New York Court of Appeals
2018 – 2019 Term Statistics

We compiled the following statistics based on information available from the Court. Explanations accompany each set of statistics, but two notes about our methodology are in order. First, we break down the Court's decisions into three categories: signed opinions, memorandum opinions, and summary track decisions. We categorize per curiam decisions in the memorandum opinion category. We know they're different, but that's just how we do it. Also, we don't track decisions in attorney discipline cases. Second, we treat a decision as unanimous if all of the judges reached the same result, even if there were concurring opinions. And we treat a decision as unanimous if all the judges that voted reached the same result. As always, if you have any questions about how we compile statistics, or suggestions about information we should add, please let us know!

Total Decisions

Total Decisions	Civil	Criminal	Total
Signed Opinions	38	19	57
Memorandum Opinions	7	13	20
SSM decisions	13	11	24
Total	58	43	101

The table above shows the total number of decisions issued by the Court in each category.

The table to the right, at the top, shows the number of individual writings by each judge in each category. The bottom of the table shows the number of times each judge voted for the given result.

Total Judge Counts	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
Total Individual Writings	18	29	12	17	15	9	29
Total Dissents	2	19	2	8	6	0	21
Total Concurrences	0	6	2	1	2	1	2
Authored the Majority Opinion	16	4	8	8	7	8	6
Rate	28%	7%	14%	14%	12%	14%	11%
Majority Op. - Joined	35	27	43	37	38	44	26
Rate	61%	47%	75%	65%	67%	77%	46%
- Concurred	0	0	0	0	1	1	0
Rate	0%	0%	0%	0%	2%	2%	0%
- Concurred in Result	0	3	2	0	0	0	0
Rate	0%	5%	4%	0%	0%	0%	0%
- Dissented	5	23	4	9	6	1	23
Rate	9%	40%	7%	16%	11%	2%	40%
- Dissented in Part	0	1	0	1	1	0	1
Rate	0%	2%	0%	2%	2%	0%	2%
Mem. Decision - Joined	19	14	19	16	18	16	16
Rate	95%	70%	95%	80%	90%	80%	80%
- Concurred	0	2	0	2	1	0	1
Rate	0%	10%	0%	10%	5%	0%	5%
- Dissented	0	3	0	2	0	0	2
Rate	0%	15%	0%	10%	0%	0%	10%
SSM Decision - Joined	23	15	24	22	21	23	17
Rate	96%	63%	100%	92%	88%	96%	71%
- Concurred	0	1	0	0	1	0	1
Rate	0%	4%	0%	0%	4%	0%	4%
- Dissented	0	8	0	2	1	1	6
Rate	0%	33%	0%	8%	4%	4%	25%

Total Decisions - Vote Count

Decisions by Vote Count					
	7 to 0	6 to 1	5 to 2	4 to 3	Total
Signed Opinions	21	10	15	10	57
Civil	13	7	11	7	38
Criminal	8	3	4	3	19
Memorandum Opinions	14	3	3	0	20
Civil	3	2	2	0	7
Criminal	11	1	1	0	13
SSM Decisions	15	2	5	2	24
Civil	8	2	2	1	13
Criminal	7	0	3	1	11
Total	50	15	23	12	101
Total Civil Cases	24	11	15	8	58
Total Criminal Cases	26	4	8	4	43

Rate of vote count				
	7 to 0	6 to 1	5 to 2	4 to 3
Signed Opinions	37%	18%	26%	18%
Civil	34%	18%	29%	18%
Criminal	42%	16%	21%	16%
Memorandum Opinions	70%	15%	15%	0%
Civil	43%	29%	29%	0%
Criminal	85%	8%	8%	0%
SSM Decisions	63%	8%	21%	8%
Civil	62%	15%	15%	8%
Criminal	64%	0%	27%	9%
Total	50%	15%	23%	12%
Total Civil Cases	41%	19%	26%	14%
Total Criminal Cases	60%	9%	19%	9%

The "7 to 0" category includes cases decided by a vote of 6 to 0 and cases decided by a vote of 5 to 0. In the 2018-2019 Term, there were seven 6-0 decisions and no 5-0 decisions. The "6 to 1" category includes cases decided by a vote of 5 to 1 and cases decided by a vote of 4 to 1. In the 2018-2019 Term, there was one 5-1 decision and one 4-1 decision. The "5 to 2" category includes cases decided by a vote of 4 to 2. In the 2018-2019 Term, there were four 4-2 decisions.

