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# A new look at the increased caseload of the Supreme Court...

## **The Workload of the Supreme Court: A Theoretical and Empirical Study**

by **Gerhard Casper**, Professor of Law and Political Science,  
University of Chicago; Affiliated Scholar, American Bar  
Foundation

**Richard A. Posner**, Professor of Law, University of Chicago;  
Affiliated Scholar, American Bar Foundation

**Is the burden of the increased caseload of the Supreme Court really as heavy as it appears?**

**Will the recommended changes in Supreme Court procedures expedite handling of the caseload or produce additional tangles within the federal appellate system?**

In this the second and concluding report of the American Bar Foundation's research into the Supreme Court's caseload, Professors Casper and Posner examine the history of the workload problem of the Court from its inception to the present. They analyze the causes of the increased caseload and its impact on the Court's effectiveness, discuss previous research on the recent increased caseload of the Supreme Court, and evaluate the earlier findings and conclusions in the light of the statistical data.

The authors discuss changes in the Court's operation recommended by federal commissions, judicial authorities, and legal scholars based on previous research and show how such changes might radically affect the administration of justice. They suggest more modest changes in the procedures of the Court that might permanently alleviate its heavy caseload or at least temporarily relieve the Court's workload until more satisfactory remedies are proposed.

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