

STARTING AN APPEAL WITH THE ONEIDA JUDICIARY – COURT OF APPEALS

Your appeal is due within thirty (30) CALENDAR days from the date of the decision
NOT when you received it

1. **Complete and sign** the Notice of Appeal form. *See the SAMPLE Notice of Appeal, if you have questions.*
2. A **copy of the decision** that you're appealing must be attached to the Notice of Appeal.
3. **Serve** (provide) a copy of your appeal (including all attachments) to the respondent (other party). If there is more than one respondent, all of them must be served. Service means a formal presentation of documents that can be proven. Service may be done in one of the following ways:
 - a. Personal Service – You cannot serve your appeal yourself. Have another adult (18 years and older) or agency (process server or local police department) provide a copy of your appeal to the other party. An Affidavit of Service is included in this packet for your convenience.
 - b. Mail – Mail your appeal using certified mail and request a return receipt (green card). *Keep in mind the 30-day timeframe if using this method.*
4. You must provide **proof** to the Court that all other parties were served.
5. When you have completed the above, you are ready to file. Below is a checklist of what you'll need. Be sure your filing includes the following items:
 - ☐ Notice of Appeal
 - ☐ Copy of decision being appealed
 - ☐ Any additional attachments
 - ☐ Proof of Service
 - ☐ \$75 Filing fee or Fee Waiver Request
 - ☐ Deposit/bond (only if you ordered to pay any fines/fees/costs, etc.) or Request for Waiver of Deposit/Bond
 - ☐ Party Contact Information sheet completed
6. You need to **file an original and three copies** of your appeal for the Court's use.
7. The Clerk will review your documents and assign a Case #.

Please see the Rules of Appellate Procedure (included as part of this packet); the Rules of Civil Procedure; and/or the Rules of Evidence, to assist you with the appeals process.

Any questions, call the Appellate Clerk of Court at 920-496-7200