

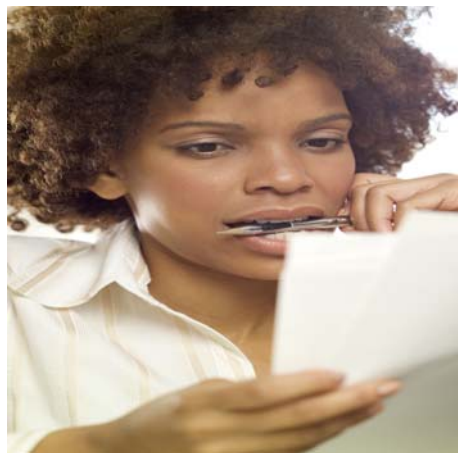


SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

500 INDIANA AVENUE, N.W.

WASHINGTON, D.C. 20001-2131

***A Self-Help Guide
For Filing Your
Notice of Appeal***



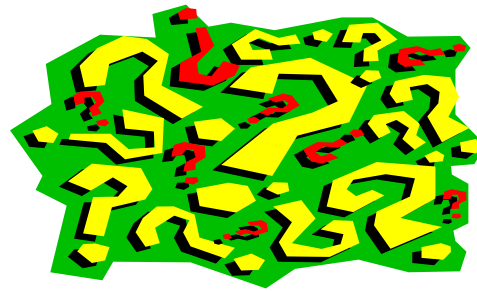
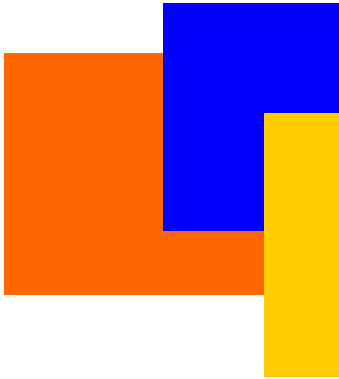
Appeals Coordinator's Office

Room 3148

Monday-Friday

8:30 a.m. - 5:00 p.m.

(202) 879-1731



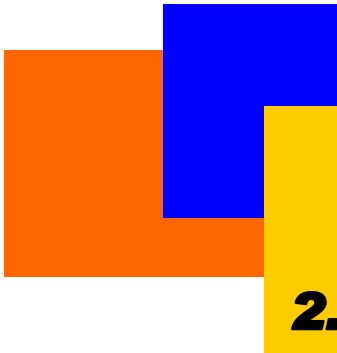
**GOT QUESTIONS?
HERE ARE SOME
ANSWERS!**

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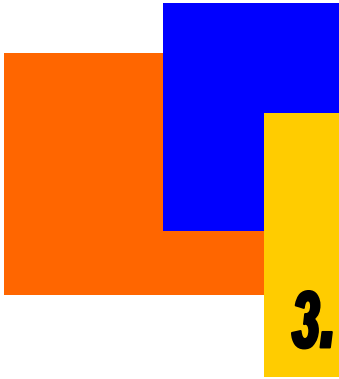
1. What Is A Notice of Appeal?

- ∇ A Notice of Appeal is filed to have a higher court review a final order or judgment of a lower court.
- ∇ You need to file a Notice of Appeal to transfer the D.C. Superior Court associate judge's final order or judgment on your case to the D.C. Court of Appeals for review.



2. What Are the Responsibilities of the Superior Court's Appeals Coordinator's Office?

- ∇ To review, process and prepare your Notice of Appeal once it is received from the clerk's office in the division in which your case was originally filed;
- ∇ To review, process and prepare your appeal for the D.C. Court of Appeals;
- ∇ To process exhibits, transcripts and other documents in the record for your appeal;
- ∇ To respond to your questions; and



3. Have You Filed Your Notice of Appeal?

▽ File your Notice of Appeal in the branch office where your case started:

A Notice of Appeal from a final order or judgment of Civil Division is filed in the Civil Actions Branch, Rm. 5000 in the courthouse or in the Landlord and Tenant Branch, 510 4th Street, N.W., Building B, Room 110. An Application for Allowance to Appeal is filed in a Small Claims case in the Small Claims Branch, 510 4th Street, N.W., Building B, Room 120.

