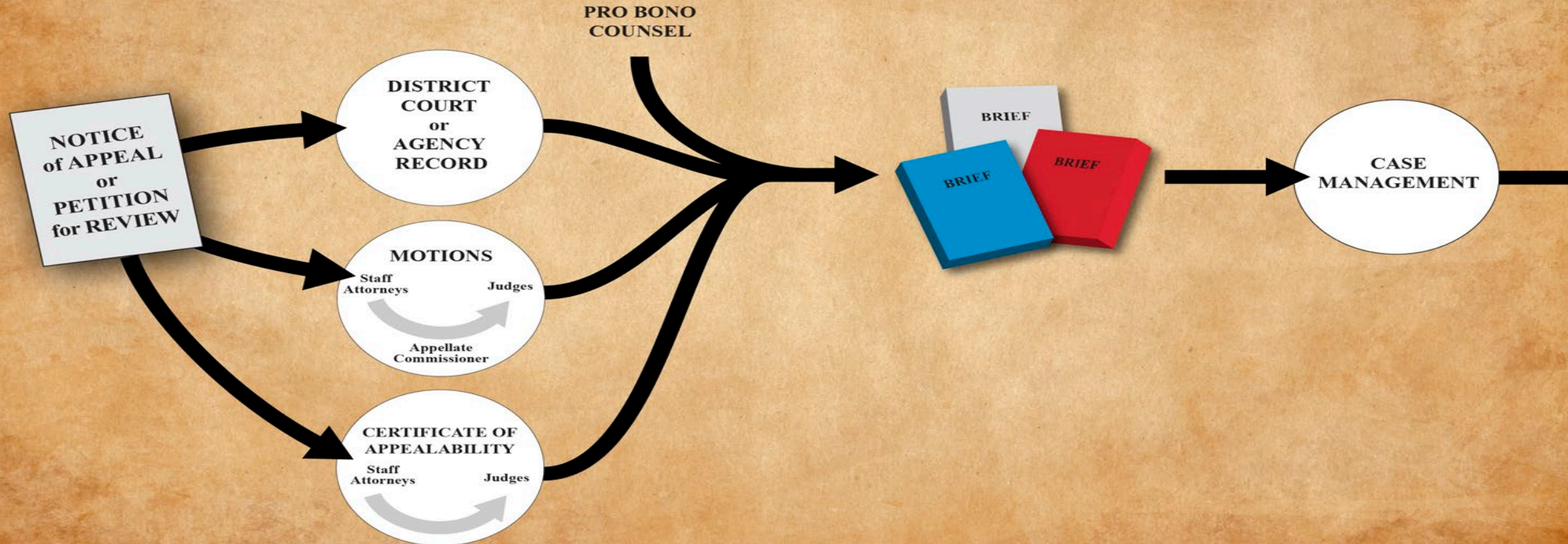


# THE APPELLATE PROCESS

## PRE-BRIEFING

MEDIATION



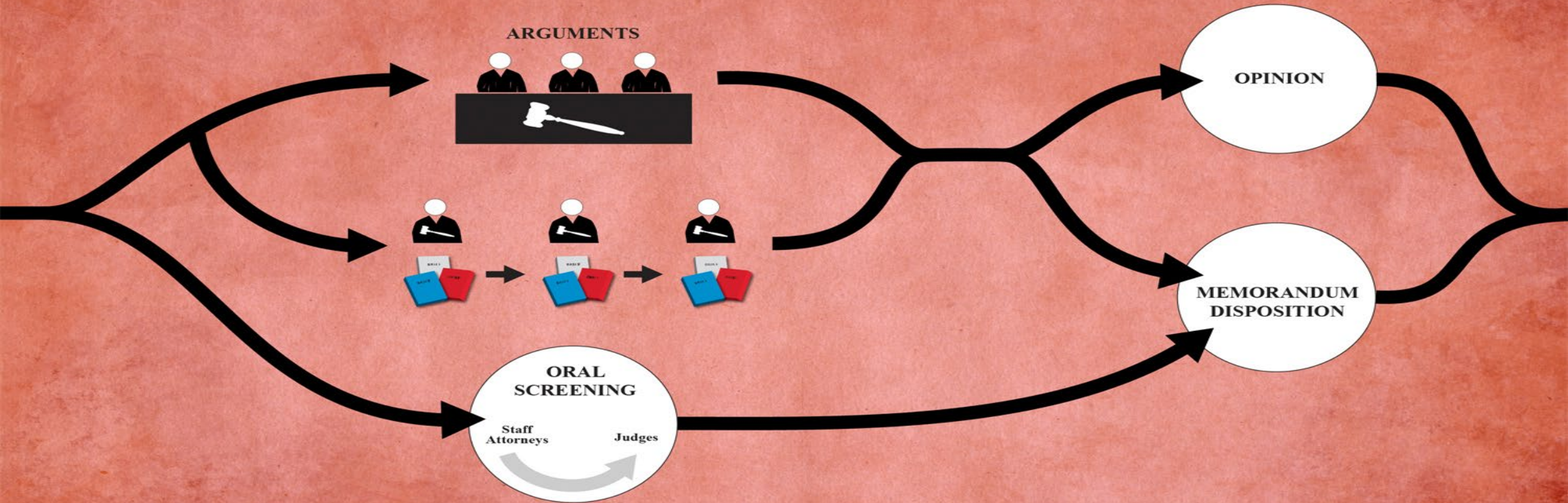


# THE APPELLATE PROCESS

**SUBMISSION**

**DECISION**

**MEDIATION** - - - - -

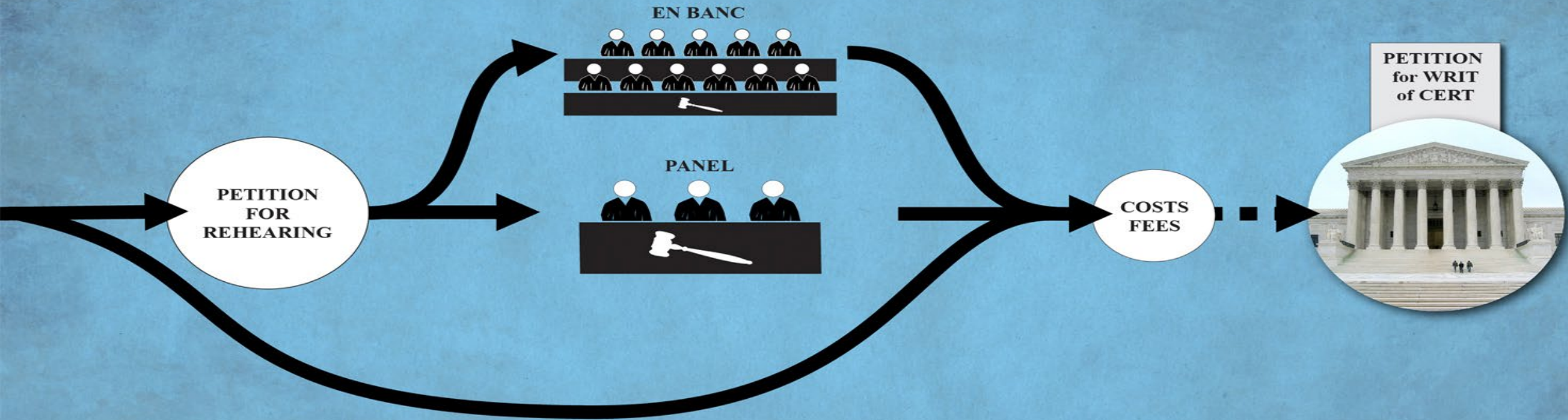




# THE APPELLATE PROCESS

## POST JUDGMENT

MEDIATION





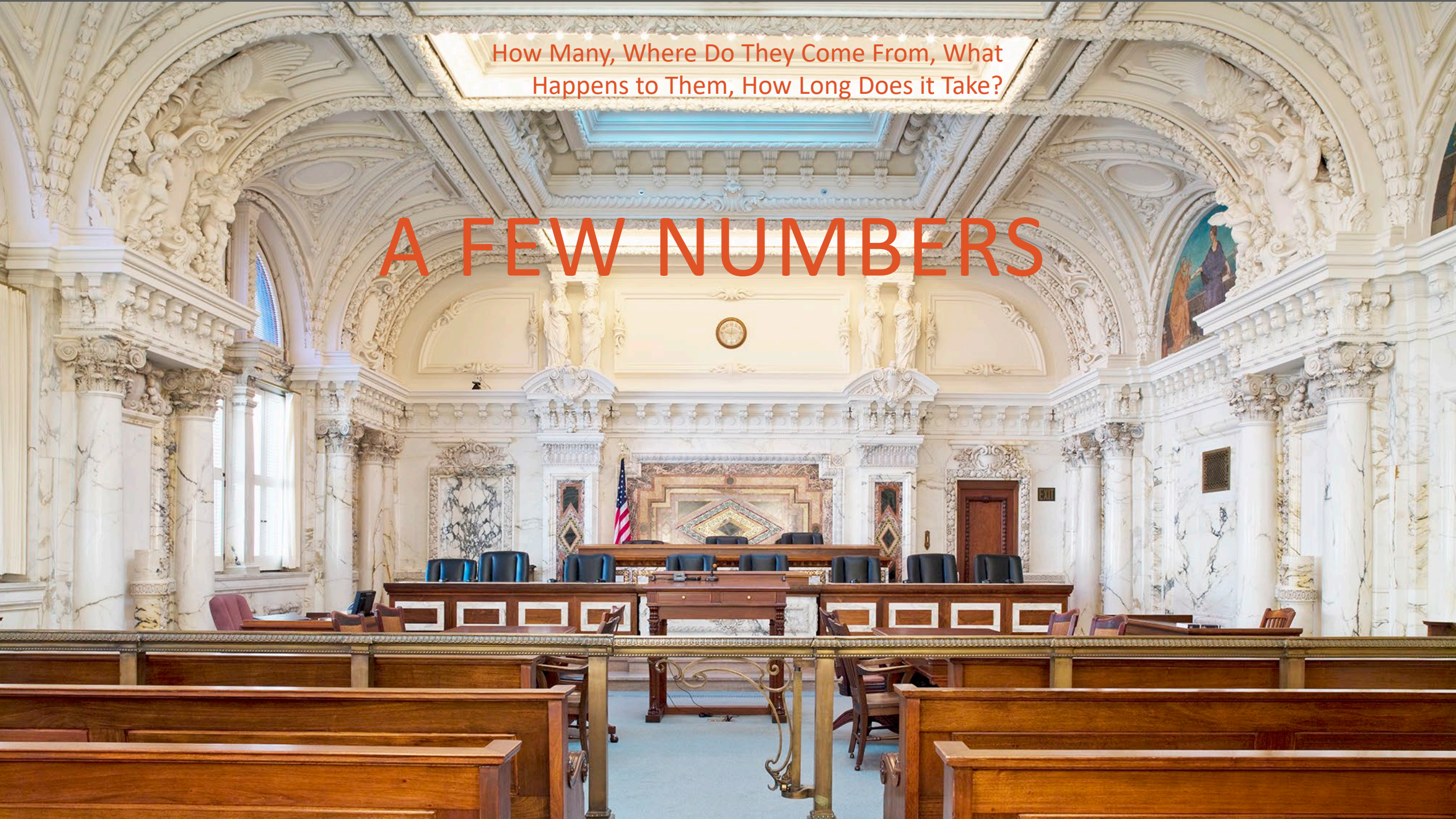
# COVID IMPACTS and UPDATES

- ▶ In person hearings are finally back! Only the arguing attorneys and up to 2 guests each, as well as anyone invited to the courthouse to participate in specific meetings or events are permitted in our courthouses at this time. We are still not open to the general public through June, not clear when that will change.
- ▶ At this time, attorneys may still appear by video for hearings without cause or the need to file a motion. We don't know how long that will be the case or what the future will look like.
- ▶ We have an administrative order in place at least through June that requires everyone seeking entry to our courthouses to be fully vaxed and boosted.
- ▶ Case filings were down significantly in 2021, due at least in part to the inability of district courts and agencies to hold trials/hearings over the last two years.
- ▶ Our case processing is unaffected, and our backlog is significantly reduced.



