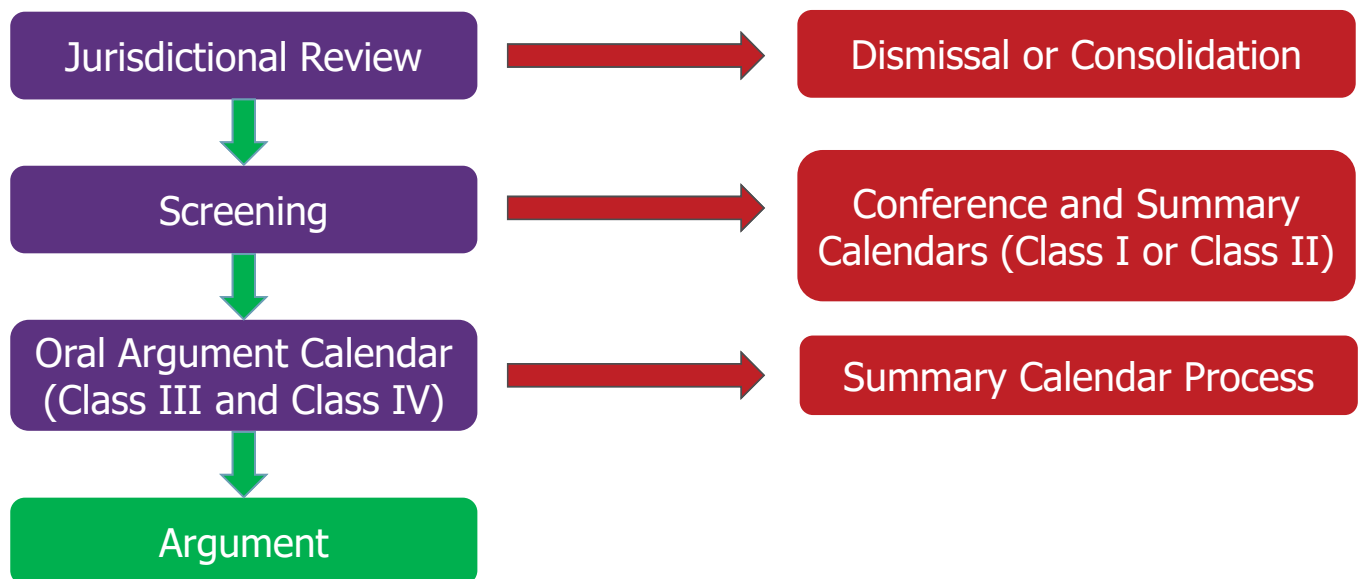
## The Solution: Read Lots of Cases

- Cases argued from July 2015 to June 2016
  - <http://www.ca5.uscourts.gov/clerk/calendar/1507/01.htm>
  - <http://www.ca5.uscourts.gov/clerk/calendar/1606/45.htm>
- Fields include:
  - Type
  - Panel
  - Argument Date
  - Result
  - Author (dissent or concurrence?)
  - Opinion Date
  - Plaintiff-Appellant?
  - Posture and Ground for Reversal (in civil cases)

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## The Road to Oral Argument



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Title search: Fifth Circuit Statistics

Also available as part of the eCourse

[Federal Appellate Law Update 2018: Case Law Updates, Stays and Emergency Relief, and more!](#)

First appeared as part of the conference materials for the  
28<sup>th</sup> Annual Conference on State and Federal Appeals session  
"Fifth Circuit Statistics"