

Appeals

MCR 7.101—MCR 7.123

Appellate Rules for District Court Clerks



PRESENTER
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CONTENT BY
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Overview of MCR Subchapter 7.100

“Default” Rules

MCR 7.101—MCR 7.115

These rules apply to appeals from all trial courts, and to appeals from an agency unless the applicable agency-specific court rule provides otherwise

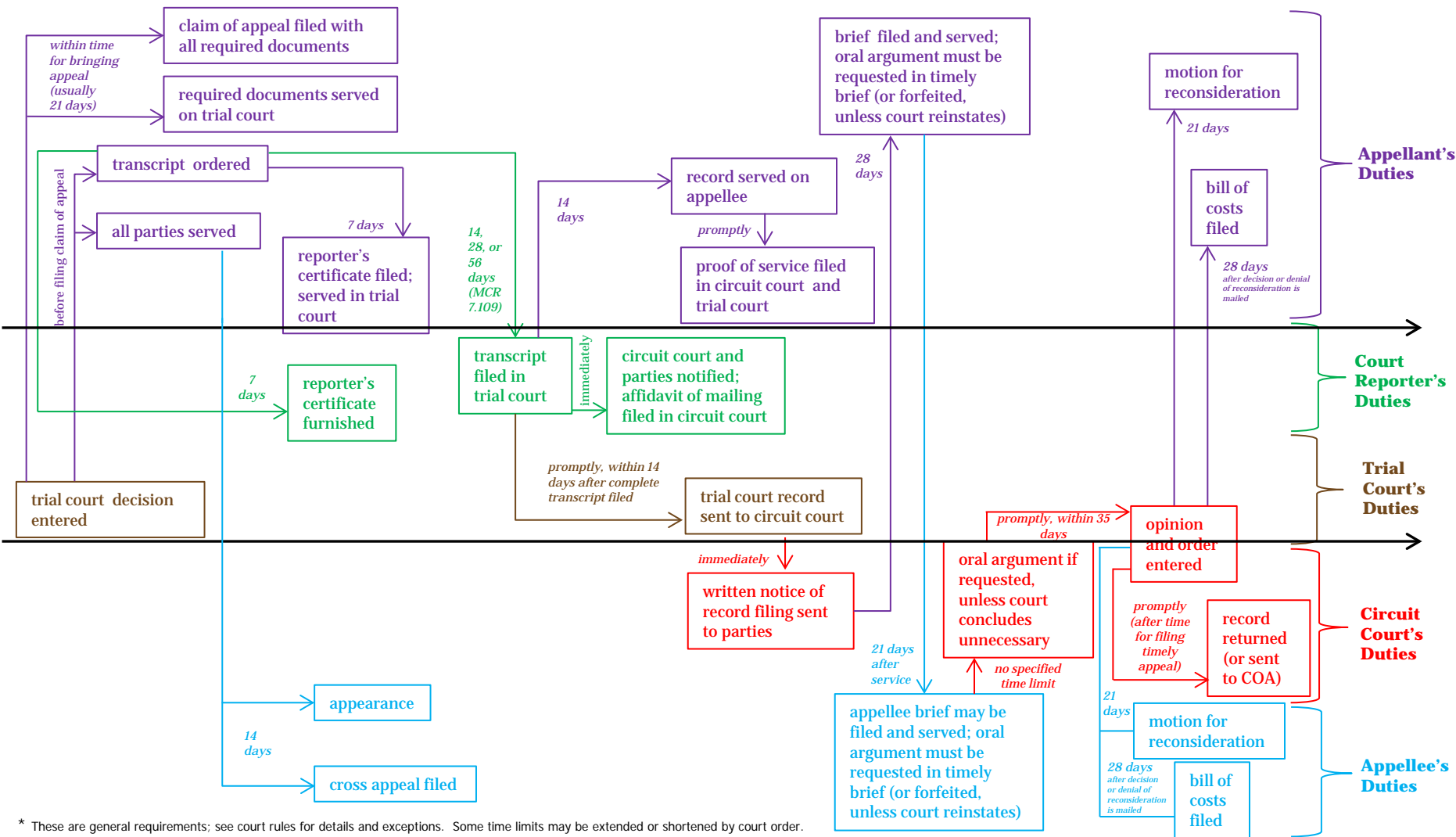
- MCR 7.101: Scope of Rules
- MCR 7.102: Definitions
- MCR 7.103: Appellate Jurisdiction of the Circuit Court
- MCR 7.104: Filing Appeal of Right
- MCR 7.105: Application for Leave to Appeal
- MCR 7.106: Cross Appeals
- MCR 7.107: Authority of Trial Court or Agency
- MCR 7.108: Stay of Proceedings; Bond; Review
- MCR 7.109: Record on Appeal
- MCR 7.110: Motions in Circuit Court Appeals
- MCR 7.111: Briefs
- MCR 7.112: Miscellaneous Relief
- MCR 7.113: Dismissal
- MCR 7.114: Oral Argument; Decision and Effect of Judgment; Reconsideration
- MCR 7.115: Taxation of Costs, Fees