Frequency in the Majority

Frequency in the Majority							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
Signed Opinions	51	34	53	45	46	53	32
Civil	33	24	35	31	28	35	20
Criminal	18	10	18	14	18	18	12
Memorandum Opinions	19	16	19	18	19	16	17
Civil	7	5	6	5	6	5	5
Criminal	12	11	13	13	13	11	12
SSM Decisions	23	16	24	22	22	23	18
Civil	12	9	13	12	11	12	11
Criminal	11	7	11	10	11	11	7
Total	93	66	96	85	87	92	67
Total Civil Cases	52	38	54	48	45	52	36
Total Criminal Cases	41	28	42	37	42	40	31

Rate in the Majority							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
Signed Opinions	89%	60%	93%	79%	81%	93%	56%
Civil	87%	63%	92%	82%	74%	92%	53%
Criminal	95%	53%	95%	74%	95%	95%	63%
Memorandum Opinions	95%	80%	95%	90%	95%	80%	85%
Civil	100%	71%	86%	71%	86%	71%	71%
Criminal	92%	85%	100%	100%	100%	85%	92%
SSM Decisions	96%	67%	100%	92%	92%	96%	75%
Civil	92%	69%	100%	92%	85%	92%	85%
Criminal	100%	64%	100%	91%	100%	100%	64%
Total	92%	65%	95%	84%	86%	91%	66%
Total Civil Cases	90%	66%	93%	83%	78%	90%	62%
Total Criminal Cases	95%	65%	98%	86%	98%	93%	72%

A judge is treated as having been in the majority if the judge voted with the majority, regardless of whether the judge wrote or joined a separate concurring opinion.

Frequency in Dissent

Frequency in Dissent							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
Signed Opinions	5	24	4	10	7	1	24
Civil	4	14	3	6	6	1	16
Criminal	1	10	1	4	1	0	8
Memorandum Opinions	0	3	0	2	0	0	2
Civil	0	2	0	2	0	0	2
Criminal	0	1	0	0	0	0	0
SSM Decisions	0	8	0	2	1	1	6
Civil	0	4	0	1	1	1	2
Criminal	0	4	0	1	0	0	4
Total	5	35	4	14	8	2	32
Total Civil Cases	4	20	3	9	7	2	20
Total Criminal Cases	1	15	1	5	1	0	12

Rate in Dissent							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
Signed Opinions	9%	42%	7%	18%	12%	2%	42%
Civil	11%	37%	8%	16%	16%	3%	42%
Criminal	5%	53%	5%	21%	5%	0%	42%
Memorandum Opinions	0%	15%	0%	10%	0%	0%	10%
Civil	0%	29%	0%	29%	0%	0%	29%
Criminal	0%	8%	0%	0%	0%	0%	0%
SSM Decisions	0%	33%	0%	8%	4%	4%	25%
Civil	0%	31%	0%	8%	8%	8%	15%
Criminal	0%	36%	0%	9%	0%	0%	36%
Total	5%	35%	4%	14%	8%	2%	32%
Total Civil Cases	7%	34%	5%	16%	12%	3%	34%
Total Criminal Cases	2%	35%	2%	12%	2%	0%	28%

Judge Correlation

(In Cases Resolved by a Signed Opinion)

Same Vote in Signed Majority Opinion Cases (All)							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
DiFiore	100%	52%	95%	76%	83%	92%	50%
Rivera	52%	100%	56%	67%	53%	57%	78%
Stein	95%	56%	100%	78%	85%	91%	55%
Fahey	76%	67%	78%	100%	75%	81%	64%
Garcia	83%	53%	85%	75%	100%	85%	57%
Feinman	92%	57%	91%	81%	85%	100%	57%
Wilson	50%	78%	55%	64%	57%	57%	100%

Same Vote in Signed Majority Opinion Cases (Civil)							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
DiFiore	100%	36%	61%	48%	50%	60%	30%
Rivera	54%	100%	61%	68%	56%	58%	78%
Stein	92%	61%	100%	76%	82%	89%	53%
Fahey	72%	68%	76%	100%	76%	80%	60%
Garcia	79%	56%	82%	76%	100%	79%	50%
Feinman	91%	58%	89%	80%	79%	100%	53%
Wilson	46%	78%	53%	60%	50%	53%	100%

Same Vote in Signed Majority Opinion Cases (Criminal) - Rate							
	DiFiore	Rivera	Stein	Fahey	Garcia	Feinman	Wilson
DiFiore	100%	47%	100%	83%	89%	94%	58%
Rivera	47%	100%	47%	67%	47%	56%	79%
Stein	100%	47%	100%	83%	89%	94%	58%
Fahey	83%	67%	83%	100%	72%	82%	72%
Garcia	89%	47%	89%	72%	100%	94%	68%
Feinman	94%	56%	94%	82%	94%	100%	67%
Wilson	58%	79%	58%	72%	68%	67%	100%

For cases resolved by a signed majority opinion, these tables show how frequently a judge in the left column voted the same way—i.e., voted with the majority by joining a majority opinion or through a concurrence, or dissented from a majority opinion—as a judge in the top row, in cases where both judges cast a vote.