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NEWS RELEASE

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Fifth Appellate District to Hear Oral Arguments in Bakersfield

Fresno—As part of the Fifth Appellate District's ongoing outreach program to surrounding communities, the Court of Appeal will hear oral arguments at 9:30 a.m. on Thursday, October 29, 2009 in the Kern County Board of Supervisors Chambers, 1115 Truxtun Avenue, Bakersfield.

The court will hear arguments in two cases tried in the Superior Court of Kern County: *Neal v. Civil Service Commission* F056837 and *People v. Scott* F055429. Factual summaries of each case, a brief discussion of the legal issues, and short biographies of the participating justices will be provided at the door.

About 250 high school students from Kern County will hear oral arguments and ask questions of the justices following the session.

Administrative Presiding Justice James A. Ardaiz, and Associate Justices Steven M. Vartabedian, Herbert I. Levy, Dennis A. Cornell, Brad R. Hill, and Stephen J. Kane will hear the appeals. Also attending will be Associate Justices Rebecca A. Wiseman, Betty L. Dawson, and Charles S. Poochigian.

In addition, the justices will participate in a forum from 3:30 p.m. to 5:00 p.m. the same day, where they will respond to questions from the students and faculty of the Political Science Department at California State University, Bakersfield (CSUB). The forum will be held at the campus and will be limited to students and faculty, due to limited space.

Oral argument is an opportunity for the justices to question the appellate attorneys on the factual and legal issues raised in the legal briefs submitted to the Court of Appeal.

Nine counties comprise the Fifth Appellate District: Fresno, Kern,

Kings, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne. The court hears appeals from cases decided in each county's superior court, which includes criminal, civil, family law, juvenile delinquency and dependency, probate and others.

Appellate courts do not conduct jury trials or accept additional evidence other than what was originally considered in the superior court. Rather, they review written records and are bound by the facts as established in the trial court. The appellate court's limited role is to determine whether any legal error has occurred and, if so, whether it affected the outcome of the case. The public is welcome and encouraged to attend oral argument.

For further information, please contact the Court of Appeal, Fifth Appellate District Clerk/Administrator Charlene Ynson at 559-445-5989, or Julie N. Bagoye, Assistant Clerk/Administrator, at 559-445-5226.

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