A Notice of Appeal from a final order or judgment of the Family Court is filed in the Family Intake Central Intake Center on the JM level of the courthouse.

A Notice of Appeal from a final order or judgment of the Criminal Division is filed in the Case Management Branch of the Criminal Division on the fourth floor of the courthouse.

A Notice of Appeal from a final order or judgment of the Domestic Violence Unit is filed in the Domestic Violence Unit Clerk's Office on the fourth floor of the courthouse.

A Notice of Appeal from a final order or judgment of the Probate Division is filed in the Register of Wills' Clerk's Office, Building A, 515 5th Street, N.W., Room 5000.

A Notice of Appeal from a final order or judgment of the Tax Office is filed in that office on the third floor of the courthouse.

- ▽ You do not file your Notice of Appeal with the Appeals Coordinator's Office or with the D.C. Court of Appeals directly.
- ▽ The filing fee is \$100 unless a judge has determined that your case can proceed without cost, your fees are waived, or your case comes under the Criminal Justice Act.
- ▽ If you have any questions once you have filed a Notice of Appeal, you may contact the Appeals Coordinator's Office at (202) 879-1731 to obtain additional information.



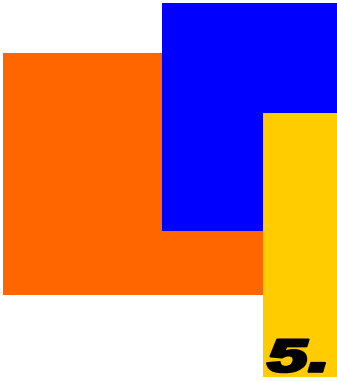
4. Are Forms Available to File An Appeal?

- ∇ Yes, there are suggested forms available to file a Notice of Appeal.
- ∇ Form 1 is for filing a Notice of Appeal in a Tax, Civil or Family (except juvenile cases) and Probate case. Form 1 is two pages and an **original** Notice of Appeal with **a copy of the appealable order attached** is to be filed. The form is not required although the use of Form 1 will help you provide the necessary information for your appeal. The heading of Form 1 is shown below:

**Form 1. Notice of Appeal (Tax, Civil, Family
Superior Court of The District Of Columbia
Notice of Appeal (_____ Cross Appeal) Tax, Civil,
Family (Except Juvenile Cases), and Probate**

- ∇ Form 2 is for filing a Notice of Appeal in a Criminal and Family (juvenile only) case. Form 2 is two pages and an **original** Notice of Appeal with **a copy of the appealable order attached** is to be filed. The form is not required but use of the form will help you provide the necessary information for your appeal. The heading of Form 2 is shown below:

**Form 2. Notice of Appeal (Criminal Division and Family
Court/Juvenile Branch).
Superior Court of The District Of Columbia
Notice of Appeal Criminal Division and Family Court
(Juvenile Case Only)**



5. What Questions Should You Ask About Filing a Notice of Appeal?

A. Is a form required to file a Notice of Appeal and is there a cost to file the appeal?

- ∇ Official court forms are not required but the forms help you know what information is needed. The information needed is:
 - ◇ the name of the person or party (or persons or parties) who are filing the appeal
 - ◇ the date of the judgment, order, or any part of judgment or order that is being appealed
 - ◇ the names and addresses of all of the parties to the proceeding in the Superior Court
 - ◇ the names and addresses of their attorneys, if they have one
 - ◇ the names and addresses of those parties not represented by an attorney
- ∇ For consolidated cases (that is, a group of cases decided together), a separate Notice of Appeal must be filed for each D.C. Superior Court case affected by the judgment or order to be appealed.
- ∇ It costs **\$100.00** to file a Notice of Appeal.

B. How do I know what transcripts have been ordered in a Criminal Justice Act (CJA), paid, cost waived, or in forma pauperis appeal?

