

Chart 12.7: State Appellate Court Divisions
(Cross-reference ALWD Rule 12.6(b)(2))

State/Territory	Divided or Unified	Divisions	Decisions of One Binding on Other Intermediate Courts?
Alabama	Divided	<ul style="list-style-type: none"> •Court of Civil Appeals •Court of Criminal Appeals 	No.
Alaska	Unified	Not applicable	Not applicable
Arizona	Divided**	Court of Appeals, Divisions I and II	<p>Yes, unless a prior decision was clearly erroneous or conditions have changed so much to warrant a change. <i>Pena v. Indus. Commn. of Ariz.</i>, 683 P.2d 309 (Ariz. App. 1st Div. 1994).</p> <p>**Note: Although the court is divided, judges may sit on either division and the conditions for overturning law are analogous to a unified court.</p>
Arkansas	Divided**	Court of Appeals, Divisions I, II, III, and IV	<p>Yes, to the extent opinions are published. Ark. Code Ann. § 16-12-109 (LEXIS 2001).</p> <p>**Note: Judges sit on panels, known as divisions. The effect of publishing a decision is to make the appellate court one unified court.</p>
California	Divided	Court of Appeal, First through Sixth Districts	<p>Appellate districts do not bind each other. When appellate districts disagree, a lower court may choose the most persuasive decision. <i>Sears v. Morrison</i>, 90 Cal. Rptr. 2d 528 (Cal. App. 3d Dist. 2000).</p>
Colorado	Unified	Not applicable	Not applicable
Connecticut	Unified	Not applicable	Not applicable
Delaware	Unified	Not applicable	Not applicable
D.C.	Unified	Not applicable	Not applicable

State/Territory	Divided or Unified	Divisions	Decisions of One Binding on Other Intermediate Courts?
Florida	Divided	District Court of Appeal, First through Fifth	District courts of appeal do not bind each other; however, the trial court sitting within a district court of appeal that has not ruled on the issue at hand is bound by the decisions of other district courts of appeal. <i>Pimm v. Pimm</i> , 568 So. 2d (Fla. 2d Dist. App. 1990).
Georgia	Unified	Not applicable	Not applicable
Guam	None	Not applicable	Not applicable
Hawaii	Unified	Not applicable	Not applicable
Idaho	Unified	Not applicable	Not applicable
Illinois	Divided	Appellate Court, First through Fifth Districts	Appellate districts do not bind each other. Generally, an appellate district's decision is binding on a lower court, but when conflicts exist among the appellate districts, the lower court is bound by the decision in its own district. <i>People v. Caban</i> , 743 N.E.2d 600 (Ill. App. 6th Dist. 2001).
Indiana	Unified	Not applicable	Not applicable
Iowa	Unified	Not applicable	Not applicable
Kansas	Unified	Not applicable	Not applicable
Kentucky	Unified	Not applicable	Not applicable
Louisiana	Divided	Court of Appeal, First Circuit and Second Circuit	No. <i>Orillon v. Allstate Ins. Co.</i> , 690 So. 2d 846 (La. App. 1st Cir. 1997).
Maine	None	Not applicable	Not applicable
Maryland	Unified	Not applicable	Not applicable

State/Territory	Divided or Unified	Divisions	Decisions of One Binding on Other Intermediate Courts?
Massachusetts	Unified**	<ul style="list-style-type: none"> •Massachusetts Appeals Court •Massachusetts District Court, Appellate Division •Superior Court, Appellate Division. 	<p>No. <i>Chickel v. Mass Bay Transp. Auth.</i>, 2001 WL 1558784 (Mass. App. Div. Nov. 30, 2001).</p> <p>**Note: The Massachusetts Appeals Court is a court of general appellate jurisdiction; the Appellate Division of the District Court has limited appellate jurisdiction, as does the Superior Court, Appellate Division.</p>
Michigan	Unified	Not applicable	Not applicable
Minnesota	Unified	Not applicable	Not applicable
Mississippi	Unified	Not applicable	Not applicable
Missouri	Divided	Court of Appeals, Eastern, Western, and Southern Districts	No.
Montana	None	Not applicable	Not applicable
Nebraska	Unified	Not applicable	Not applicable
Nevada	None	Not applicable	Not applicable
New Hampshire	None	Not applicable	Not applicable
New Jersey	Unified	Not applicable	Not applicable
New Mexico	Unified	Not applicable	Not applicable

