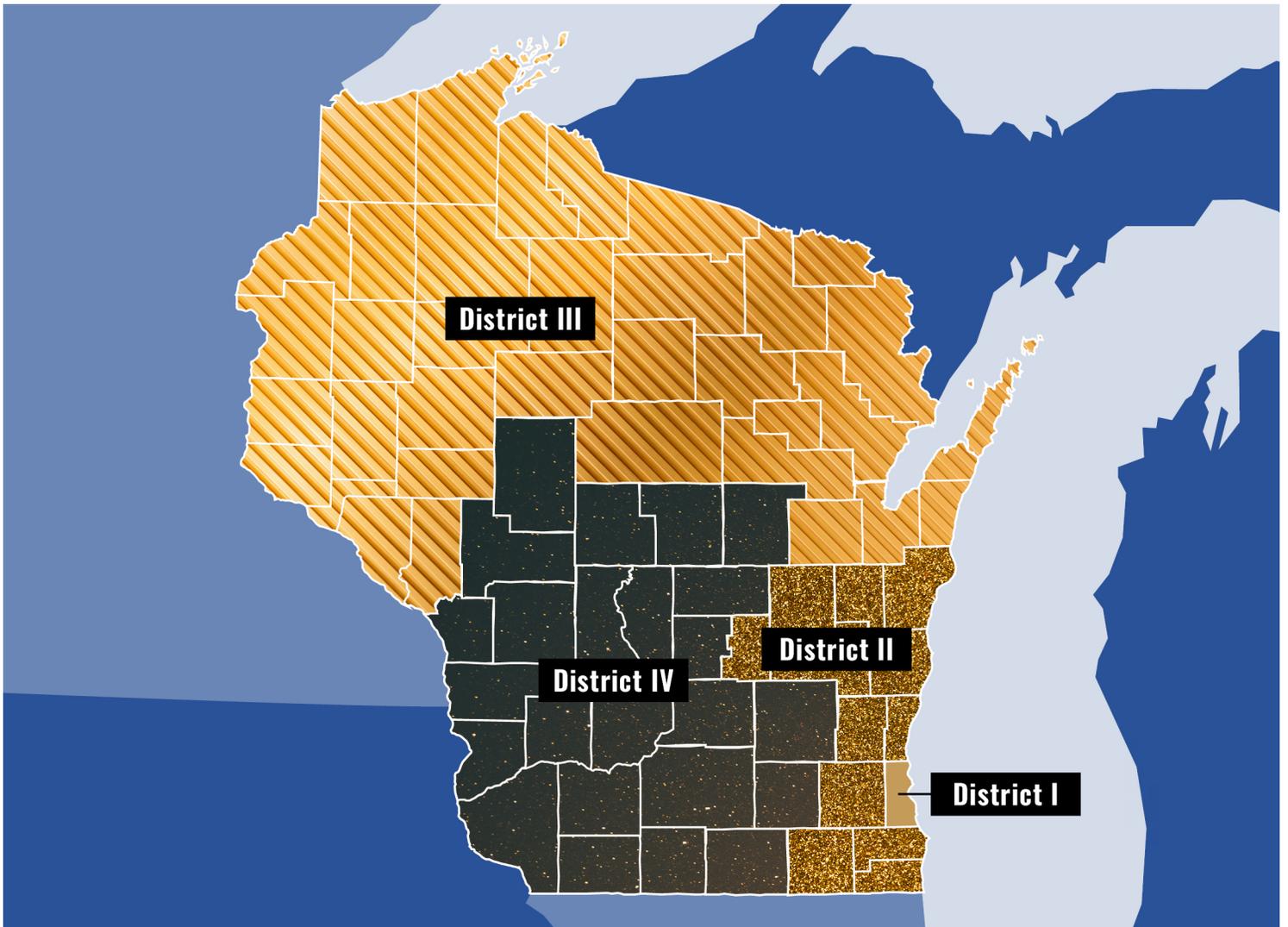


COURT OF APPEALS



WISCONSIN COURT SYSTEM

WHAT THE COURT OF APPEALS IS AND HOW IT WORKS

The Wisconsin Court of Appeals reviews decisions made by circuit courts across the state. Its job is to decide whether the law was applied correctly in those cases.

The Court of Appeals was created in 1977, when Wisconsin voters approved a constitutional amendment reorganizing the state's court system. It serves as an intermediate court, meaning it reviews cases before they may be considered by the Wisconsin Supreme Court.

HOW THE COURT IS ORGANIZED

The Court of Appeals has 16 judges, each elected to a six-year term, who serve in four districts:

District I
based in Milwaukee

District II
based in Waukesha

District III
based in Wausau

District IV
based in Madison

Each district covers a different region of the state.

WHAT THE COURT OF APPEALS DOES (AND DOES NOT DO)

The Court of Appeals does not hold trials or hear witness testimony. Instead, judges decide cases based on:

- The record from the circuit court
- Written arguments (called briefs) from the parties
- Oral argument in a limited number of cases

WHO CAN APPEAL A CASE?

Any person may appeal a final judgment or final order of a circuit court to the Court of Appeals.

A final judgment or order is one that ends the case in the circuit court. Appeals of non-final orders — meaning decisions made while a case is still ongoing — are allowed only with permission from the Court.

CASELOAD

While significantly lower than the circuit courts, in a typical year, the Court of Appeals receives several thousand cases from across Wisconsin. Most cases are decided by either a one-judge or three-judge panel, depending on the type of case and the issues involved. Judges issue hundreds of written decisions each year resolving these appeals.

COURT OF APPEALS DECISIONS AND PRECEDENT

The Court of Appeals issues written decisions explaining how the law applies to the cases before it; not all decisions have the same legal effect.

Some decisions are issued as published opinions. Published opinions may be cited as binding precedent in Wisconsin courts. Other decisions are issued as

unpublished opinions. Unpublished opinions issued after July 1st, 2009, may be cited for their persuasive value but are not binding precedent.

Only decisions issued by a three-judge panel are eligible to be published. Whether a decision is published depends on several factors, including whether it:

- Explains a new or unclear rule of law
- Resolves conflicting prior decisions
- Contributes to the development of Wisconsin law
- Addresses an issue of continuing public importance

When a three-judge panel decides a case, it recommends whether the decision should be published. Final publication decisions are made by a committee of Court of Appeals judges, with one judge from each of the four districts. The committee meets regularly to review eligible decisions and vote on whether they should be published.

PUBLIC ACCESS AND COURT RESOURCES

Court of Appeals opinions are publicly available online at www.wicourts.gov. Opinions are posted on the morning they are released and are free to access.

The Wisconsin Court System also provides plain-English guides to help people understand the appeals process, including:

Filing an Appeal: A Citizen's Guide to Filing an Appeal in the Wisconsin Court of Appeals

Filing a Petition for Review: A Guide to Seeking Review in the Wisconsin Supreme Court

These guides are available online or by contacting the Clerk's Office at clerk@wicourts.gov or 608-266-1880.