Agency-Specific Rules

MCR 7.116—MCR 7.123

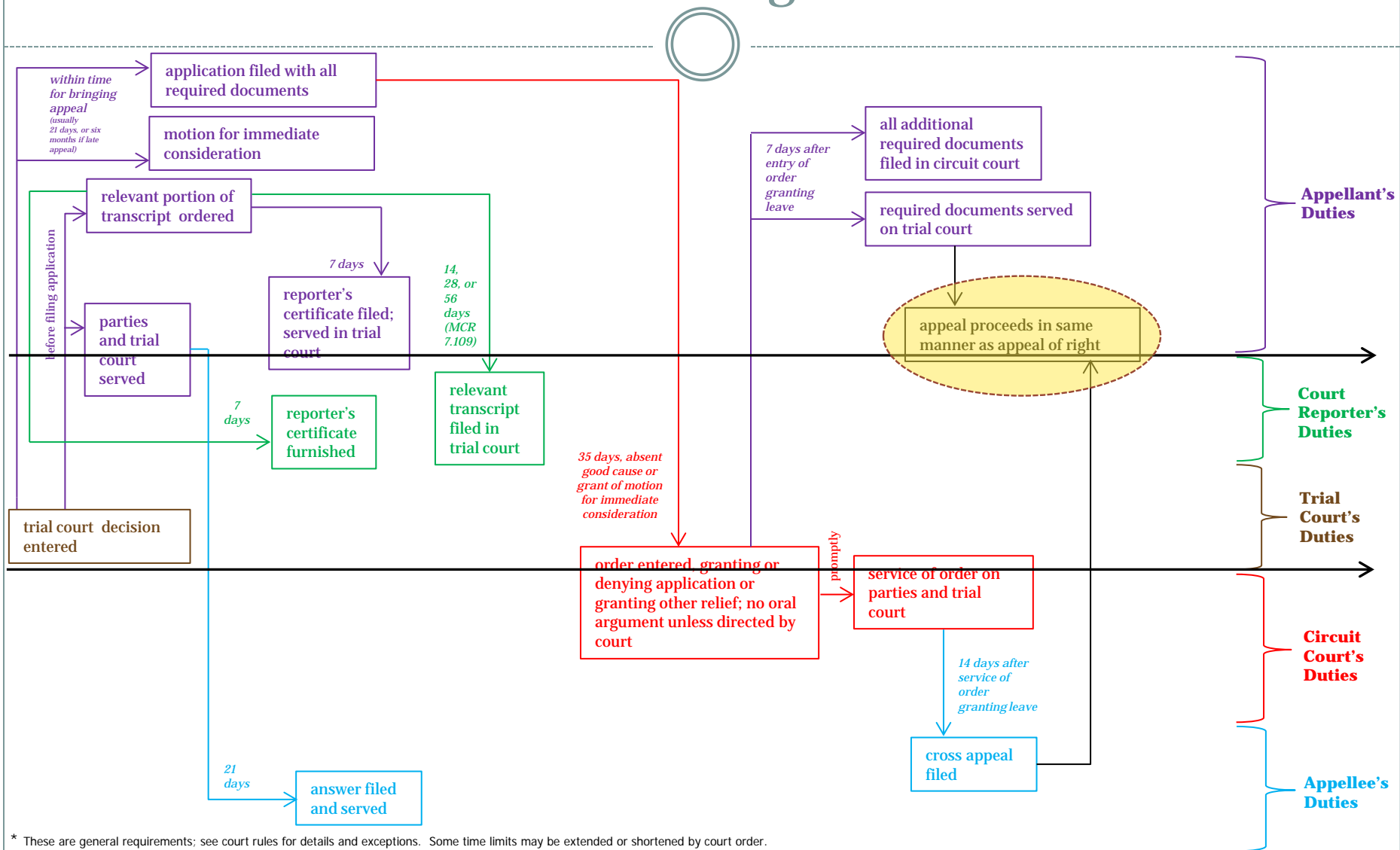
- MCR 7.116: Michigan Employment Security Act
- MCR 7.117: Michigan Civil Service Commission
- MCR 7.118: Michigan Parole Board
- MCR 7.119: Administrative Procedures Act (APA)
- MCR 7.120: Michigan Vehicle Code
- MCR 7.121: Concealed Weapon Licensing Boards
- MCR 7.122: Zoning Ordinance Determinations
- MCR 7.123: “Catch-All” Provision

