

INSTRUCTIONS FOR COMPLETING NOTICE OF APPEAL

- Step 1. Enter your information in the top left corner.
- Step 2. Enter the judge's name in the caption.
- Step 3. Enter the names of the Plaintiff(s) and Defendant(s) on the designated lines.
- Step 4. Enter your case number on the line after "CASE NO:"
- Step 5. In the first space provided in the body, enter your name then circle whether you are the plaintiff or defendant in the case.
- Step 6. In the next three spaces, enter the date, month and year of the judgment date.
- Step 7. Date the notice.
- Step 8. Sign the notice and circle whether you are the plaintiff or the defendant.
- Step 9. Complete the "Certificate of Service" section on the same date that you will mail your Notice of Appeal to the other party or their attorney, if represented. Provide the address that you are mailing your Notice of Appeal to on the line provided. By dating and signing the Certificate of Service, you are telling the court that you have served a copy of your notice via U.S. mail to the other party or their attorney, if represented.
- Step 10. Make *at least* four (4) copies of your notice. (Original for court file, one copy for District Court, one copy for *each* defendant and one copy for your records). You must provide the clerk with enough copies. If the clerk has to make copies for you, you will be charged a copy fee.
- Step 11. Take the original and copies of your notice along with:
- 1) \$10.00 for the Justice Court filing fee,
 - 2) \$30.00 cashier's check or money order made payable to District Court for the District Court filing fee,
 - 3) An undertaking in the form of an appeal bond or a deposit of money (cashier's check or money order) made payable to District Court. Refer to M.C.A. 25-33-201, M.C.A. 25-33-203 and M.C.A. 25-33-205 for information about the undertaking.

The clerk will file your notice of appeal and return two copies to you with a receipt for your filing fee. The notice of appeal, the District Court filing fee and the undertaking will be transmitted to District Court within 10 (ten) business days of your notice of appeal being filed.

This document has been prepared as a courtesy to assist you with completing your Notice of Appeal. It is not to be construed as providing legal advice or representation.

Step 12. Mail one copy of the notice of appeal to the other party or their attorney, if represented. Keep the other copy for your records.

** Filing a notice of appeal DOES NOT stay the judgment from execution on your case. You must file an Order to Stay as well. **

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION, OR A MODIFICATION OF POLICIES OR PROCEDURES TO PARTICIPATE IN A COUNTY PROGRAM, SERVICE OR ACTIVITY, SHOULD CONTACT JUSTICE COURT AT 258-3474, AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT