

Goal III

modernization of management and administration

Superior Court of California,
COUNTY OF LASSEN

FOUR-COURT REGIONAL APPELLATE DIVISION

Streamlining the Processing of Appeals and Improving Public Trust

Limited jurisdiction cases appealed at the superior court level pose a special challenge for courts in remote, sparsely populated counties. Because there are so few cases appealed, court clerks often have to relearn the rules, timelines, and notice requirements with each filing. And judges impaneled from neighboring counties to review cases must travel great distances, losing full days for each in-person hearing.

In early 2004, the [Superior Courts of Lassen, Modoc, Plumas, and Sierra Counties](#) petitioned Chief Justice Ronald M. George to designate a single, merged appellate division to serve those counties. With financial support from the Judicial Council's Judicial Administration Efficiency and Modernization Fund, the regional superior court appellate division began operating in April 2004 as a pilot project under a year-to-year memorandum of understanding, with the Superior Court of Lassen County designated as lead court. All four courts contributed judicial and staff resources to the project.

The regional appellate division hears appeals on

- ▶ Limited jurisdiction civil cases
- ▶ Misdemeanor criminal cases
- ▶ Traffic infractions
- ▶ Appellate division decisions

Each county is geographically large and demographically small, with only two sitting judges in its superior court. Feeling the need to make better use of limited judicial resources, court leaders designed the regional division to solve some of the problems brought on by traditional processing of appeals cases: delays due to the need for judicial travel, the need to circulate documents by mail, and backlogs caused by staff having to relearn procedures.

Dedicated staff at the regional center in Lassen process all appeals for the four counties and monitor the timelines for each case. The regional caseload is sufficient to maintain staff knowledge and skill level. Having a centralized staff has also expedited the processing and disposition of cases. From April 2004 through March 2007, the regional appellate division processed 31 appeals, disposing of 29.

These small courts also faced the challenge—or at least the potential public perception—of impropriety. Traditionally, for an appeals case in a two-judge court, a bench colleague would sit in review of a trial judge's decisions. This led to the appearance of potentially biased peer review. The regional appellate division eliminated these standing assignments, ensuring impartiality.

Internet technology has played a large role in the division's success. The processing center permits electronic filing of appeals online (as well as by fax). They are then scanned and, with the record on appeal, notices,

motions, and briefs in each case, posted to a collaborative workspace on a secure Web site for judicial viewing. This provides for the timely review of briefs, proposed decisions, and opinion by the judges on the review panel.

All four courts helped install and test a video-conferencing system, to ensure that they could hold appellate hearings with maximum efficiency. The regional appellate division now conducts hearings via telecommunication, which allows all judges, attorneys, and litigating parties to appear from any court location (pictured right).

During fiscal year 2006–2007, the project's scope expanded to include the processing of juvenile, felony criminal, and unlimited civil appeals sent to the [Third Appellate District of the Court of Appeal](#).

Impacts

- ▶ The appearance of favoritism will likely decrease, since no member of any appeals panel comes from the trial court's county.
- ▶ Litigants have experienced faster processing and disposition of appeals cases.
- ▶ Through the use of a secure Web site and videoconferencing, the courts have eliminated unnecessary judicial travel and realized substantial savings in time.
- ▶ The regional processing center in Lassen has relieved the other three collaborating courts from having to maintain trained staff to process appeals.
- ▶ In three years, the regional appellate division disposed of more than 90 percent of the appeals pending and filed in the four-county region.

Superior Court of Lassen County (lead court)
220 South Lassen Street, Suite 6
Susanville, CA 96130

Project contact: Lynn Woods,
Court Services Manager, 530-251-8256
lwoods@lassencourt.ca.gov

BRINGING ORDER TO THE COURTS

The four participating courts adopted uniform appellate local rules and developed standardized forms and a comprehensive, step-by-step manual for appeals procedures. The courts subsequently distributed the procedures and forms manual on CD to court staff in Trinity and Butte Counties.



CONVENING AN IMPARTIAL DIVISION

The regional appellate division project did away with standing appeals assignments. The senior judge of the four counties—who sits as presiding judge of the appellate division—appoints a three-judge panel to hear each appeal, excluding any judge of the court from which the appeal originates. The senior judge then designates one of the three to be the review panel's presiding judge. Appellants can be confident of being treated in a fair and just manner.