

# SUPREME COURT OF APPEALS OF WEST VIRGINIA

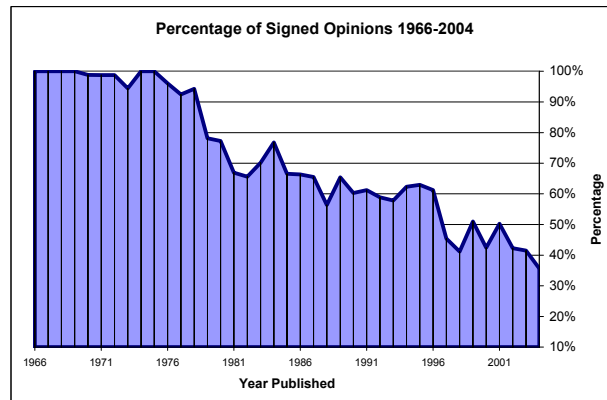
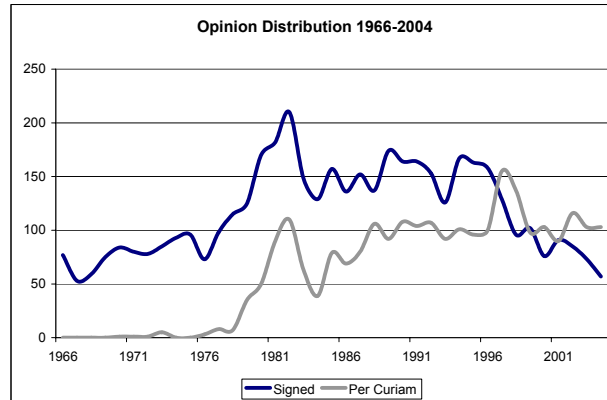
## 2004 Statistical Supplement - Trends in Opinions

The percentage of opinions with new points of law has fallen sharply since 1966,

"Consistent with our longstanding practice, this Court will use signed opinions when new points of law are announced and those points will be articulated through syllabus points as required by our state constitution. W. VA. CONST. ART. VIII, § 4." *Walker v. Doe*, 558 S.E.2d 291 (2001).

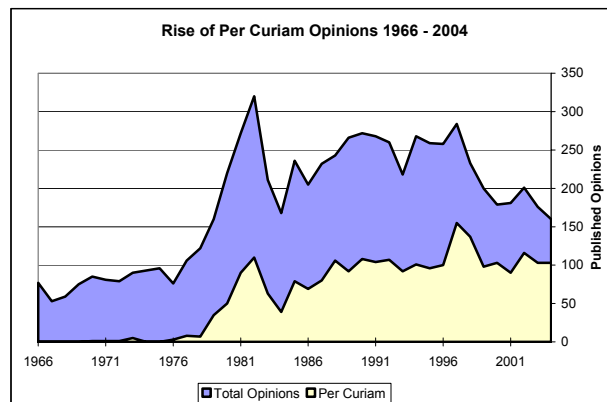
The common law in West Virginia is articulated through two kinds of published opinions. **Per curiam** opinions are opinions in which the specific author is not identified, and contain only quoted syllabus points from prior opinions. In contrast, **signed** opinions identify the opinion's author and always contain at least one new syllabus point.

The number of signed opinions as a percentage of total opinions has declined dramatically since 1966.



leading to a corresponding rise in the number per curiam opinions.

Although the total number of published opinions has declined by half since a peak of 320 in 1982, the number of per curiam decisions has steadily increased. In fact, there were more per curiam decisions issued in 2004 than the total number of opinions issued as recently as 1976.



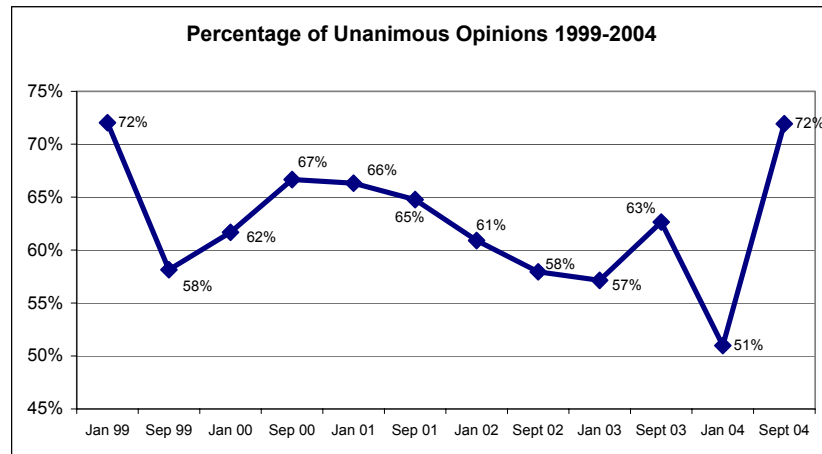
# SUPREME COURT OF APPEALS OF WEST VIRGINIA

## 2004 Statistical Supplement - Trends in Opinions

The majority of opinions issued by the Court in the past five years were unanimous.

Of the opinions issued by the Court in the previous five years, the majority have been unanimous decisions.

Based upon this measure, the most closely divided period was the January 2004 term, with a broad shift toward unanimity in the following term.



It is also interesting to observe that the period ends where it began — with nearly three-quarters of the opinions being unanimous.

For this measure, unanimous opinions are those in which no Justice dissents. Only opinions with a dissenting vote are counted as split decisions. Opinions with concurring votes are counted as unanimous.