How Many, Where Do They Come From, What  
Happens to Them, How Long Does it Take?

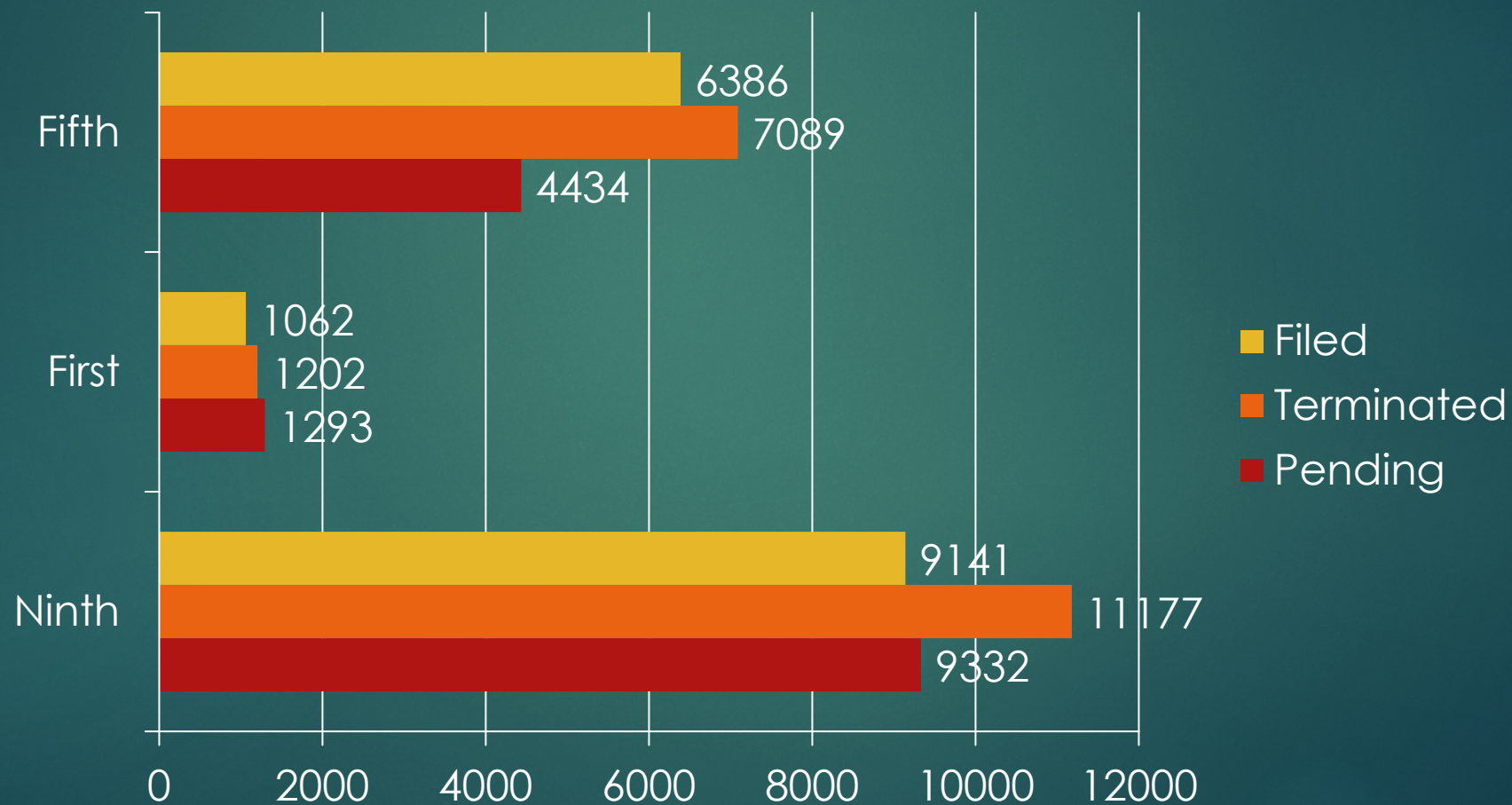
# A FEW NUMBERS



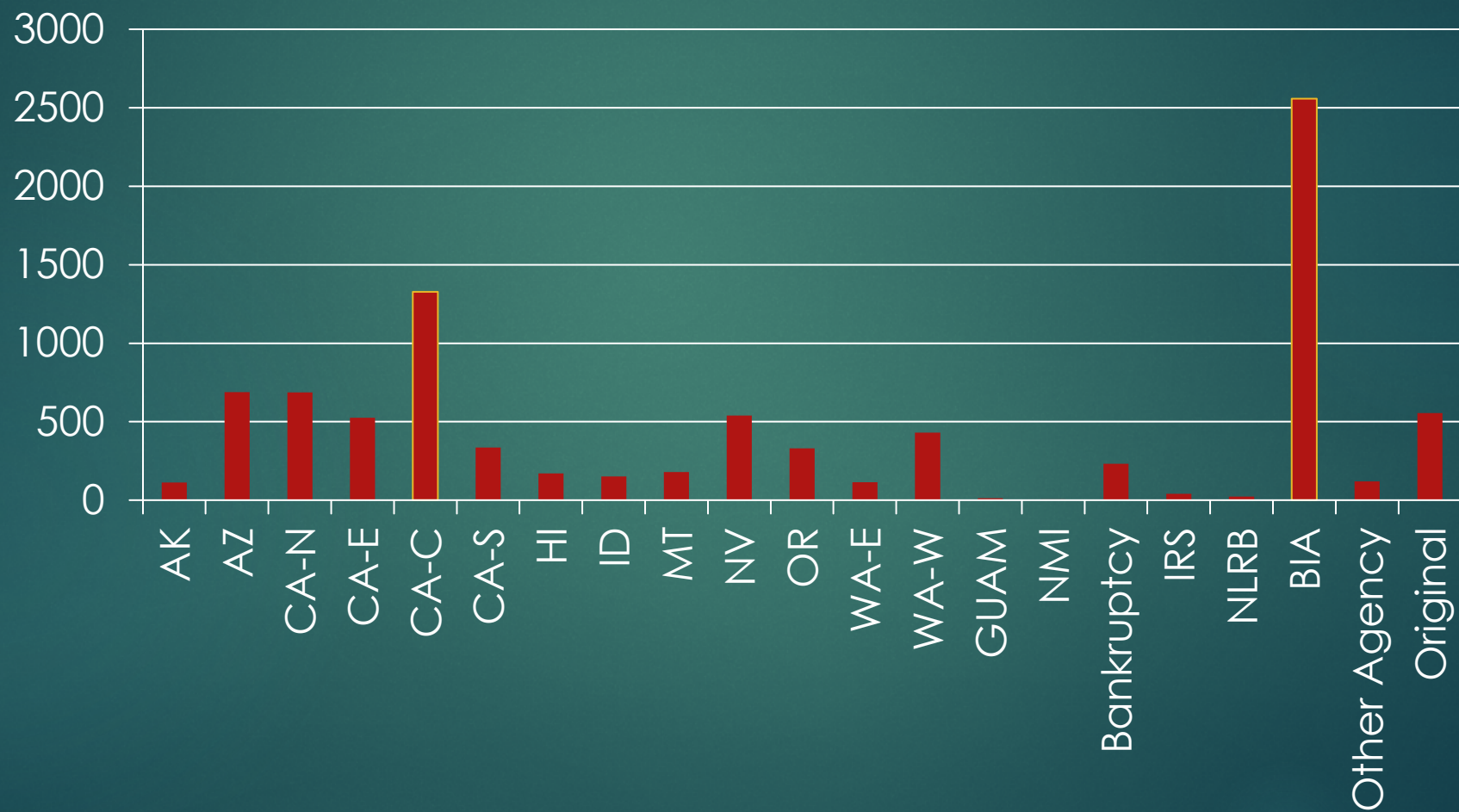


# Caseload

Calendar Year 2021