Appeal of Right: General Case Flow*



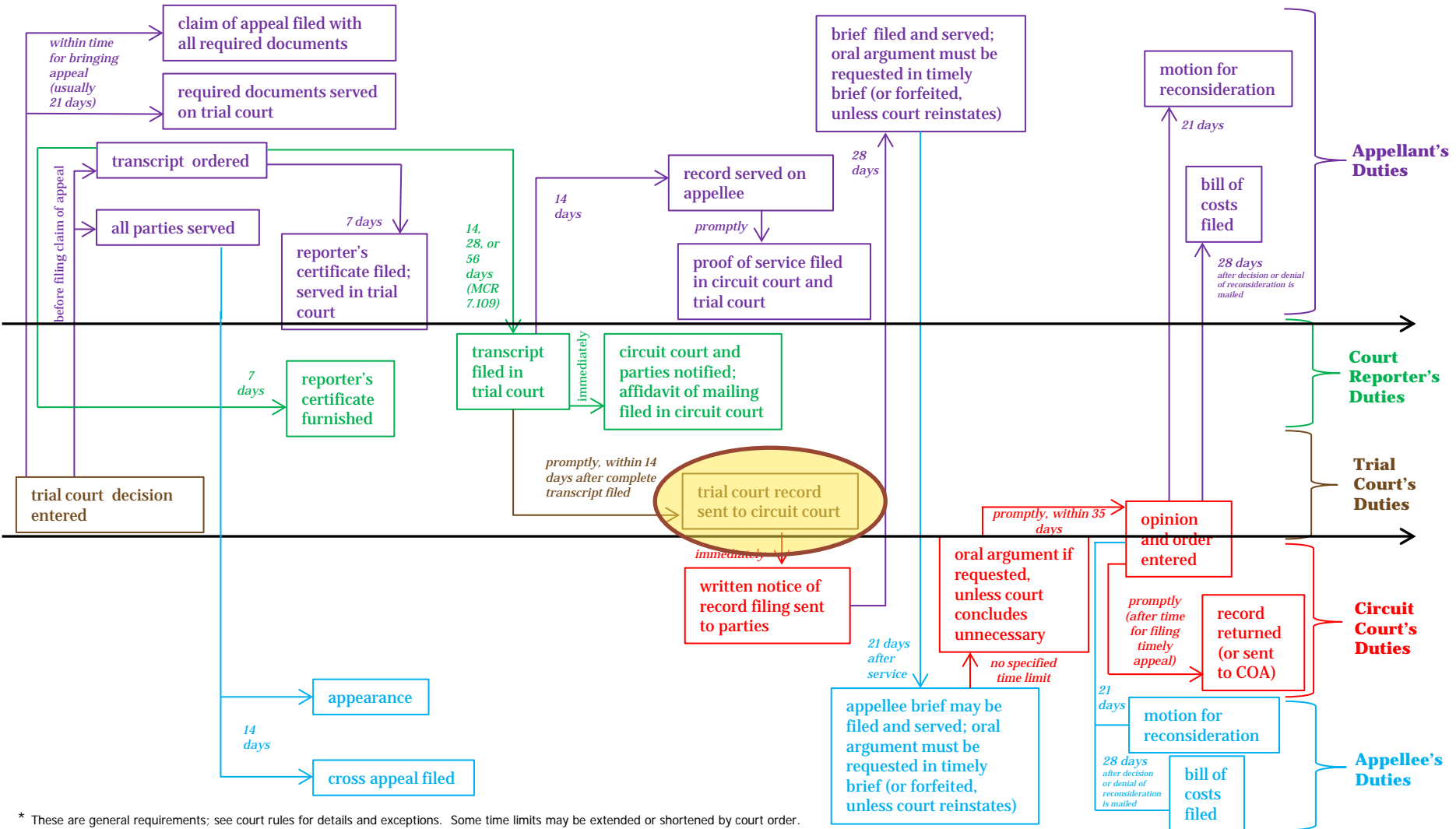
* These are general requirements; see court rules for details and exceptions. Some time limits may be extended or shortened by court order.

