How does a case get to the Court of Appeals?

Appellant files appeal after District Court judgment

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District Court forwards files to Court of Appeals

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Appellant and respondent file briefs

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Three-judge panel hears oral arguments

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Court of Appeals issues opinion

⇩

Parties may petition Supreme Court for further review

Minnesota Court of Appeals

Minnesota Judicial Center
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Phone: 651-297-1000
Hours 8 a.m.–5 p.m. Monday–Friday
www.courts.state.mn.us

Visitor's Guide to Oral Arguments

Minnesota Court of Appeals

Welcome to the Minnesota Court of Appeals, the state's intermediate appellate court. You are about to hear oral arguments in an appeal. The 16-judge Court of Appeals hears an appeal in a three-judge panel at which no new evidence or testimony are offered. Instead, the Court reviews the decisions and procedures of the lower court or agency and decides whether an error occurred.

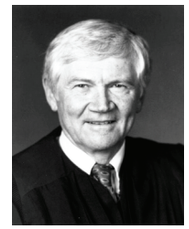
Minnesota Court of Appeals

Chief Judge Edward Toussaint, Jr.

Judge Harriet Lansing

Judge R.A. "Jim" Randall

Judge Thomas Kalitowski



Judge Robert Schumacher

Judge Roger Klaphake

Judge Randolph Peterson

Judge James Harten

Judge Bruce Willis

Judge Gordon Shumaker

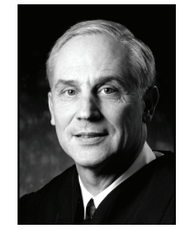
Judge Jill Flaskamp Halbrooks

Judge Terri Stoneburner

Judge David Minge

Judge Natalie Hudson

Judge Wilhelmina Wright



Judge Christopher Dietzen

What happens during oral arguments?

- **Marshal calls court to order; audience stands.** During oral arguments, the marshal maintains courtroom decorum and ensures that attorneys adhere to time limitations.
- **Three judges enter the courtroom.** Court of Appeals cases are heard in three-judge panels. Prior to oral arguments, judges prepare by reading "briefs," or written arguments submitted by the parties involved. The judges sit in order of seniority, with the presiding judge in the middle.
- **Appellant's attorney argues the case.** The attorney representing the appealing party also answers judges' questions about his/her legal argument. Fifteen minutes are allotted with five minutes for rebuttal.
- **Respondent's attorney argues and answers judges' questions.** Fifteen minutes are allotted.
- **Judges conference the case.** One judge is assigned to draft the Court's "opinion" or decision, which is discussed during conference.
- **Judges draft and revise the opinion.** The draft is circulated among the members of the three-judge panel. A judge on the panel may also write a "concurring opinion" – agreeing with the decision but for different reasons – or a "dissenting opinion" – disagreeing with the majority opinion. Once the judges agree on a final draft, the opinion is circulated to the entire Court of Appeals for comments.
- **Opinion filed with Clerk of Appellate Courts, released to public via the Judicial Branch web site www.courts.state.mn.us.** The Court of Appeals releases its opinion within 90 days.

Minnesota Judicial Center, St. Paul

Courtroom decorum

Please help us maintain decorum. Important issues are decided based on oral arguments. Therefore, it is critical that the judges and attorneys work without distraction. Please abide by the following while in court:

- Sit in the audience area of the courtroom. Standing is prohibited during oral arguments.
- Remain silent during the proceedings.
- Refrain from eating, drinking, chewing gum or using tobacco.
- Remove hats before entering the courtroom.
- No demonstrations are allowed, including signs, banners or displays of symbols.
- Electronic recording devices are prohibited, except as permitted for the media.
- Turn off all pagers and wireless telephones before entering the courtroom.

How many cases does the Court of Appeals handle?

More than 2,200 appeals a year from:

- District Court decisions (except first-degree murder).
- Administrative agencies (except Tax and Workers' Compensation courts).

When do oral arguments occur?

- Year-round in courtrooms 100 and 200 in the Minnesota Judicial Center, St. Paul.
- At various Greater Minnesota locations to keep litigation costs low and to ensure access to justice.