

INSTRUCTIONS FOR FILING A CIVIL NOTICE OF APPEAL FORM

You may file a notice of appeal from an appealable order or judgment with the court where your action commenced. Stipulations of Settlement and Arbitrator Decisions are NOT appealable.

NOTE: YOU DO NOT FILE THE NOTICE OF APPEAL WITH THE APPELLATE TERM.

- 1- Fill out all the required information on the front of the notice of appeal, which includes:
 - a) the caption of the case: the caption will remain the same as it is in the original court;
 - b) whether you are the Plaintiff, Petitioner, Defendant or Respondent;
 - c) if you are appealing from an order or judgment;
 - d) the location of the original court;
 - e) the date of the order or judgment you are appealing from (not the date you are filling out the Notice of Appeal);
 - f) if you are appealing each and every part or only part of the order or judgment. If you are appealing part of the decision or order, specify which part.
 - g) the date of filing of this Notice of Appeal.
 - h) In the space indicating YOURS, write your name and address. If you are represented by an attorney, write his/her information.
 - i) In the space indicating TO, write your Opponent's name and address (if represented by an attorney, indicate the attorney's information.

2- Once the front of the Notice of Appeal has been completely filled out, make a least two (2) copies. One copy should be kept for your records. The other copy must be served upon your adversary or upon their attorney (if your adversary is represented by one), by a third party who is not a party to the action and is 18 years of age or older. After serving a copy of the Notice of Appeal by mail, they are required to fill out an Affidavit of Service (sometimes located on the back of the Notice of Appeal). When filling out the Affidavit of Service, the server must include:

- a) the county within which the Affidavit of Service is sworn to;
- b) the server's name and address;
- c) check (A) for service on Opponent's Attorney or (B) for service on Opponent and must indicate the date when the Notice of Appeal was served and the address it was mailed to;
- d) the Affidavit of Service must then be signed and sworn to before a Notary Public.

NOTE: If the Affidavit of Service is not completely filled out the court may not accept it for filing.

3- After the Notice of Appeal and Affidavit of Service have been completely filled out, you are required to take it to the court where the case is originally from and pay the proper filing fee. Please contact that court for acceptable forms of payment.

NOTE: Please be advised that filing the Notice of Appeal does not stay any proceedings. A separate motion must be made for a stay.