

STATE OF CALIFORNIA
Judicial Branch
Courts of Appeal

Class Codes: Level A: 2482
Level B: 2483
Level C: 2484
Level D: 2485
Senior: 2470

January 2000

APPELLATE COURT ATTORNEY
SENIOR APPELLATE COURT ATTORNEY

DEFINITION

Under direction, performs legal duties in a Court of Appeal, including reviewing and analyzing case records, conducting research of legal issues, and drafting memoranda and opinion proposals; performs related work as assigned.

CLASS CHARACTERISTICS

Appellate Court Attorney and *Senior Appellate Court Attorney* are entry- to experienced-level classes in the Appellate Court legal series. Incumbents work as part of a central attorney staff or a justice's chambers staff, or on a special assignment for the Court of Appeal, such as providing administration of a court's appellate mediation program. Entry-level incumbents may be responsible for small or discrete legal tasks, or may assist with more complex projects; as experience is gained, there is greater independence of action within established guidelines. Experienced-level incumbents are fully competent to perform independently the full range of legal tasks assigned to them. These classes are distinguished from the Lead Appellate Court Attorney class in that the latter provides lead direction and work review to assigned staff and/or performs complex and specialized legal work.

EXAMPLES OF DUTIES (*illustrative only*)

- Reviews, evaluates, and analyzes briefs, petitions, motions, and other pertinent documents filed in a particular case in order to determine factual accuracy, legal issues on appeal, and scope and complexity of issues raised.
- Prepares written statements of facts pursuant to rules of appellate review.
- Analyzes legal issues raised by parties.
- Reads and applies cases, statutes, constitutional provisions, and rules of court cited by parties.
- Conducts independent research for relevant cases, statutes, court rules, and secondary sources not cited by parties.
- Researches legislative history and intent of particular statutes.
- Drafts conference memoranda, opinions, orders, and requests for supplemental briefing.
- Uses citator services to verify precedential value of citations.

- Consults with other attorneys and/or professional staff regarding issues on appeal.
- Attends oral arguments.
- Reviews, evaluates, and analyzes petitions for rehearing.
- Serves on court committees as required.
- Conducts special legal research and assignments when requested, including editing of work prepared by court externs.
- Administers an appellate mediation program, which may include planning and implementing a comprehensive mediation program for civil cases, determining appropriate mediation services, establishing and maintaining a case management system, developing and implementing standards for court-approved mediators, drafting rules and procedures governing the program, participating in training of mediators, preparing regular status reports on the program, and other related tasks.

WORKING CONDITIONS

- Work occasional evening and weekend hours.
- May be required to travel statewide as necessary.

QUALIFICATIONS

Knowledge of:

- Substantive and procedural legal principles and applications.
- Scope and character of California and federal statutory and case law and provisions of the United States and California Constitutions; California Rules of Court; the legislative process; statutes and constitutional provisions governing the organization, duties, powers, procedures, management, and conduct of the work of the trial and appellate courts.
- Legal research methods.
- Principles of administrative and constitutional law.
- Rules of evidence and procedure in California trial and appellate courts.
- The operation of personal computers and the use of specified computer applications, such as word processing.
- Principles and techniques of preparing effective oral presentations.
- Principles and techniques of preparing a variety of effective written materials.

Ability to:

- Perform complex legal research, including computerized legal research; apply legal principles and precedents to particular sets of facts.
- Analyze legal issues; present statements of facts, law, policy, and argument clearly, concisely, and logically in both written and oral form.
- Draft legal opinions, briefs, and other legal documents and correspondence.
- Interact successfully with justices, court and agency staff, and the public.
- Exercise sound judgment and integrity consistent with representing the judicial branch; maintain confidentiality of work product.

- Organize own work, set priorities, and meet critical deadlines.
- Operate personal computers and use specified computer applications, such as word processing.
- Communicate effectively in English, orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of the work.

Licenses and Certificates:

Active membership in the State Bar of California.

Education and Experience:

Level A: Active membership in the State Bar of California.

Level B: Active membership in the State Bar of California and the equivalent of two years of post-bar legal experience in a legal setting such as a private law practice, corporation, government agency, law school, court, or legal publishing company.

OR

Equivalent to two years of post-bar legal experience in a legal setting as described above, including one year of experience as an appellate attorney, Level A, with the judicial branch.

Level C: Active membership in the State Bar of California and the equivalent of three years of post-bar legal experience in a legal setting such as a private law practice, corporation, government agency, law school, court, or legal publishing company.

OR

One year of experience as an appellate attorney, Level B, with the judicial branch.

Level D: Active membership in the State Bar of California and the equivalent of four years of post-bar legal experience in a legal setting such as a private law practice, corporation, government agency, law school, court, or legal publishing company.

OR

One year of experience as an appellate attorney, Level C, with the judicial branch.

Senior: Active membership in the State Bar of California and the equivalent of six years of post-bar legal experience, including substantial appellate experience, in a legal setting such as a private law practice, corporation, government agency, law school, court, or legal publishing company.

OR

Two years of experience as an appellate attorney, Level D, with the judicial branch.

NOTES:

- Work experience as a law clerk to a federal judge after passing a state bar but prior to formal state bar admission will be considered equivalent to post-bar legal experience.

- For external candidates for the Senior Appellate Court Attorney class, the Administrative Presiding Justice must certify that the candidate possesses “substantial appellate experience.”