

# APPEAL INSTRUCTIONS

## Notice of Appeal

A written Notice of Appeal must be filed with the District Court within 30 days from entry of final decision and a copy must be served on all other parties or their attorney of record.

## Filing Fee

A filing fee of \$230 must be included with the Notice of Appeal. This must be paid directly to the District Court by cash, money order, cashier's check, or attorney check. NO PERSONAL CHECKS WILL BE ACCEPTED.

- The filing fee may be waived upon entry of an In Forma Pauperis Order.
- A filing 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.

## Designation of Record

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. The court will notify the party when the records are ready to be transmitted.

A fee of \$40.00 is required to be paid the District Court for the preparation of the record within 10 days of the notification. This must be paid directly to the District Court by cash, money order, cashier's check, or attorney check. NO PERSONAL CHECKS WILL BE ACCEPTED.

- If this fee is not paid within 10 days from the date of notification it will be added to the balance owing on the case, assigned to a third party company for payment, and may incur additional fees.
- The preparation fee may be waived upon entry of an In Forma Pauperis Order.

**In a Criminal Case**, to stay the enforcement of the sentence, you must make a motion in District Court. The District Court may require you to post a bond to stay the enforcement of the sentence.

**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. No party may appeal if the amount claimed is less than \$250.

- The appellant must also 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 either in 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.

These are guidelines and are not to be substituted for knowledge of Washington Court Rules. Washington Court Rules can be found online at [www.courts.wa.gov/court\\_rules](http://www.courts.wa.gov/court_rules)

Notice of Appeal/ Designation of Record/In Forma Pauperis forms may be obtained from the District Court Clerk's Office or online at [www.grantcountywa.gov](http://www.grantcountywa.gov)

Clerks of the District and Superior Court CANNOT provide legal advice.