# Where Do our Appeals Come From?

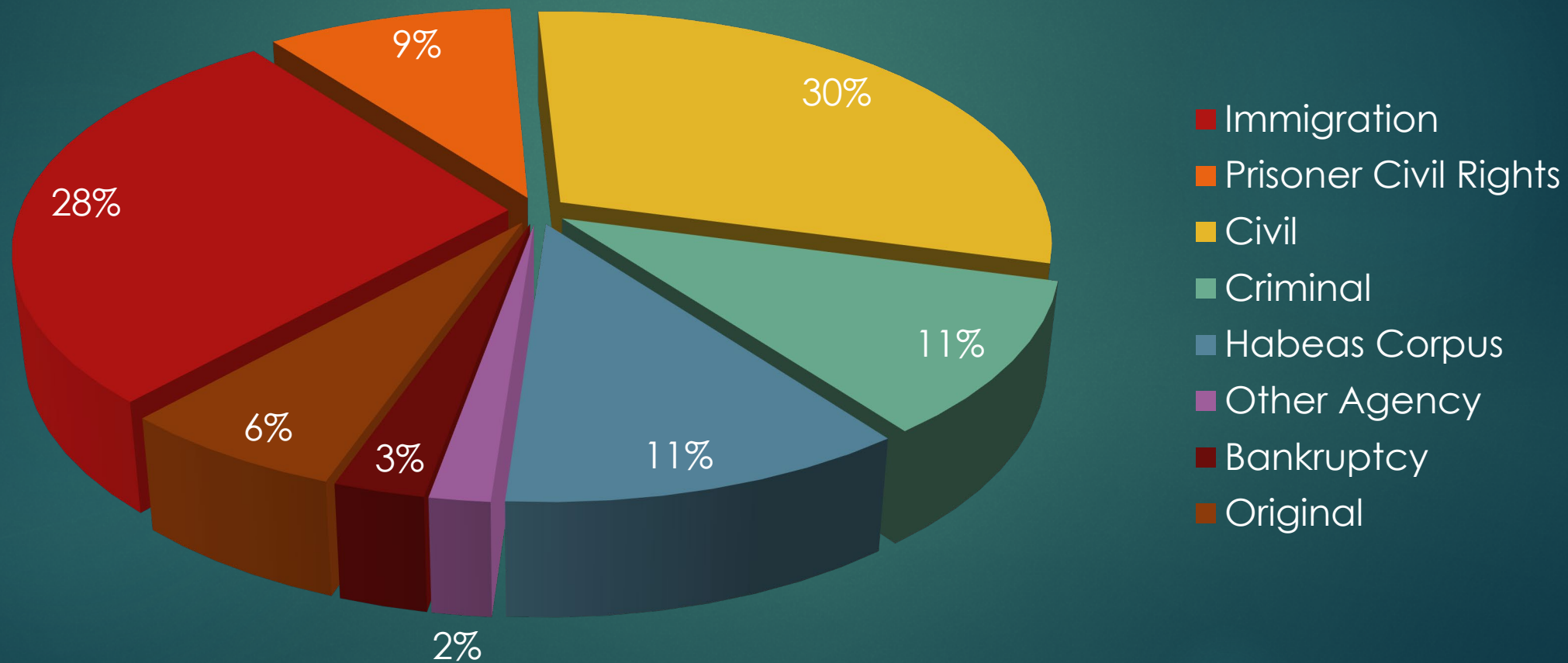


Calendar Year 2021 Filings



# Case Types

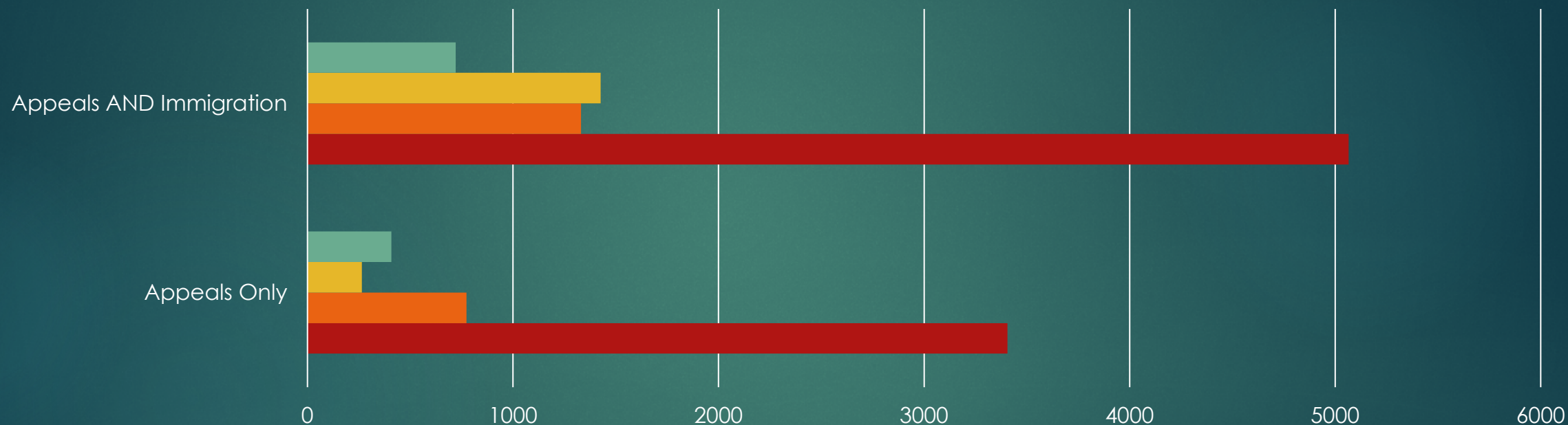
Calendar Year 2021