Appeal by Leave: General Case Flow Through Grant or Denial*



* These are general requirements; see court rules for details and exceptions. Some time limits may be extended or shortened by court order.

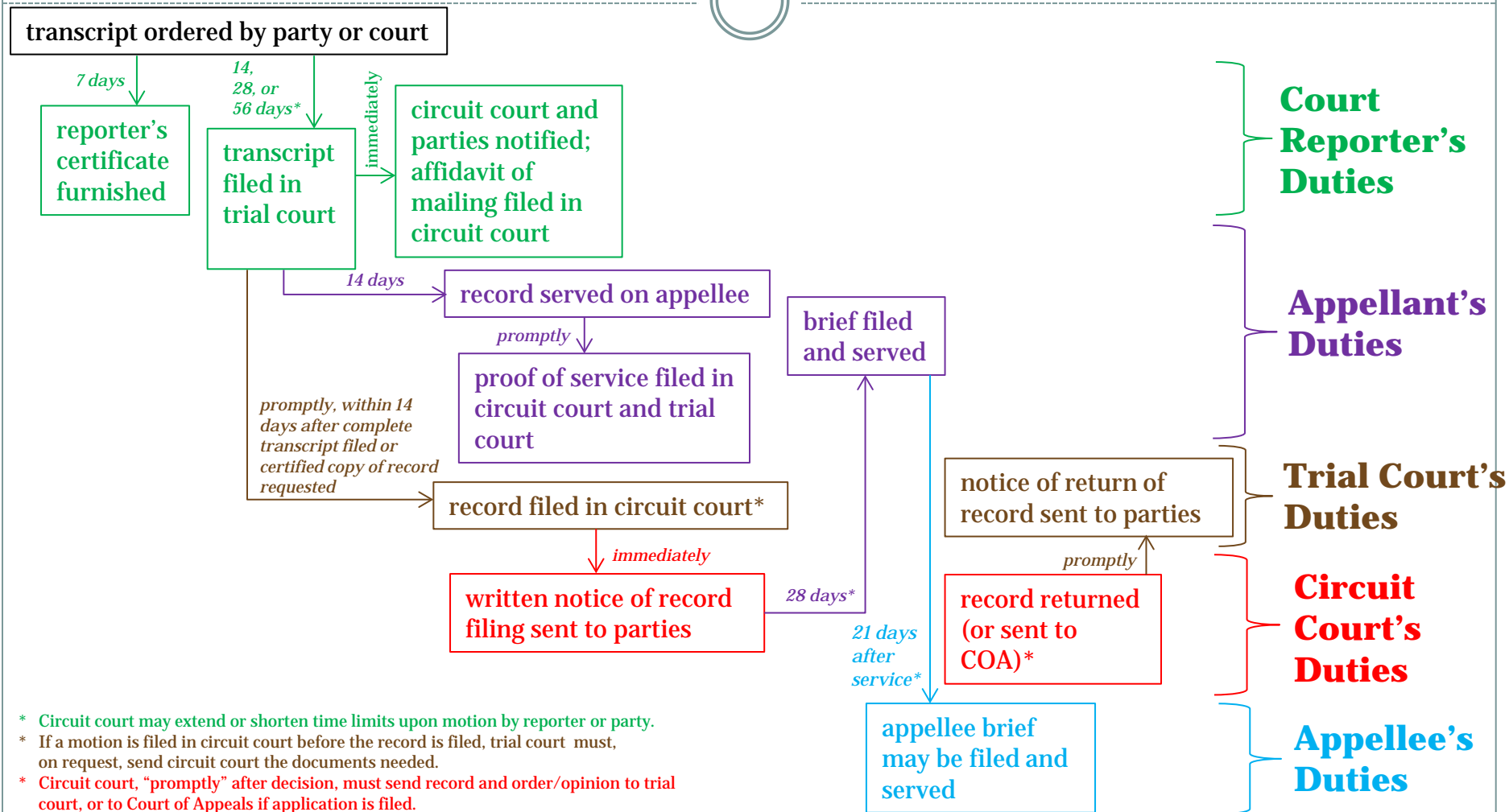
Appeal of Right: General Case Flow*



* These are general requirements; see court rules for details and exceptions. Some time limits may be extended or shortened by court order.

