

## APPEAL INSTRUCTIONS

**IMPORTANT NOTICE:** Clerks can only provide limited assistance. Therefore, you may wish to speak with an attorney.

The procedures for perfecting an appeal from the Kitsap County District Court are provided for in the Rules For Appeal Of Decisions Of Courts Of Limited Jurisdiction (RALJ). Those rules generally provide that:

IN A CRIMINAL CASE: Within thirty days of the final decision of the Kitsap County District Court, the defendant/appellant must file a Notice of Appeal with the Kitsap County District Court. The defendant/appellant must immediately serve a copy of the notice on all other parties. The Clerk of the District Court shall immediately, upon the filing of a notice of appeal, file a copy of the notice with the Superior Court.

If the defendant/appellant believes that he or she cannot afford an attorney and wants one appointed, the defendant/appellant must make the request to the District Court Clerk and arrange to be screened.

Within fourteen days of the filing of the notice of appeal, the appellant must designate in writing to the District Court those parts of the record the appellant wants to the District Court to transmit to the Superior Court.

Within fourteen days after the designation is filed, the appellant will receive notice from the Kitsap County District Court that the record is ready to be transmitted to the Superior Court. Unless the court determines otherwise, within ten days the appellant must pay the Kitsap County District Court a \$40 fee for preparation and electronic tape.

IN A CIVIL AND/OR TRAFFIC CASE: Within thirty days of the final decision of the Kitsap County District Court, the defendant/appellant may file a notice of appeal with the Kitsap County District Court. The Clerk of the District Court shall immediately, upon the payment of the filing fee (\$220 directed to the Superior Court Clerk), shall file a copy of the notice with the Superior Court. A party filing a notice of appeal shall, within the same thirty days, serve a copy of the notice of appeal on all other parties or their lawyers and file an acknowledgment or affidavit of service in the District Court.

Within fourteen days of the filing of the notice of appeal, each party must designate in writing to the District Court those parts of the record the party wants the District Court to transmit to the Superior Court.

Within fourteen days after the designation is filed, each party designating will receive notice from the Kitsap County District Court that the record is ready to be transmitted to the Superior Court. Within ten days each party must pay the Kitsap County District Court a \$40 fee for preparation and electronic tape.

IN A SMALL CLAIMS CASE: Within thirty days of the final decision of the Kitsap County District Court, the appellant must:

1. File a notice of appeal with the Kitsap County District Court.
2. Pay to the Kitsap County District Court the Superior Court filing/Arbitration fee (\$440 directed to the Superior Court Clerk) and a \$40 preparation cost to the Kitsap County District Court.
3. Serve a copy of the notice of appeal on all parties.
4. File with the Kitsap County District Court a bond or execution (for approval) made payable to the Kitsap County Superior Court Clerk in the sum of twice the amount of judgment and costs or twice the amount in controversy, whichever is greater.

Within fourteen days of the filing of the notice of appeal, the Clerk will file the complete record in Superior Court.

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A notice of appeal form may be obtained from the Clerk of the Kitsap County District Court. The notice must be completely filled out by the defendant/appellant and shall include a statement of the claimed errors made by the court. A copy of the decision should be attached to the notice of appeal.