

UNITED STATES BANKRUPTCY APPELLATE PANEL *for the Eighth Circuit*

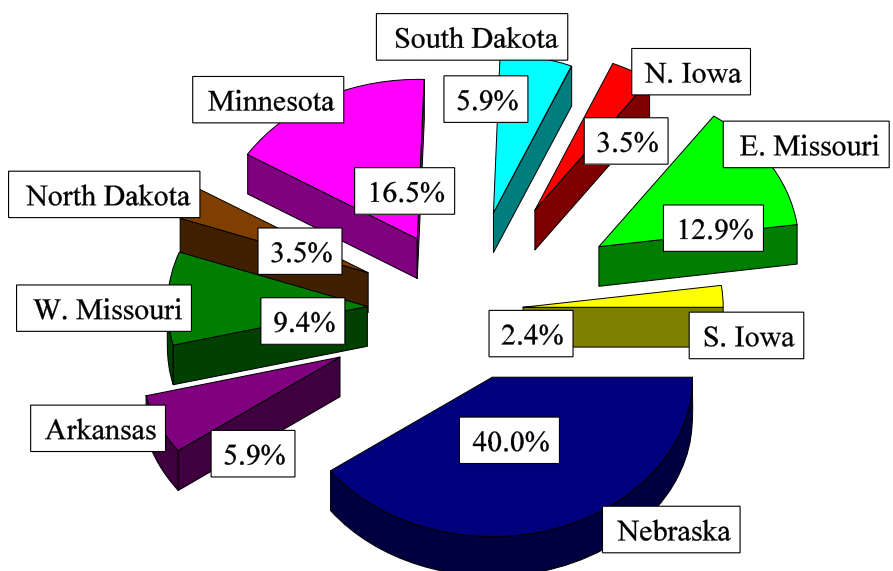
STATISTICAL REPORT JANUARY 1, 2009 thru DECEMBER 31, 2009

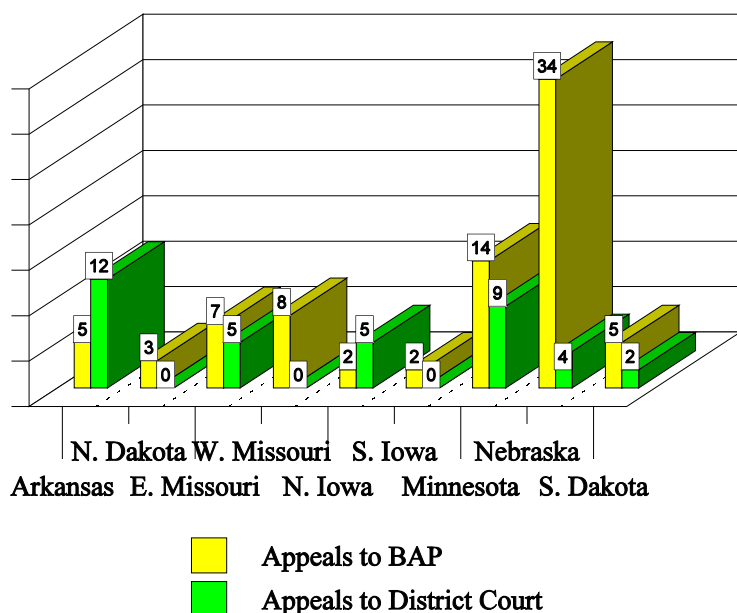
New Case Filings

Eighty-five new cases were docketed by the Bankruptcy Appellate Panel in 2009. Eleven of those cases (13%) were filed by pro se litigants. Of the cases filed, fifty-four were appeals from contested matters and thirty-one were appeals from adversary proceedings. The graphics below illustrate the breakdown of case origin by district.

New Cases

Arkansas	5
Northern Iowa	3
Southern Iowa	2
Minnesota	14
Eastern Missouri	11
Western Missouri	8
Nebraska	34
South Dakota	5
North Dakota	3
TOTAL	85





District Court Elections

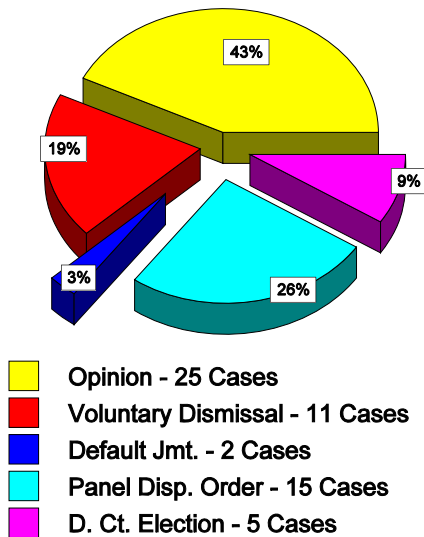
The chart to the left compares the number of appeals taken to the Bankruptcy Appellate Panel with those taken to the District Courts. In 2009, one hundred seventeen appeals were taken from the Bankruptcy Courts. Eighty of those cases (68%) were appealed to and remained with the Bankruptcy Appellate Panel; thirty-seven of the cases (32%) were appealed directly to or were transferred to the District Courts.

