

APPEAL PROCEDURES FROM COURTS OF LIMITED JURISDICTION

What can be appealed? Traffic Infractions, civil matters, parking tickets, contempt rulings, criminal matters and small claims matters can be appealed directly to the Superior Court. **NOTE:** Small Claims appeals are de novo (new trial). Small Claims matters need to be appealed within the 30-day time frame and perfected pursuant to CRLJ73. (See procedures for appeals from Small Claims)

Time to appeal:

Notice of Appeal must be filed in District Court within 30 days of final disposition, and a copy of the Notice of Appeal must be served on all other parties or their attorney of record. (RALJ2.4(c) , RALJ2.5(a), LRALJ2.4(a), LRALJ2.4(c)

Filing Fees:

The filing fee is **\$230.00**. This fee must be paid by cash, money order, cashier's check or attorney trust account check. **NO PERSONAL CHECKS WILL BE ACCEPTED**. No filing fee is required for criminal matters or upon an entry of an In Forma Pauperis order.

Title of Case and Number:

The title of the case for appeal purposes SHALL BE THE SAME as in the court of limited jurisdiction, unless otherwise ordered by the court. The case number will be assigned by the Superior Court Clerk and transmitted to the court of limited jurisdiction for use in the transmittal of the record (RALJ11.3)

Record of Proceedings: Within 14 days of filing the Notice of Appeal, the appellant must file a Designation of Record with the court of limited jurisdiction setting forth which part of the record needs to be transmitted to the Superior Court. Once received, the court has 14 days to prepare the record. The court will notify appellant when the record is completed. (RALJ 6.2) Unless the Superior Court orders otherwise, the APPELLANT SHALL TRANSCRIBE the **Electronic Recording of Proceedings** from the lower court. The transcript shall be filed and served with the appellant's brief.

The **Record of Proceedings** from the court of limited jurisdiction shall include the original or a copy of the LOG prepared for recording, and the originals or copies of the DOCKET, PLEADINGS, EXHIBITS, ORDERS and OTHER PAPERS filed with the clerk of the court of limited jurisdiction. (RALJ 6.1(a))

A \$40.00 cost of preparation shall be paid within 10 days of the completion of the designated record and notice to appellant. When this amount has been paid, the record will be sent to Superior Court. Unless excused from the fee, the payment of the \$40.00 is required before the court transmits the record.

Failure to complete the above process will result in a Notice to Superior Court notifying it that the appellate process is unperfected and incomplete, and that the court of limited jurisdiction is closing the file.

DISTRICT COURT COMPLIES WITH AMERICANS WITH DISABILITIES ACT (ADA). PERSONS WITH DISABILITIES THAT WOULD REQUIRE ACCOMODATIONS SHOULD CALL THE COURT AT 509-477-2903, TDD AVAILABLE.

REVISED: 7/2012

Briefs:

Brief of Appellant shall be served on all other parties and filed with the Superior Court within 45 days after the filing of the Notice of Appeal with the Superior Court. Brief of Respondent shall be filed and served within 75 days from the filing of the Notice of Appeal. (RALJ7.2(b), LRALJ4.1(a)(2))

Argument:

After records and briefs have been filed, the Clerk of the Superior Court will set the appeal for hearing. Notice of the hearing will be mailed to each party by the Superior Court Clerk. Each side will have 10 minutes allowed for oral argument, or longer if ordered by the Court. (RALJ8.3)

THESE ARE GUIDELINES AND NOT TO BE SUBSTITUTED FOR KNOWLEDGE OF THE WASHINGTON RULES FOR APPEAL OF DECISIONS OF COURT OF LIMITED JURISDICTION (RALJ) OR FOR LIMITED JURISDICTION COURT CIVIL RULES (CRLJ) OR FOR SPOKANE COUNTY SUPERIOR COURT LOCAL RULES (LRALJ).

CLERKS' OFFICE PERSONNEL ARE NOT AUTHORIZED TO GIVE LEGAL ADVICE. PLEASE DO NOT ASK! IT IS RECOMMENDED THAT PRO SE PARTIES CONTACT AN ATTORNEY FOR LEGAL GUIDANCE.

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