

Notice of Appeal

1. Purpose

- This form starts your appeal.
- It allows the Court to determine if it can review your case.

2. Deadline

- Within 49 days of a Final Written Order.

3. The Form

[JDF 647 \(Family Matters | Civil\)](#) | [JDF 654 \(Probate\)](#)

Case Caption

(Boxes on the 1st Page)

- Fill in the parties' names in the order they appeared in the District Court.
- The Appellant is the person starting the appeal.
- The Appellee is the person responding to the appeal.

Body of the Form

- **1. Final Order**

- Enter the date the Final Order was issued.

- **2. Magistrate Order**

- Check if a Magistrate issued the Final Order.
- Why do I do this?

- Some decisions require a Magistrate Review before the appeal

- **3. More Time to Appeal**

- Check if the Court of Appeals gave you more time to file.

- **4. Post-Trial Motion**

- This type of Motion asks the District Court to amend its own decision.
- It is due within 14 days of the Final Order.
- It is optional and rarely filed.

If a Motion was filed:

- Check “Yes.”
- Enter the dates the motion was filed and when it was decided.
- Why do I do this?
 - The time to start an appeal changes with a Post-Trial Motion.
 - The Notice is due 49 days from the decision on the Motion.
 - Only a timely Post-Trial Motion can change the Notice due date.

- **5. Possible Issues on Appeal**

- List a couple of errors you believe were made in the Final Order.
- For example:
 1. Was the amount of Child support wrong?
 2. Was it wrong to find I was underemployed?
 3. Was the wrong law used to determine parenting time?
- You will make your arguments in Step-3 of the Appeal.
 - You may argue these or other Issues at that time.
- Why do I list them now?
 - The Court uses these to help determine if there is a Final Order.

- **6. Transcript Needed**

- Check if you will be purchasing a transcript of the hearing.
- A transcript is a document of every word that was said at the hearing.
- The cost of a transcript cannot be waived.
- Without one, the Court will assume the testimony supports the order.
- If there was not a hearing, you do not need a transcript.
- Why do I give this info?
 - This lets the Courts know if you will also file a Designation.
 - The Designation is due within 7 days of the Notice.

- **7. Contact Information**

- Name each party responding to the appeal.
- Check whether that party has an attorney.
- Give the attorney's contact info (address, phone, email).
 - Or, give the responding party's info if they do not have a lawyer.

- **8. Attachments**

- Attach a copy of the Final Order you are appealing.
- Attach any Motions for Post-Trial Relief.
 - ***Do not*** attach the Order or Responses to this Motion.
- Include the \$223 fee.
 - Or, a signed Order from the District Court waiving that fee.
- ***Do not*** attach any other documents from your case.

- **9. Deliver Copies**

- You must send a copy to each party's attorney.

- Or, send the copy directly to the party if they do not have one.
- Enter the date you sent the copies.
- Check if you delivered or mailed the copies.
- List the address you used for each party.
- Enter the District Court’s address and send a copy to them too.

4. Filing

- Where do I file?
 - File the Notice in the Court of Appeals

Clerk of the Court of Appeals
2 East 14th Avenue
Denver, CO 80203
 - ***And*** file a copy into your District Court case.
- How may I file?
 - You may file in-person or by mail.
 - The Courts must receive the Notice by the filing deadline.
 - Be aware that post-marked dates do not count.

5. Be Sure to Read

- [Appeal Rule 3 – Notice requirements](#)
- [Appeal Rule 4 – Notice Due Date](#)
- [Appeal Rule 32 – Formatting Requirements](#)
- [Civil Rule 59 – Post-Trial Motions](#)