

STATE OF VERMONT

SUPERIOR COURT
Unit

CIVIL DIVISION
Case No. _____

<i>Plaintiff</i>	V.	<i>Defendant</i>
------------------	----	------------------

SMALL CLAIMS NOTICE OF APPEAL

I appeal the small claims decision issued on _____ (date).

Date: _____

Signature _____

Printed Name _____

Mailing Address

Phone Number _____

Email Address _____

INFORMATION

The person filing the appeal is called the **appellant**. The person the appeal is against is called the **appellee**.

An appeal is not a new trial. A different superior court judge will review the case and decide whether the first judge made any legal mistakes. The new judge will review the explanation of the legal issues identified by the appellant and any response by the appellee and will listen to the audio recording of the small claims trial. They will not consider new evidence or facts.

1. File this form in the Civil Division within 30 days of the date the court issued the judgment.
2. The fee to appeal is \$120. To ask to waive the fee, file an *Application to Waive Filing Fees and Service Costs* (form 600-00228) at the same time as this form.
3. Send a copy of this form to the other party. It can be hand delivered, emailed, or mailed. Also file a *Certificate of Service – Small Claims* (form 100-00260) telling the court how they were served.
4. The court will send a notice to the parties about upcoming deadlines. Make sure the court has your current address.
 - The **appellant** must file a written explanation of the errors they believe the small claims judge made. The notice will say when the written explanation is due.
 - If the **appellee** wants to respond to the appellant's claims, they must do so by the deadline specified in the notice.

5. The case number for the appeal will be different than the case number for the original small claims case. Use the new case number on all documents filed in the appeal.
6. The judge will make a decision based on the written explanation of the errors identified by the appellant, the appellee's response (if any), and the audio recording of the small claims trial. There will be no hearing unless the judge orders it.

Talk to an attorney

Appeals can be complicated. Consider talking to an attorney for help. Find information about the ways to get the help of an attorney Finding Legal Help web page: www.vermontjudiciary.org/self-help/finding-legal-help.