- ∇ In a CJA case, all trial proceedings are ordered automatically.
- ∇ For cost-waived and in forma pauperis cases (this means that you did not pay the \$100 filing fee), the party who filed the appeal must file a Motion for Transcript with the [Court Reporting and Recording Division](#) in order to request transcripts without cost.
- ∇ In a paid appeal case, the party who filed the appeal is responsible for ordering and paying for any transcripts needed. This includes transcripts that the opposing party wants to have included in the appeal record.
- ∇ Transcripts may be ordered or a Motion for Transcript can be filed in the [Court Reporting and Recording Division](#) in Room 5500.

C. When and where should the Notice of Appeal be filed?

∇ You must file the Notice of Appeal within 30 days after a final order is issued by a Superior Court associate judge, not a magistrate judge.

∇ The Notice of Appeal should be filed in the clerk’s office of the division or branch where you first filed your case. (For example: an appeal of a criminal order or judgment should be filed in the Criminal Division Case Management Clerk's Office, an appeal of a civil order or judgment in the Civil Division Civil Actions Clerk's Office, etc.).

D. How will the opposing party, known as the appellee (the party that the Notice of Appeal is filed against) receive a copy of the Notice of Appeal?

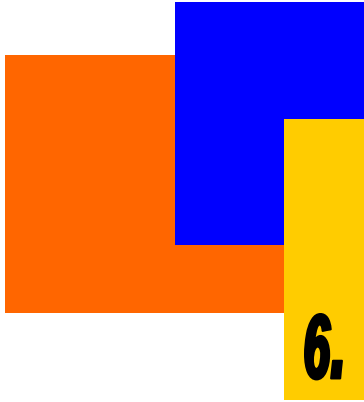
∇ The Clerk of Superior Court is required to serve all parties a copy of the Notice of Appeal, so this office will mail a copy of the Notice of Appeal to all parties.

∇ The party filing the appeal is responsible for providing the complete names and addresses of all parties to ensure that a copy of the Notice of Appeal can be mailed to all parties.

E. How can I review a Superior Court case file in the Appeals Coordinator's Office?

∇ You may review a case file (or “jacket”) by completing one of the charge out cards and providing it to a deputy clerk in the Appeals Coordinator’s Office.

∇ The case jacket must remain in the office.



6. Are There Self-Help Centers in the Courts?

- ▽ The Family Court Self-Help Center can help you with information on family law matters, provide assistance with forms and discuss your legal options. The center is in the D.C. Superior Court, 500 Indiana Ave., N.W., Room JM 570, Wash., DC. It is open Monday through Friday, 8:30 a.m. to 5:00 p.m. (customers must arrive before 4:30 p.m.) and can be contacted at (202) 879-1480.
- ▽ The Landlord and Tenant Resource Center has attorneys and other staff available to give you legal information, help with forms and help you prepare your case. The center is in the D.C. Superior Court Building B at 510 4th St., N.W., Room 115, Wash., D.C. The center is open Monday through Friday from 9:15 a.m. to 12:00 noon for walk-in service only and can be contacted at (202) 508-1710.
- ▽ The Small Claims Resource Center assists people with information about small claims law and procedures, and assistance with completing forms, pleadings and referrals to legal services agencies. The center is in D.C. Superior Court Building B, 510 4th St., N.W., Room 102 Wash., DC. The Center is open Wednesday and Thursday from 9:15 a.m. to 12:00 noon for walk-in service only. Telephone service is not available.
- ▽ The Probate Division Resource Center assists people with probate matters. The Center is in D.C. Superior Court Building A, 515 5th St, NW, Room 301A, Wash., D.C. The center is open Monday through Friday from 8:30 a.m. to 4:00 p.m. and can be contacted at (202) 879-9948.
- ▽ The Court's Multi-Door Dispute Resolution Division can help you resolve disputes, contact other services and locate resources. The Community Information and Referral Program offices are in D.C. Superior Court Building A, 515 5th St., N.W., Room 114 (use the east entrance between 5th and 4th Sts.) Wash., D.C. The offices are open Monday through Friday from 8:30 a.m. to 5:00 p.m. and can be contacted at (202) 879-1549.