State/Territory	Divided or Unified	Divisions	Decisions of One Binding on Other Intermediate Courts?
New York	Divided	Supreme Court Appellate Division, First through Fourth Departments	Appellate divisions do not bind each other. A lower court must follow decisions of the appellate division in its department. If the appellate division in its department has not ruled on an issue, it is bound by a decision of a department that has ruled on the issue. However, if its department has not ruled on an issue, and other departments' decisions conflict, the lower court may render an appropriate decision. <i>Reyes v. Sanchez-Pena</i> , 742 N.Y.S.2d 513 (Sup. Ct. Bronx County 2002); <i>Adolino v. Polvino</i> , 198 N.Y.S.2d 513 (Sup. Ct. Monroe County 1960).
North Carolina	Unified	Not applicable	Not applicable
North Dakota	Unified	Not applicable	Not applicable
Ohio	Divided	Court of Appeals, First through Twelfth Districts	No. Ohio Sup. Ct. R. Reporting Op. 2(G)(2); <i>State v. Kasnett</i> , 283 N.E.2d 636 (Ohio App. 4th Dist. 1972)
Oklahoma	Unified**	Not applicable	Not applicable **Note: Oklahoma has two courts of last resort, the Supreme Court and the Court of Criminal Appeals.
Oregon	Unified	Not applicable	Not applicable
Pennsylvania	Divided	<ul style="list-style-type: none"> •Superior Court •Commonwealth Court 	The Superior Court and the Commonwealth Court do not bind each other, but both bind the Courts of Common Pleas. <i>Commonwealth v. Wilson</i> , 744 A.2d 290 (Pa. Super. 1999).

State/Territory	Divided or Unified	Divisions	Decisions of One Binding on Other Intermediate Courts?
Puerto Rico	Divided**	Puerto Rico Circuit Court of Appeals, Regions I through XII	No. As a general rule, only the decisions of the Puerto Rico Supreme Court have mandatory precedential value, if published. **Note: Judges are not assigned to a particular geographical circuit; they rotate periodically.
Rhode Island	Unified	Not applicable	Not applicable
South Carolina	Unified	Not applicable	Not applicable
South Dakota	None	Not applicable	Not applicable
Tennessee	Divided	•Court of Criminal Appeals •Court of Appeals	No.
Texas	Divided**	Court of Appeals, First through Fourteenth Districts (Texas courts provide the name of the city in which the court sits; they provide the city and district for the two appeals courts in Houston.)	No. **Note: Texas also has two courts of last resort, the Supreme Court and the Court of Criminal Appeals
Utah	Unified	Not applicable	Not applicable
Vermont	None	Not applicable	Not applicable
Virginia	Unified	Not applicable	Not applicable
Washington	Divided**	Washington Court of Appeals, Divisions I, II, and III	<i>See Intl. Assn. of Fire Fighters, Local 46 v. City of Everett</i> , 42 P.3d 1265 (Wash. 2002) (holding that “[t]he Court of Appeals can overrule a previous decision if it is ‘demonstrably incorrect or harmful’”). **Note: The Court of Appeals can overturn its own decisions, so it appears that each division speaks for the entire court.
West Virginia	None	Not applicable	Not applicable

State/Territory	Divided or Unified	Divisions	Decisions of One Binding on Other Intermediate Courts?
Wisconsin	Divided	Wisconsin Court of Appeals, Districts I, II, III, and IV	Yes. <i>State v. Seeley</i> , 567 N.W.2d 897 (Wis. App. 1997).
Wyoming	None	Not applicable	Not applicable