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**2014-15 Governors Budget - Court of Appeals**

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### **Mission:**

The mission of the judicial branch is to provide justice through a system that assures equal access for the fair, competent, and timely resolution of cases and controversies.

### **Statewide Outcome(s):**

Court of Appeals supports the following statewide outcome(s).

Strong and stable families and communities.

People in Minnesota are safe.

Efficient and accountable government services.

### **Context:**

The Court of Appeals has jurisdiction over all final decisions of the district courts, except first-degree murder convictions, which are appealed directly to the Supreme Court. The Court of Appeals also has jurisdiction to review certain decisions of administrative agencies and local governments. The Court of Appeals has 19 judges and considers more than 2,200 appeals each year. By law, the Court must issue a decision within 90 days after oral arguments. The Court expedites decisions on child protection cases, child custody cases, mental health commitments and other requested matters.

The Court of Appeals issues a published opinion, unpublished opinion, or order opinion on each case it considers on the merits. The judges also share responsibility for hundreds of motions and petitions. The Court monitors the progress of every appeal to ensure that there are no unnecessary delays in processing.

The adjudicative functions of the Court of Appeals have an impact on all Minnesota citizens.

For FY 2012-2013, General Fund appropriations are the only funding source for the Court of Appeals.

### **Strategies:**

The Court of Appeals conducts its adjudicative and administrative functions in support of three strategic goals to deliver the judicial branch mission and to support the statewide outcomes:

**Access to Justice** – Ensuring the justice system is open, affordable, effective, and accountable to the people it serves.

**Administering Justice for Effective Results** – Working across branches of government and with other stakeholders to improve outcomes for and the delivery of services for children, families, and alcohol and other drug (AOD) addicted offenders who come into the courts.

**Public Trust, Accountability and Impartiality** – Through education, outreach to diverse communities and a commitment to system-wide customer service and accountability, improving citizens' understanding of and confidence in the Third Branch of government.

To further these three strategic goals, the branch's strategic plan outlines future priorities. Each of the specific priorities addresses challenges facing the court system by targeting judicial branch resources in a focused manner on achievable and measurable strategies. Implementation of these priorities takes place over the life of the strategic plan with specific performance measures to evaluate their success. The FY 2012-2013 Judicial Branch Strategic Plan can be found on the branch website <http://www.mncourts.gov>.

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## Results:

It is the policy of the Minnesota Judicial Branch to establish core performance goals and to monitor key results that measure progress toward meeting these goals in order to ensure accountability of the branch, improve overall operations of the Court, and enhance the public's trust and confidence in the judiciary.

Throughout the year, the Court of Appeals is directed to review performance measure results. It is provided regular reports to facilitate its review and to determine and implement corrective actions. This review of results is shared with the Judicial Council (the branch's governing body) twice a year.

The performance goal of timeliness indicates whether the Court of Appeals is handling cases in a timely manner. The Court has adopted the American Bar Association (ABA) standards for intermediate appellate courts, which measure cases from beginning (filing) to end (disposition). The goals are to have 75 percent of cases disposed within 290 days of filing and 90 percent of cases disposed within 365 days of filing.

Overall, the Court of Appeals is making steady progress toward meeting its timeliness goals:

- In 2011, the Court disposed of 79 percent of cases within 290 days, which was a significant improvement over 2009 when 53 percent of cases were disposed in that timeframe. While only 53 percent of criminal cases were disposed within 290 days in 2011, this marks a notable improvement over the 2009 measure of 32 percent disposed. In all other non-criminal case categories (civil, juvenile protection and juvenile delinquency) the Court exceeded the 75 percent goal.
- In 2011, the Court disposed of 95 percent of cases within 365 days, surpassing the goal of 90 percent as well as showing improvement over 2009 (79 percent). For criminal cases, 85 percent were disposed within 365 days and did not meet the performance goal; however, 2011 marked a significant improvement over the 2009 disposition rate of 55 percent. For non-criminal cases (Civil, Juvenile Protection and Juvenile Delinquency) the Court exceeded the goal and improved overall compared to 2009.

The Court has effectively eliminated a backlog that peaked in 2007. Timeliness in criminal appeals is expected to continue to improve, although many relevant factors are largely outside the Court's control.