Case Processing Time

In 2009, Administrative Panel matters were resolved, on average, in three days. Listed in the table below are average processing times calculated for cases which were briefed, submitted on the merits and subsequently closed in 2009.

Interval:	1	2	3	Total Processing Time
From:	Docketing	Aplee's Brief	Submission	
To:	Aplee's Brief	Submission	Disposition	
Cases Submitted w/Arg.	95 days 3.1 months	102 days 3.3 months	30 days 1 month	227 days 7.4 months
Cases Submitted w/o Arg.	67 days 2.2 months	37 days 1.2 months	20 days .6 months	124 days 4 months
All Cases	79 days 2.6 months	65 days 2.1 months	24 days .8 month	168 days 5.5 months

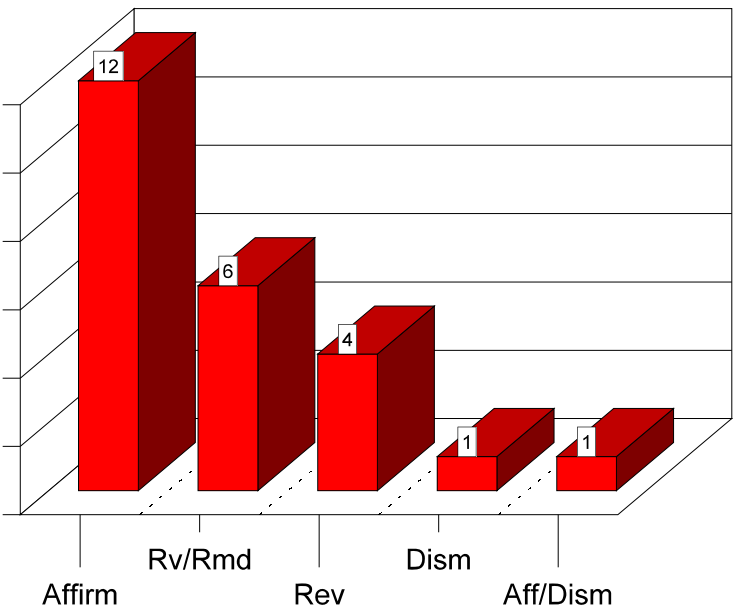
Case Dispositions



Fifty-seven cases were closed in 2009. In addition, one case which had previously been closed was re-opened and a new judgment was entered pursuant to a reversal order from the U.S. Court of Appeals. The court wrote a total of twenty-four opinions which disposed of twenty-five 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 opinion by its outcome. As shown in the chart, the majority of opinions (54%) affirmed the Bankruptcy Court decision.



Panel Referrals

In 2009, eighteen referrals were made to Administrative Panels; one of those cases was subsequently referred back to the panel three times, resulting in a total of twenty-one Administrative Panel referrals. Eighteen cases were submitted on the merits without oral argument and twelve cases were submitted on the merits after oral argument in 2009. Hearings were held in Fargo, Omaha, Kansas City (2), St. Paul and Sioux Falls.

Appeals to the U.S. Court of Appeals

A total of seventeen bankruptcy appeals were taken to the U.S. Court of Appeals in 2009. Of those appeals, five were from District Court decisions and twelve 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 2009, thirteen cases were pending before the Court of Appeals at the beginning of the year. Sixteen cases were closed by the Court of Appeals during the last year, leaving a total of nine pending cases. Following is a breakdown of the method by which BAP cases appealed to the Court of Appeals were closed:

