

Court of Appeals

The mission of the Court of Appeals, pursuant to Article IV, Section 30, of the Washington State Constitution and Chapter 2.06 Revised Code of Washington, is the state's non-discretionary appellate court with authority to reverse, remand, modify, or affirm the decision of the lower courts. The Court provides an independent, accessible, and responsive forum for the just resolution of disputes.

Created in 1969, the Court of Appeals serves as the intermediary appellate court for the state of Washington. Statutes give the Court exclusive appellate jurisdiction in almost all appeals from a lower court decision, and court rules require the Court to accept review of a final judgment entered in any action in Superior Court.

The purpose of the Court of Appeals is to review cases and to render written opinions that state the grounds for the decision. The Court's objective is to provide this review in a timely manner.

The primary goal of the Court of Appeals is a judicial system which provides equal justice and engenders public respect and confidence.

To achieve its mission and meet its goal, the Court of Appeals will employ the following major strategies:

- Provide leadership in the development of a comprehensive judicial branch strategic plan that will include actions to ensure the court system is and continues to be responsive to the needs of Washington citizens.
- Streamline processes, eliminate redundant and unnecessary functions, and realign resources to better accomplish the work of the Court of Appeals.
- Encourage and facilitate greater use technology to streamline business processes and the exchange of information throughout the criminal justice system.

Judges

The 22 judges of the Court of Appeals serve six-year terms, staggered to ensure that all judges are not up for re-election at the same time. Each division is divided into three geographic districts, and a specific number of judges must be elected from each district. Each division serves a defined geographic area of the state. The divisions are defined as follows:

Division I

District 1: King County, from which seven judges must be elected.

District 2: Snohomish County, from which two judges must be elected.

District 3: Island, San Juan, Skagit and Whatcom counties, from which one judge must be elected.

Division II

District 1: Pierce County, from which three judges are elected.

District 2: Clallam, Grays Harbor, Jefferson, Kitsap, Mason and Thurston Counties, from which two judges are elected.

District 3: Clark, Cowlitz, Lewis, Pacific, Skamania and Wahkiakum Counties, from which two judges are elected.

Division III

District 1: Ferry, Lincoln, Okanogan, Pend Oreille, Spokane and Stevens Counties, from which two judges are elected.

District 2: Adams, Asotin, Benton, Columbia, Franklin, Garfield, Grant, Walla Walla and Whitman Counties, from which one judge is elected.

District 3: Chelan, Douglas, Kittitas, Klickitat and Yakima Counties, from which two judges are elected.

To qualify for a position on the Court of Appeals, a person must have practiced law in Washington State for five years and, at the time of election, must have lived for a year or more in the district from which that position was drawn. Vacancies are filled by the Governor, with appointees serving until the next general election.

Although the Court of Appeals is a statewide court, each division has its own administrative staff and manages its own caseload. There is a Chief Judge, a position that rotates every two years, at each division. An Acting Chief Judge is also selected. The Chief Judge serves as the administrative manager of the division and is assigned specific responsibilities by the court rules for Personal Restraint Petitions.

The full Court elects a Presiding Chief Judge each year, and the position rotates among the three divisions according to court rules. The Presiding Chief Judge acts as the liaison and spokesperson for the Court of Appeals with all other levels of the judicial system.

The Presiding Chief Judge works with an Executive Committee that consists of the Chief Judges and Acting Chief Judges from each division. The main responsibilities of this group include administering the budget, recommending and implementing policies for the full Court, establishing special committees, and appointing members of the Court to serve on committees involving the judiciary.

Primary Functions Performed

The primary function of the Court of Appeals is to render decisions on cases that come before the Court. All Notices of Appeal, Notices of Discretionary Review, and Personal Restraint Petitions (habeas corpus) are reviewed by the Court.

In disposing of cases, the appellate court may *reverse* (overrule), *remand* (send back to the lower court), *modify*, or *affirm* the decision being reviewed and may take other action as the merits of the case and the interest of justice may require. Only decisions of the Court having precedential value are published.

Disposing of cases involves numerous steps. As soon as an appeal is received by the Court, it is screened to determine its appeal-ability. Court rules outline criteria for accepting cases from a Notice of Appeal, a Notice of Discretionary Review or a Personal Restraint Petition. Once the case is accepted, a perfection schedule is set establishing the dates for parties to submit documents and for the record on review to be received by the Court of Appeals. The clerk in each division of the Court monitors compliance with these perfection schedules. The clerks are also responsible for maintaining the court record, and for managing all cases from acceptance to mandate.

After briefs in a case have been received, they are carefully screened to determine what path the case will take. It is neither possible nor necessary for every case accepted in the Court to be scheduled for oral argument before a panel of judges. Instead, the Court is more responsive and fair to litigants when it segregates the cases so that some may be decided more quickly by commissioners or without oral argument. This allows the complex cases to be scheduled for full oral argument.

Each division follows a similar schedule for hearing cases and all divisions set cases for seven terms each year. Time in between is dedicated to opinion drafting.

The client groups directly served by the Court of Appeals are attorneys and the litigants they represent who have cases before the Court. This means the client groups change daily as new cases are filed and other cases are mandated. Indirectly, the Court serves all residents of Washington as it renders decisions that affect all citizens.