# AGE OF PENDING CASES

As of April 22, 2022

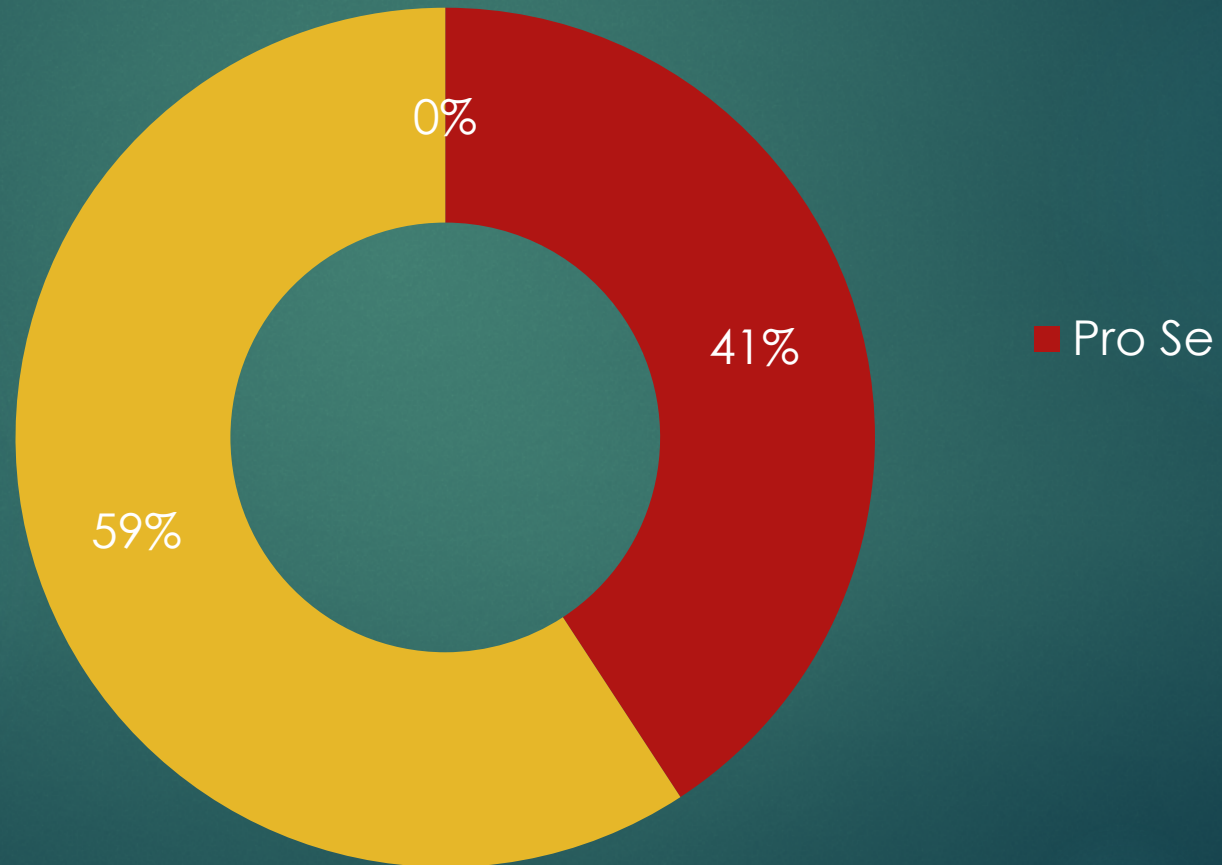


	Appeals Only	Appeals AND Immigration
In Abeyance	408	721
Older than 2	264	1426
Between 1 and 2	774	1331
Less than 1 year	3406	5066