The Court continues to look at ways to improve services to lawyers and litigants and to improve the timeliness of case processing. In January 2011, following a successful pilot project, the Court formally implemented its Family Law Appellate Mediation Program (Program). With the assistance of certified mediators, the Program continues to be successful in enabling litigants and lawyers to save considerable time and expense that would otherwise be incurred by briefing and oral argument. The Program has also produced benefits for the Court. Every appeal that is voluntarily settled allows the Court to conserve and reallocate its scarce resources.

eCourtMN is a multi-year transformational project to move the branch from an historic framework of paper files to an electronic information environment. In July 2011, the Court of Appeals, through the Clerk of Appellate Courts, implemented "e-notification," the sending of notices, orders and opinions to lawyers and litigants electronically via e-mail messages. This innovation provides lawyers and litigants with faster notice of Court actions and allows the Courts to enjoy savings in terms of staff time, paper costs and postage. In addition, plans are underway for implementing eFiling in the Appellate Courts. These efforts will carry on into the FY 2014-2015 biennium.

Performance Measures	Previous	Current	Trend
Percent of Total Cases Disposed Within 290 Days of Filing	53%	79%	Improving
Percent of Criminal Cases Disposed Within 290 Days of Filing	32%	53%	Improving
Percent of Non-Criminal Cases Disposed Within 290 Days of Filing	65%	90%	Improving
Percent of Total Cases Disposed Within 365 Days of Filing	79%	95%	Improving
Percent of Criminal Cases Disposed Within 365 Days of Filing	55%	85%	Improving
Percent of Non-Criminal Cases Disposed Within 365 Days of Filing	92%	100%	Improving

Performance Measures Notes:

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Data are from the Judicial Branch 2012 Performance Measures – Key Results and Measures Annual Report. The data range uses 2009 for the previous period and 2011 for the current period. The report can be found at <http://www.mncourts.gov>.

**Court Of Appeals**  
**Current, Base and Governor's Recommended Expenditures**  
(Dollars in Thousands, Biennial Totals)

	General Funds	Other State Funds	Federal Funds	All Funds
Current Biennium Expenditures (FY 2012-13)	\$20,334			\$20,334
Current Law Expenditures (FY 2014-15)	\$20,456			\$20,456
Governor's Recommended Expenditures (FY2014-15)	\$21,664			\$21,664
\$ Change from FY 2014-15 Current Law to Governor's Rec	\$1,208			\$1,208
% Change from FY 2014-15 Current Law to Governor's Rec	6%			6%

**Court Of Appeals**  
**Sources and Uses**  
(Dollars in Thousands)

Biennium FY14-FY15				
	General Funds	Other State Funds	Federal Funds	Total Funds
APPROPRIATION	\$21,664		\$0	\$21,664
<b>SOURCES OF FUNDS</b>	<b>\$21,664</b>		<b>\$0</b>	<b>\$21,664</b>
EXPENDITURES	\$21,664			\$21,664
PAYROLL EXPENSE	\$19,206			\$19,206
OPERATING EXPENSES	\$2,446			\$2,446
OTHER FINANCIAL TRANSACTIONS	\$12			\$12
<b>USES OF FUNDS</b>	<b>\$21,664</b>			<b>\$21,664</b>

## Court Of Appeals

### Governor's Changes

(Dollars in Thousands)

	FY 14	FY 15	FY 14-15 Biennium	FY 16	FY 17	FY 16-17 Biennium
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#### Maintain Core Justice Operations

The Governor recommends funding to maintain core justice operations, including compensation increases for court staff and judges, increased employee-paid pension contributions to the Judge Pension Fund, and anticipated cost increases for employee health insurance. Employee-paid contributions to the Judge Pension Fund would also be increased.

##### *Performance Measures:*

Maintaining existing staff and services will allow the Court to continue to undertake initiatives designed to increase efficiency, reduce costs, improve public services and resolve cases promptly and without delay.

General Fund	Expenditure	413	795	1,208	795	795	1,590
	<b>Net Change</b>	<b>413</b>	<b>795</b>	<b>1,208</b>	<b>795</b>	<b>795</b>	<b>1,590</b>
Net All Change Items	General Fund	413	795	1,208	795	795	1,590
	<b>Net Change</b>	<b>413</b>	<b>795</b>	<b>1,208</b>	<b>795</b>	<b>795</b>	<b>1,590</b>

**Court Of Appeals**  
**All Funds FTE by Program**

	Current	Forecast Base	Governor's Recommendation
<b>Program</b>	<b>FY 2013</b>	<b>FY 2015</b>	<b>FY 2015</b>
Program: Court Of Appeals	87.6	81.9	87.6
<b>Court Of Appeals</b>	87.6	81.9	87.6