

APPEAL INSTRUCTIONS

IN CIVIL, CRIMINAL AND CONTESTED INFRACTION CASES, the procedures for perfecting an appeal from District Court as provided for in the *Rules for Appeal of Decisions of Courts of Limited Jurisdiction (RAL)*, Title 2 of *Washington Court Rules*. The following steps must be taken within 30 days from entry of judgment.

- Prepare a written Notice of Appeal and file it with the District Court. Notice of Appeal forms may be obtained from the clerk of this court.
- A Cashier's Check or Money Order for \$230.00 made payable to the Clerk of the Superior Court must be included with the Notice of Appeal. The Notice of Appeal and fee of \$230.00 on Civil or Contested Infraction cases must be filed with the District Court within 30 days from entry of judgment. A fee is not required on Criminal Cases, however once the appeal is affirmed or dismissed, a filing fee of \$200.00 may be assessed by Superior Court. .
- Within 14 days of filing the Notice of Appeal, a *Designation of Record to be Transmitted to Superior Court* must be filed with the District Court. Once received, the court has 14 days to prepare the record. Within 14 days after the designation is filed, the clerk of this court shall prepare the record and notify each party that the record is ready to transmit.
- A fee of \$40.00 Cash, Cashiers Check or Money Order for all case types is required to be paid the District Court for the preparation of the record. It is the appellant's responsibility for duplication and/or transcription of the tapes and/or CD's.

IN A CRIMINAL CASE, the District Court may require you to post a bond to stay the enforcement of the District Court sentence. If the bond is not posted, you are required to comply with the sentence. Even if an *Order for Waiver of Fees (in Forma Pauperis)* is signed, this bond is still necessary.

IN A CIVIL CASE, to stay the enforcement of the judgment, you must make a motion in Superior Court, or the District Court Judgment will be enforced.

IN A SMALL CLAIMS CASE, the party who filed the claim or counterclaim cannot appeal unless the amount claimed exceeds \$1000.00. No party may appeal a judgment where the amount claimed is less than \$250.00. If an appeal is taken to the Superior Court, the appealing party is required to follow the procedures set out in the *Revised Code of Washington (RCW) 12.36*. The following steps must be taken within 30 days of the entry of judgment.

- Prepare a written Notice of Appeal and file it with the District Court. The Notice of Appeal must also include a Cashiers Check or Money Order for \$230.00 made out to the Clerk of Superior Court. A Notice of Appeal form may be obtained from the clerk of this court.
- Serve a copy of that Notice of Appeal on the other parties, and file acknowledgement or affidavit of service with the District Court.
- Post a bond at the Grant County District Court in a sum equal to twice the amount of judgment and costs, or twice the amount in controversy, whichever is greater. This bond may be posted by either cash or surety made payable to the Clerk of Superior Court. When the appeal and bond are transferred to Superior Court, the appealing party may request that the Superior Court suspend enforcement of the judgment until after the appeal is heard.
- Pay a \$40.00 appeal preparation processing fee by Cash, Cashiers Check or Money Order made payable to Grant County District Court. Upon payment of such costs, the record shall be certified and forwarded to the Superior Court.

Updated 6-7-12