

GIG HARBOR MUNICIPAL COURT

APPEAL INFORMATION

1. A Notice of Appeal must be filed with the clerk of Gig Harbor Municipal Court within 30 days of the date of entry of the decision you wish to appeal. RALJ 2.2 which outlines what may be appealed.
2. For civil cases, you must pay a filing fee of \$280 to Gig Harbor Municipal Court to process the appeal. No personal checks are accepted. You must also pay the appeal preparation fee. The appeal preparation fee includes one copy of the oral record of the court hearing which is downloaded onto a compact disc (CD).

\$280 filing fee to Superior Court

\$ 40 appeal preparation fee

3. In a criminal case, you may need to post an appeal bond or obtain an order from Superior Court to stay enforcement of the original judgment and conditions of sentence entered by Gig Harbor Municipal Court. If you want the conditions of sentence stayed and the appeal bond was not set by the judge, you must request a hearing in Gig Harbor Municipal Court. RALJ 4.2, RALJ 4.3, RCW 9.95.062, RCW 9.95.064
4. You must serve a copy of the Notice of Appeal on all other parties.
5. If you believe you are not able to pay the appeal fees, you may file a Motion/Affidavit and Order To Proceed In Forma Pauperis with the court. This form is available from the clerk and outlines your income and financial obligations. A judge will decide if the fees will be waived.
6. Within 14 days of filing of the Notice of Appeal, you must file a Designation of Record with the clerk of Gig Harbor Municipal Court and serve a copy on all other parties. This document outlines those portions of the record that you want the clerk to transmit to the Superior Court.
7. The Court shall prepare the record within 14 days after the Designation of Record is filed and transmit the record to Superior Court. District Court will notify all parties when the record was prepared and transmitted to Superior Court.
8. You must transcribe the record of the proceedings from the CD and file a certified copy of the transcript with the Superior Court. If you require additional copies of the record for personal use or transcription purposes, additional copies will be provided at the cost of \$10 per CD.

After the case has been transmitted to Superior Court, please contact Superior Court for further procedures.

You may wish to consult an attorney regarding an appeal. If you cannot afford an attorney and the offense is one which carries the possibility of a jail sentence, you may wish to make application for a public defender. You must contact Gig Harbor Municipal Court for screening to determine if you are entitled to legal representation at public expense.

For a full text of the rules for appeal, please see Rules for Appeal of Decisions of Courts of Limited Jurisdiction (RALJ) as approved by the Washington State Supreme Court. These rules are available at the Pierce County Law Library, the public library system, and online.