



THE CALIFORNIA SUPREME COURT

# Historical Society

NEWSLETTER • AUTUMN/WINTER 2005

## *Court of Appeal Centennial Remarks*

BY HON. RONALD M. GEORGE

One hundred years ago, on April 10, 1905, the first nine justices were appointed to the newly created intermediate appellate court, which was divided into three districts. Before then, all appeals and writ petitions went directly to the California Supreme Court. The Supreme Court had started using commissioners to assist in coping with a caseload that rapidly was becoming overwhelming, but this was a stopgap measure that left much to be desired.

Today those courts hear nearly ninety-five percent of the direct appeals and writ petitions in California's court system. The Supreme Court therefore is able to exercise its discretion in determining which cases to review, and to dedicate its resources to those matters that are of statewide interest or require the resolution of conflicts among the Courts of Appeal. I, as well as my colleagues on the Supreme Court, rely on the thoughtful, careful, and incisive analysis rendered by the Courts of Appeal to assist us in reaching our decisions in those cases in which we grant review.

California's Courts of Appeal have grown in the first one hundred years from the original three districts to the current six, and from nine justices to one hundred and five. These courts occupy a crucial place in our judicial structure. The Courts of Appeal must entertain cases in which the parties have perfected their right to appeal; these courts are charged with the responsibility of hearing challenges to the trial courts' actions and correcting error if it has occurred.

This right of review in the Courts of Appeal plays a crucial role in enhancing public confidence in the courts and in the administration of justice, with three-judge panels providing additional assurance that litigants's claims will be heard and considered objectively and consistently with the rule of law.

Over the span of their one hundred-year history, the Courts of Appeal have seen significant changes. The enormous growth in California's population was followed by the creation of new districts and divisions.



*The boundaries of the original three districts*

The almost uniformly middle-aged white men sitting on the bench, appearing before the courts, and handling the duties of the clerk's offices have given way to diversity at every level, reflecting the tremendous variety among California's current population. The sheer number of cases, the expansion of causes of action, and the proliferation of relevant statutes and precedent pose challenges that the initial nine appellate pioneers could not have imagined. They were in the vanguard of those charged with interpreting the developing law of our state in a far simpler society. Today's justices have the more challenging duty of understanding, interpreting, and applying the ever-changing law of our state in the context of all the cases that have preceded the ones they are hearing today, and doing so in a far more complex world.

Those first justices had no computers, no internet research capabilities, no cellular phones or faxes. And sometimes I envy them for that. But what they did have was dedication, creativity, and determination – traits shared by a century's worth of the justices and staff who followed them. These qualities have enabled the Courts of Appeal to respond creatively to new challenges and to the needs of the public we all serve, while producing a body of jurisprudence that protects the rights of all Californians and advances the rule of law and the administration of justice.