# 6-28/600.00 Appeals

## • 6-28/610.00 Limited Civil Cases

To appeal a judgment or order in a limited case to the appellant division of the superior court, the appellant must:

- file and serve a Notice of Appeal (CRC 8.821(a))
- pay the filing fee (CRC 8.821(b))
- on or before the earliest of:
  - 30 days after the trial court clerk serves the party filing the notice of appeal a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, showing the date it was served (CRC 8.822(a)(1)(A))
  - 30 days after the party filing the notice of appeal serves or is served by a party with a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, accompanied by proof of service (CRC 8.822(a)(1)(B))
  - 90 days after the entry of judgment (CRC 8.822(a)(1)(C))

  The court clerk must mail notice of the filing of the Notice of Appeal on all parties and the appellant division. (CRC 8.821(d))

  The time to appeal may be extended in limited instances. (CRC 8.823)

## • 6-28/620.00 Unlimited Civil Cases

To appeal an unlimited civil case superior court judgment or order to the Court of Appeal, the appellant must:

- file a Notice of Appeal (CRC 8.100(a))
- pay the filing fee (CRC 8.100(b))
- on or before the earliest of:
  - 60 days after the superior court clerk serves on the party filing the notice of appeal a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, showing the date either was served (CRC 8.104(a)(1)(A))
  - 60 days after the party filing the notice of appeal serves or is served by a party with a document entitled "Notice of Entry" of judgment or a filed-endorsed copy of the judgment, accompanied by proof of service (CRC 8.104(a)(1)(B))
  - 180 days after entry of judgment (CRC 8.104(a)(1)(C))

## • 6-28/630.00 Small Claims Court

An appeal from a judgment in a small claims action is taken by filing a notice of appeal with the clerk of the small claims court not later than 30 days after the clerk has delivered or mailed notice of entry of the judgment. (CCP 116.750) (CRC 8.954)

## • • 6-28/630.10 Motion to Vacate Judgment

A defendant who did not appear at the hearing in the small claims court may file a motion to vacate the judgment with the clerk of the small claims court. The motion shall be filed within 30 days after the clerk has mailed notice of entry of the judgment. (CCP 116.730)

## • • 6-28/630.20 Enforcement Automatically Stayed

Enforcement of the judgment of a small claims court, including the issuance or recording of any abstract of the judgment, is automatically suspended, without the filing of a bond by the defendant, until the expiration of the time for appeal. (CCP 116.810)

## • 6-28/640.00 Notice of Entry of Judgment

In cases other than small claims, dissolution of marriage, for nullity of marriage, or for legal separation, the party submitting an order or judgment for entry shall prepare and serve, a copy of the notice of entry of judgment to all parties who have appeared in the action or proceeding and shall file with the court the original notice of entry of judgment together with the proof of service. “Judgment” includes any judgment, decree, or signed order from which an appeal lies. (CCP 664.5)