

PEND OREILLE COUNTY DISTRICT COURT
SMALL CLAIMS APPEAL INSTRUCTIONS

These instructions are intended to give you an overview of the procedures to follow when appealing a small claims decision. If an appeal is taken to the Superior Court, the appealing party is required to follow the procedures set out in Revised Code of Washington (RCW) 12.36 and Courts of Limited Jurisdiction Civil Rule 73 (CRLJ 73).

No party may appeal from a judgment where the amount claimed is less than two hundred and fifty dollars (\$250). The party who files a claim or counterclaim cannot appeal unless the amount claimed exceeds one thousand dollars (\$1,000).

The following steps must be taken *within 30 Calendar days* of entry of the small claims judgment:

(1) Complete a Notice of Appeal form and file the original form at the District Court. This will inform the Court and the other involved parties that you are asking for a review of your case in Superior Court.

(2) Pay the \$240.00 Superior Court filing fee at the District Court either in cash, money order, or cashiers check. **PERSONAL CHECKS ARE NOT ACCEPTED.**

(3) Pay the District Court appeal processing fee of \$40.00. The processing fee covers the cost of preparing and transmitting the Court record and up to two audio tapes to the Superior Court. If additional tapes are required or if you want copies of the tapes for yourself, they are available for a fee of \$10.00 each.

(4) Post a bond in the sum equal to twice the amount of the judgment and costs, or twice the amount in controversy, whichever is greater (cash or surety) at the District Court. When the appeal and bond are transferred to Superior Court, the appellant (person appealing the decision) may request that the Superior Court suspend enforcement of the judgment until after the appeal is heard.

(5) Serve a copy of the Notice of Appeal on the other parties, and file an acknowledgment or affidavit of service in the District Court.

Within 14 days after you file the Notice of Appeal, the District Court Clerk will send a copy of the file and tape of the hearing to the Superior Court Clerk's Office. The Superior Court Clerk will assign a Superior Court number to your case. You must appear at the Superior Court Clerk's office and file a motion and notice of hearing. The Superior Court Clerk's office is located just down the hall

from the District Court Clerk's office in the Hall of Justice, 229 S. Garden, Newport, Washington.

Further information may also be obtained from the Washington State Courts' website at <http://www.courts.wa.gov>.