

## **FILING A SMALL CLAIMS APPEAL**

### **What You Need To Know:**

The Judge has ruled in this case and you wish to appeal the judge's decision. Either the Plaintiff or the Defendant may file a small claims appeal. The following information is listed for your use to assure proper procedures are followed when you submit your notice of appeal.

### **The Notice of Appeal**

You are required to file a Notice of Appeal with the clerk of the Justice Court from which you are appealing.

### **The Time Limit in Which to File the Notice of Appeal**

You must file an appeal within twenty-eight (28) calendar days of the date judgment is rendered in court.

### **Fees To Be Paid Upon Filing the Notice of Appeal**

Instead of going to the Utah Court of Appeals, your case will be heard as trial de novo. The filing fees for a trial de novo will be \$10.00, which is payable to the Iron County Justice Court and \$240.00 which is made payable to 5<sup>th</sup> District Court. You will need both checks when you file your appeal. Failure to pay this fee will prohibit further consideration of the appeal.

### **Service of Notice of Appeal**

You must give notice to each party of the judgment that you are appealing. Notice is given by serving personally or mailing a copy of your Notice of Appeal directly to the party at their last known address. If the party is represented by an attorney you will mail it directly to the attorney.

The trial de novo will be heard by another judge in the 5<sup>th</sup> District Court.