Affirmed	8
Voluntarily Dismissed	2
Dismissed	2
Reversed & Remanded	4

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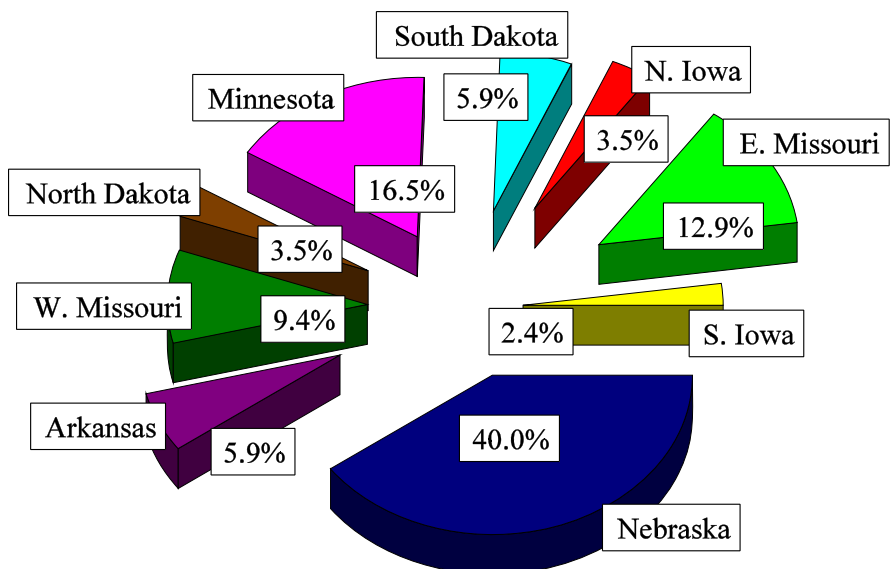
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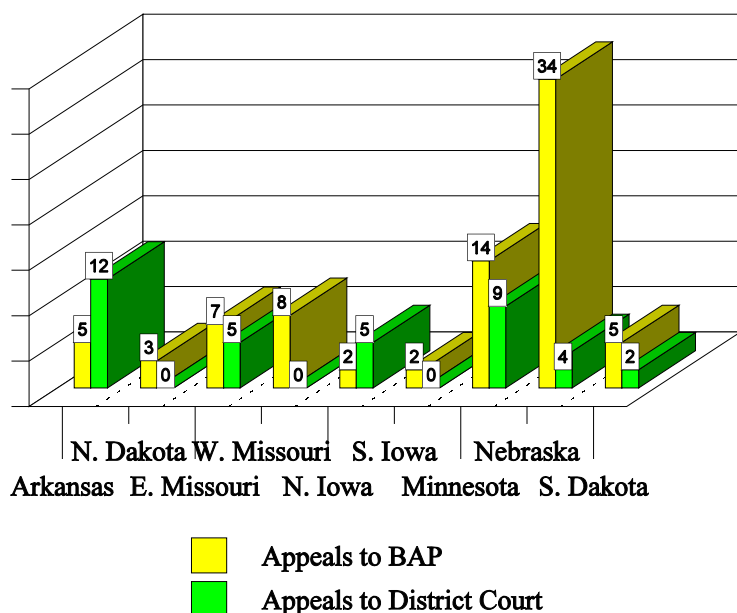
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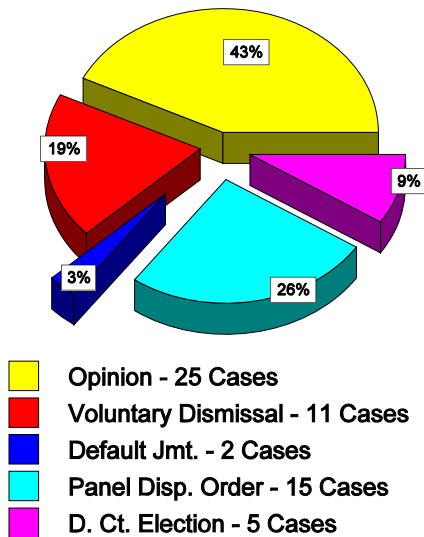
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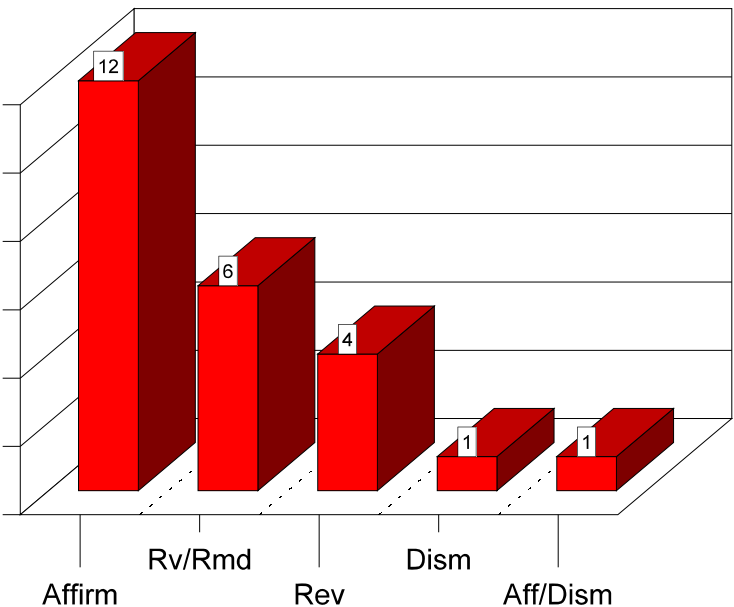
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