In Abeyance Older than 2 Between 1 and 2 Less than 1 year



# Pro Se Cases

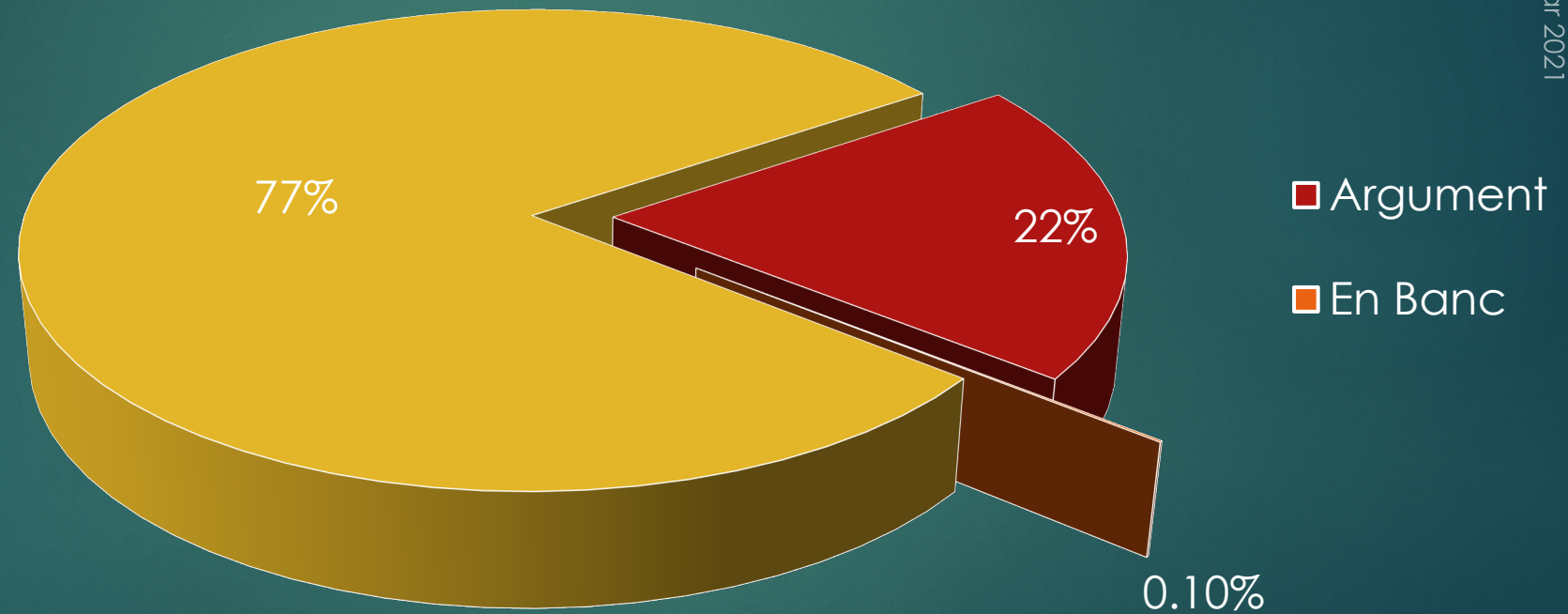


Calendar Year 2021 Filings



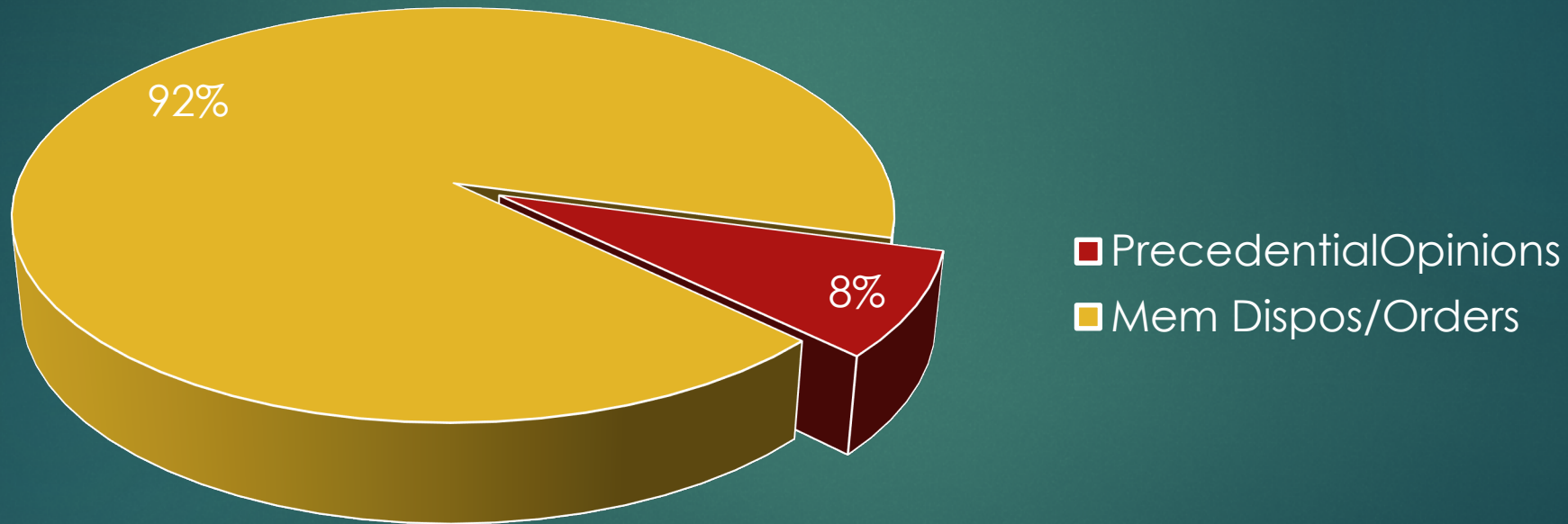
# Merit Terminations

Calendar Year 2021





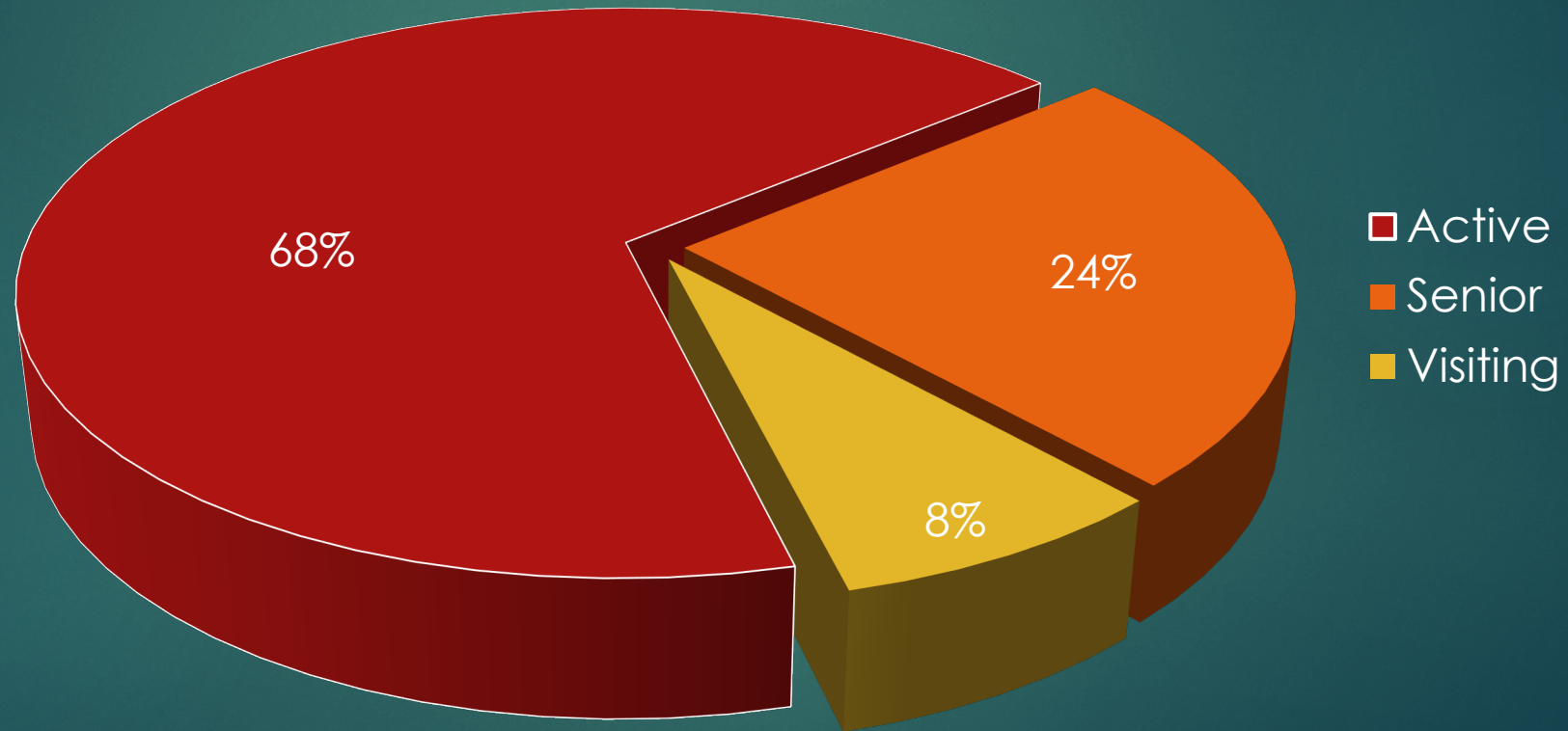
# Types of Merits Decisions





# Senior & Visiting Judges

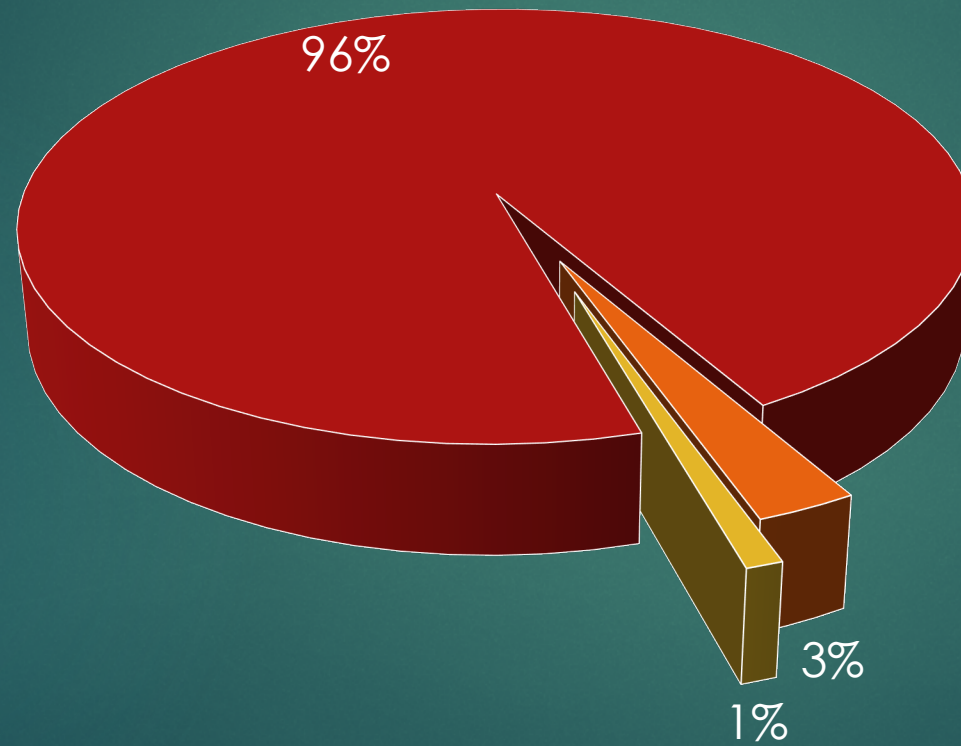
Calendar Year 2021





# En Bancs 2021

(calendar year 2021)

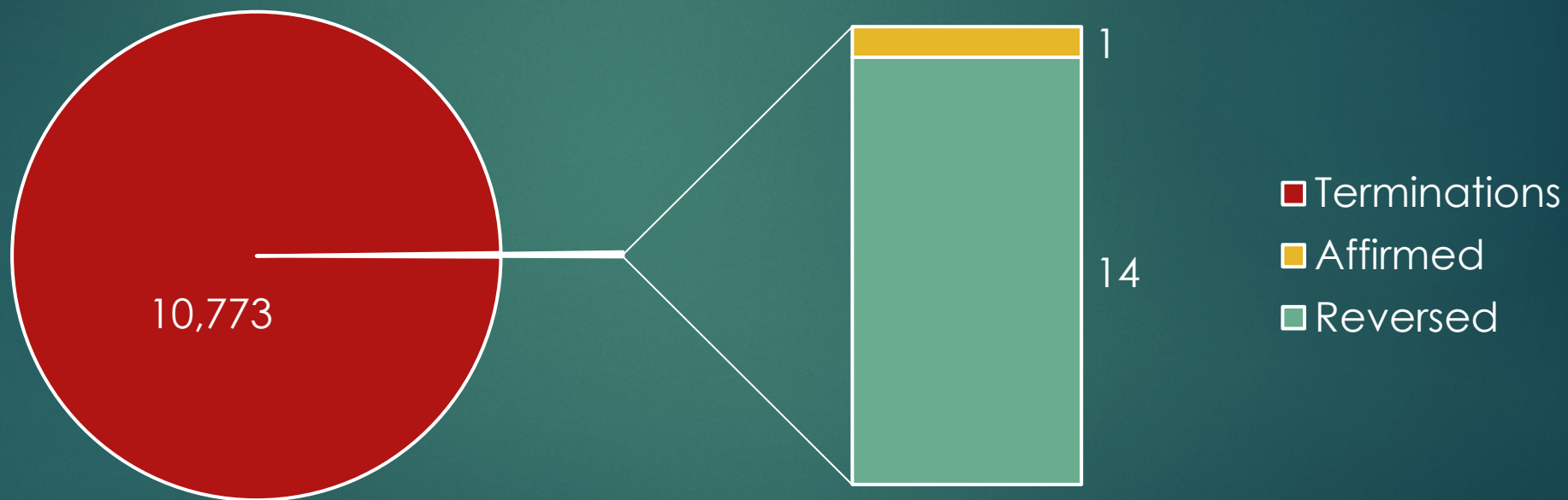


- PFREBs
- Ballots
- Yes Votes



# Reversals by supreme court

2020-2021 Term



Supreme Court data (2020-21 term)



# Rules and Resources

## Recent/Pending Rule Changes

- Archived rule changes (and pending when any) and administrative orders are available in redline version at [http://www.ca9.uscourts.gov/content/view.php?pk\\_id=0000000682](http://www.ca9.uscourts.gov/content/view.php?pk_id=0000000682)
