

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
LIMITED CIVIL APPELLANT/RESPONDENT INFORMATION SHEET
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This information is intended as a guide only. You may wish to seek the advice of an attorney; however, it is not required that you be represented by an attorney.

NATURE OF AN APPEAL: An appeal is not a re-trial. The appellate division does not receive new evidence such as testimony or exhibits; they only review the trial courts final order.

APPEAL PROCEDURE: The rules governing the practice and procedure for appeals from a Limited Civil case to the Appellate Division of the Superior Court can be found in the California Rules of Court, Rules 8.750-8.773.

You must follow the rules of court in a timely manner; failure to comply with the rules may result in default of the appeal process. Once the appeal is in default, you must seek relief from default from the appellate division.

All papers filed with the court must be served on the opposing party's attorney or the party if there is no attorney, and proof of service must be attached to the filed document.

NOTICE OF APPEAL: The timely filing of the Notice of Appeal is important. The appellate division may dismiss an untimely appeal. Generally, the time to file an appeal is within 30 days of notice of entry of the judgment or order from which the appeal is taken. The notice of appeal must state the judgment or order which is being appealed and must be signed by the appellant or their attorney. The filing fee for the appeal must be paid at the time of filing the notice of appeal, but not later than 10 days thereafter. The filing fee is non refundable.

REQUEST FOR TRANSCRIPTS: Within 10 days after filing the notice of appeal, the appellant must file with the clerk a request for transcripts. The following transcripts can be requested: (Refer to California Rules of Court, Rules 8.750-8.773, for specific procedural information)

Clerk's Transcript - This transcript is required. You must designate in writing which documents contained in the court file to include in the record on appeal; such as: pleadings, exhibits, etc.

Reporter's Transcript - This is a transcript of the oral proceedings of the trial as taken by a court reporter or by electronic recording. This type of transcript can only be provided if a court reporter was present or the proceedings were recorded.

Settled Statement - A written statement in narrative form setting forth the testimony of the witnesses and receipt of evidence. The Court will set a hearing to settle the statement.

Agreed Statement - A statement that all parties to the appeal have agreed upon.

After completion of the transcripts, the appeal will be forwarded to the Appellate Division of the Superior Court for a decision. You should refer to California Rules of Court, Rules 8.700-8.709 for the practice and procedure of the appellate division.

ENFORCEMENT ON JUDGMENT IN WHICH AN APPEAL IS TAKEN: Filing a notice of appeal does **not** stop the enforcement of the judgment in the Limited Civil case. For further information refer to California Code of Civil Procedure, Sections 916-917.9 and 1176.

RESPONDENT INFORMATION: (Refer to California Rules of Court, Rules 8.750-8.773, for specific procedural information)

Clerk's Transcript: Within 10 days after service of the appellant's notice designating papers or records, the respondent may serve and file a notice designating additional papers or records.

Settled Statement (if any): Within 10 days after service of the appellant's proposed narrative statement, the respondent may serve and file proposed amendments to the statement. Once the statement has been settled by the judge, the appellant shall engross the statement and serve and file the engrossed statement. The respondent has five days after service to serve and file objections to the engrossed statement.

After completion of the transcripts, the appeal will be forwarded to the Appellate Division of the Superior Court for a decision. You should refer to California Rules of Court, Rules 8.700-8.709 for the practice and procedure of the appellate division.