

# The Minnesota Court of Appeals



*What you should know about the state's  
intermediate appellate court.*

## **MINNESOTA COURT OF APPEALS: A NATIONAL MODEL**

The Minnesota Court of Appeals, which began November 1, 1983, provides the citizens of Minnesota with prompt and deliberate review of final decisions of the trial courts, state agencies and local governments.

Exceptions, which go directly to the Minnesota Supreme Court, are appeals from the Minnesota Tax Court, the Minnesota Workers' Compensation Court of Appeals, first-degree murder cases, and statewide election contests.

As the error-correcting court, the Court of Appeals handles most of the appeals, which allows the Minnesota Supreme Court to spend time resolving difficult constitutional and public policy cases.

Court of Appeals' decisions are the final ruling in about 95 percent of the 2,000 to 2,400 appeals filed every year. Typically, about five percent of the court's decisions are accepted by the Minnesota Supreme Court for further review.

The Court of Appeals issues a published, unpublished, or order opinion on each case it considers. In addition, each judge participates in about 300 cases each year. The judges also share responsibility for hundreds of special term opinions and orders on motions and petitions filed with the court.

The court reviews appeals in a timely manner. By law, the court must issue a decision within 90 days after oral arguments. If no oral argument is held a decision is due within 90 days of the case's scheduled conference date. This deadline is the shortest imposed on any appellate court in the nation. The court expedites decisions on child custody cases, mental health commitments, and other matters in which the parties request accelerated response.

As part of the court's effort to expedite justice and to make access to the appellate system less burdensome and expensive, the court's 19 judges sit in three-judge panels and travel to locations throughout Minnesota to hear oral arguments. All oral arguments are open to the public.

With the assistance of a computerized case management system, the court monitors the progress of every appeal to ensure that there are no unnecessary delays in processing cases or releasing decisions. The court demonstrates the value of aggressive, hands-on management of its cases. Other states frequently look to Minnesota as a model for case processing and delay reduction.

## FREQUENTLY ASKED QUESTIONS

### What does it mean to appeal?

- There is an automatic right to appeal a trial court decision to the Minnesota Court of Appeals
- Before a case can be appealed, a final decision must have been issued by the trial court or administrative agency.
- An appeal is an attempt to change the decision made by the trial court or administrative agency.
- Appealing a case is not re-trying it. Appeal courts focus on legal errors made during the trial, not on rehearing the facts of the case. This is not a new trial or new hearing.
- To appeal a legal or procedural error made during the trial or hearing, the issue usually must have been raised in the trial court or before the administrative agency.

### What steps are involved in an appeal?

The Minnesota Court of Appeals follows established rules and procedures. An appeal begins when the appellant files a notice of appeal identifying the decision being challenged and identifying the basis for the appeal. The appellant also must order any necessary transcripts. Then the appellant files a written brief, the record of the case delivered from the trial court or administrative agency, and the respondent files a brief. Once the parties have filed briefs, the court schedules an oral argument or nonoral conference. The judges will decide the case and issue a written decision within 90 days of the oral argument or nonoral conference.

### What is a brief?

In most circumstances a brief must be filed. A brief explains in writing why the case is being appealed. The brief includes facts appearing in the court's record, plus any law – statutes, court decisions, regulations – that may apply.

### What happens during oral arguments?

- When oral argument is requested, the court has rules which must be followed.
- In appellate arguments, there is no jury and no witnesses are presented.
- A panel of three judges will listen to both sides, review the records and briefs, and make a decision.
- In most cases, the attorneys will be given 15 minutes to explain the case and make their argument. Appellant's attorney may use five minutes to rebut the other party's presentation.
- An appellate judge usually asks questions during the attorneys' presentations.

### How do I hear about a decision and what does it mean?

The judges who hear the case prepare a written decision. The written decision is sent to the attorneys and, if it is a published or unpublished opinion, released to the media via the judicial branch website ([www.mncourts.gov](http://www.mncourts.gov)). All court of appeals decisions are available to the public via the public view of the Minnesota Appellate Courts' Case Management System, P-MACS. Access P-MACS by navigating to the Case Records page on the judicial branch website.

One party is either granted what was requested, or the case is sent back (remanded) to the trial court or administrative agency for a new hearing or new finding. The other party may consider other alternatives available to them. One option is to ask the Minnesota Supreme Court to review the case.