

Instructions for filing an Appeal by Permission (Rules of Appellate Procedure 805.6)

(This process is for an appeal of an interlocutory (temporary) order)

Your appeal is due within ten (10) BUSINESS days of the date of the written order
NOT when you received it

1. **Complete and sign** the Petition for Permission to Appeal an Interlocutory Order form.
2. A **copy of the order** that you're appealing must be included with the Petition.
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 an agency (process server or local police department) provide a copy of your appeal to the other party. You may use the Judiciary's Affidavit of Service, or the agency's document for service.
 - b. Mail – Using first class certified mail with tracking service. *Keep in mind the timeframe (10 business days) to file an appeal if using this method. Mailing it is not enough, it must be received by the other party, and you must show proof.*
 - c. Electronic Mail - YOU MAY ONLY SERVE THE OTHER PARTY BY THIS METHOD IF YOU FIRST RECEIVE THEIR CONSENT. Consent to Electronic Service **does not transfer** from court to court. A new consent must be completed by the other party and provided to the Court of Appeals when filing your appeal.
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. APPEALS CANNOT BE FILED ELECTRONICALLY. Below is a **CHECKLIST** of what you'll need to file:**

- Petition for Permission to Appeal
- Copy of order being appealed (and any additional attachments)
- Proof of Service
- Completed Party Contact Information sheet
- An original and three (3) copies for the Court's use***
- Filing fee or a completed Filing Fee Waiver Request
- Consent to Electronic Service (not required, but available if you choose)

*If you would like a stamped copy of your filing for your own records, please provide an extra copy.

6. The Clerk will review your documents and assign a case number.

Please review the Judiciary Rules of Appellate Procedure to assist you with the appeals process.

Any questions call the Appellate Court Clerk at 920-496-7200, Ext. 7209