- ACMS (new appellate case management system) now in use for all new immigration petitions for review and SOS Applications, plans for next case types to be added over time
- Recent Big Rule Changes (2020) – Oversized Briefs, Excerpts of Record
- New and Revised Forms, Instructions, Case information packets
- New CJA Administrative Attorney
- In Person Hearing Protocols and Forms, COVID Updates [here](#)



# Rules and Resources

## Ninth Circuit Website

- Appellate Practice Guide, Shell Brief, Sample Excerpts  
<http://cdn.ca9.uscourts.gov/datastore/uploads/guides/AppellatePracticeGuide.pdf>
- Other guides and legal outlines
- Court sponsored CLE program materials and video  
[https://www.ca9.uscourts.gov/content/view.php?pk\\_id=0000000887](https://www.ca9.uscourts.gov/content/view.php?pk_id=0000000887)
- Mentor Program  
[http://cdn.ca9.uscourts.gov/datastore/general/2013/03/22/ninth\\_circuit\\_applt\\_lawyer\\_rep\\_mentoring\\_project.pdf](http://cdn.ca9.uscourts.gov/datastore/general/2013/03/22/ninth_circuit_applt_lawyer_rep_mentoring_project.pdf)
- CM/ECF or ACMS questions – Help Desk
- Email Clerk's Office at [questions@ca9.uscourts.gov](mailto:questions@ca9.uscourts.gov)



# CM/ECF Tips and Common Errors

- Filing original proceedings and petitions for review electronically
- Filing briefs and motions – use generic events
- Filing types that don't need forms or other attachments
- Descriptions of briefs and excerpts and related documents
- Filing sealed documents – service and timing and basis
- Help Guide is very useful and informative, new how-to videos
- Updating Pacer account and email
- Physical and documentary trial exhibits – submit by separate motion
- ▶ ACMS Help and Instructions now also available [here](#)