7. Can I Get Help on the Internet and What Other Resources Are Available?

There are several websites available to you on the internet, including:

- ∇ D.C. Courts www.dccourts.gov, specially www.dccourts.gov/dccourts/about_pro_se.jsp
- ∇ D.C. Court of Appeals www.dccourts/appeals.gov
- ∇ D.C. Bar Pro Bono Program Law Firm Clinic www.dccbar.org
- ∇ Legal Aid Society of the District of Columbia www.legalaiddc.org
- ∇ The Children's Law Center www.childrenslawcenter.org
- ∇ Archdiocesan Legal Network www.catholiccharitiesdc.org
- ∇ Neighborhood Legal Services Program (NLSP) of the District of Columbia www.nlsp.org
- ∇ Law Help www.LawHelp.org/DC
- ∇ D.C. Employment Justice Center-www.dcejc.org



Other resources include:

- ∇ Bread for the City-NW Center (NW and NE residents), 1525 7th St., N.W., Wash., D.C. 20001 provides legal intake (NW only) on Mondays from 1:00-4:00 p.m. and walk-ins are welcome. (202) 265-2400
- ∇ Bread for the City-SE Center (SW and SE residents) 1650 Good Hope Road, SE, Wash., DC 20020 provides legal intake on Mondays from 1:00-4:00 p.m. and walk-ins are welcome. (202) 561-8587
- ∇ Neighborhood Legal Services Program-free assistance to low income individuals in Wash., DC at 1213 Good Hope Rd., S.E., Wash., DC 20020. (202) 678-2000 and 701 4th St, NW, Wash., DC 20001. (202) 682-2700
- ∇ The Appellate Advocacy Project of the Legal Aid Society of the District of Columbia represent people who file an appeal at 1331 H Street, NW, Suite 350, 1901 Mississippi Ave, SE and 2041 MLK Ave, SE, Wash., DC on Mon., Tues. and Thurs. 12:30-4 pm. (202) 628-1161



8. Glossary of Terms

- ∇ **Appeal**-a higher court's review of a lower court's decision, order, or judgment.
- ∇ **Appeal Record and Supplemental Record**-photocopies of original case file (or "jacket") documents and docket list. The record may include exhibits, depositions and transcripts.
- ∇ **Appeals Coordinator's Office (ACO)**-the office responsible for receiving all D.C. Superior Court appeals once an NOA is filed and it reviews, processes and prepares the appeal record and responds to orders and mandates issued by the DC Court of Appeals.
- ∇ **Appellant**-the party who appeals an order or judgment.
- ∇ **Appellee**-the party who argues, on appeal, against setting aside the lower court's order or judgment; the party who did not file the appeal.
- ∇ **Case Jacket**-the original case file that bears the case name and the case number.
- ∇ **DC Court of Appeals (DCCA)**-the highest District of Columbia court, which may review the decision of Superior Court. The DCCA is located in Room 6000, on the sixth floor (note-this location will change in mid 2009).
- ∇ **Mandate**-the decision from the DCCA that finalizes the appeal.
- ∇ **Motion for Transcript**-a filing with the Court Reporting and Recording Division asking that a transcript voucher be prepared to have a particular transcript prepared for the appeal.
- ∇ **Order**-a written direction of a court on some matter. A final order is one that ends the case and settles the rights of the parties. A final order is an appealable order. Orders signed by a magistrate judge cannot be appealed to the DCCA, they have to be reviewed by a Superior Court associate judge first, then the decision can then be reviewed by the DCCA.
- ∇ **Transcript**- typed word for word copy of what was said in the courtroom. This is recorded by a court reporter or recorded on tape.

The Superior Court of the District of Columbia

H. Carl Moultrie I Courthouse

500 Indiana Avenue, N.W.

Washington, DC 20001

Open to the public

Monday — Friday

8:30 a.m. to 5:00 p.m.

For general information call:

(202) 879-1010

