

Court Opinion

The Court of Appeal reviews the briefs, the record on appeal, and the law before it makes a decision.

The Court of Appeal can affirm, modify, or reverse any part of the trial court's original decision. The justices may also dismiss an appeal if it was not filed on time or if the trial court's decision is not an appealable order.

When does the Court of Appeal make a decision? After the time to file briefs and present oral arguments passes, the case is submitted to the Court of Appeal for a decision. The court has 90 days from the date a case is submitted to decide the appeal.

Does the Court of Appeal accept more information about the case? No. The court will not accept any more information about the case after it is submitted for a decision.

How does the Court of Appeal decide? Each Court of Appeal has three justices. At least two of the justices must agree on the decision. The court issues an opinion or an order in writing.

What's included in the Court of Appeal's opinion or order? The justices generally give reasons why they made the decision. The opinion usually says if any party can have their appeal costs paid by another party.

How do the parties know when there's a decision? The Court of Appeal clerk sends notice of the decision to each party in the appeal. If a party has an attorney, the court sends notice to their attorney.

Is the Court of Appeal's opinion or order final? Can a party challenge the decision? The opinion or order becomes final in the Court of Appeal after 30 days unless any of the parties challenge it and the Court of Appeal agrees to hear the case again. Any party can challenge the decision if they believe the court stated the facts or the law incorrectly, or failed to consider an issue raised by the parties.

Any party can file a [petition for rehearing](#) in the Court of Appeal within 15 days after the court issues an opinion or order. If the appeal was dismissed because of a procedural default, an appellant can file a [motion to reinstate the appeal](#) in the Court of Appeal within 15 days after the court issues a dismissal order.

Any party can also challenge the opinion or order by filing a [petition for review](#) in the California Supreme Court after the decision is final in the Court of Appeal.

What happens next? If no one challenges the Court of Appeal's opinion or

order, the court will issue a remittitur.

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