Transcripts, Record, and Briefing Time Limits

MCR 7.109 and MCR 7.111



- * Circuit court may extend or shorten time limits upon motion by reporter or party.
- * If a motion is filed in circuit court before the record is filed, trial court must, on request, send circuit court the documents needed.
- * Circuit court, "promptly" after decision, must send record and order/opinion to trial court, or to Court of Appeals if application is filed.
- * Time may be extended for 14 days by stipulation and order; circuit court may extend time on motion.
- * Time may be extended for 14 days by stipulation and order; circuit court may extend time on motion.

Transcripts and Court Reporter's Duties

MCR 7.109(B)



- **Appellant is responsible** for securing the filing of the transcript and serving the appellee with a copy of the transcript
- **Certificate of court reporter** or recorder (or statement that transcript was ordered or that there is nothing to be transcribed) **must be filed in circuit court along with claim of appeal** or within 7 days after leave to appeal is granted ([SCAO Form MC 501](#))
- In any event, certificate of court reporter must be **furnished** by reporter, and **filed** by appellant in circuit court *and* lower court, within 7 days after transcript is ordered
- Generally, **entire transcript** must be ordered, unless:
 - otherwise provided by **circuit court order**
 - otherwise ordered by **trial court** (upon timely motion)
 - otherwise **stipulated** by parties
 - parties agree on **statement of facts** (and file agreement in trial court)
 - **transcript unavailable**; appellant must file **settled statement of facts** under MCR 7.210(B)(2), unless statute provides otherwise
 - application stage of appeal by leave; see MCR 7.105(B)(5)

Transcripts and Court Reporter's Duties, continued

MCR 7.109(B)



- **A request for a transcript by a party or the court starts the time clock on the court reporter's filing duties**
 - **within 7 days after order:**
 - **reporter furnishes certificate** indicating that the transcript has been ordered and that it will be filed or has already been filed ([SCAO Form MC 501](#))
 - **appellant files certificate** in the circuit court and trial court within 7 days after transcript is ordered, if this was not already done at the time of filing the claim of appeal (or within 7 days after leave was granted)
 - **within 56 days after order (or 14 or 28 days in certain criminal appeals), or as extended or shortened** by court on motion of reporter or party ([SCAO Form MC 503](#)):
 - reporter **files transcript** in trial court
 - **immediately after filing the transcript:**
 - reporter **notifies** parties and circuit court of the filing
 - reporter **files affidavit** in the circuit court indicating that notice was mailed to the parties ([SCAO Form MC 502](#))

SCAO Form MC 501

<http://courts.mi.gov/administration/scao/forms/courtforms/appeals/mc501.pdf>

Distribution of form: Original - Appellate court 1st copy - Trial court 2nd copy - Appellee/Attorney		3rd copy - Appellant/Attorney 4th copy - Reporter/Recorder JIS Code: RRC
Approved, SCAO		
STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	REPORTER/RECORDER CERTIFICATE OF ORDERING TRANSCRIPT ON APPEAL Appeal to: <input type="checkbox"/> Court of Appeals <input type="checkbox"/> Circuit	CASE NO.
Court address		Court telephone no.
Plaintiff's/Petitioner's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee	v	Defendant's/Respondent's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.
<input type="checkbox"/> Probate In the matter of _____		
This certificate must be filed by the appellant or the reporter/recorder within 7 days after the transcript is ordered on appeals to the Court of Appeals. This certificate must be filed by the appellant within 7 days after the transcript is ordered on appeals to the circuit court.		
I am a certified court reporter/recorder for the court designated above and I certify that:		
1. On _____ <input type="checkbox"/> a portion of the <input type="checkbox"/> the complete transcript of proceedings, taken in this case before Hon. _____ on _____ Date(s) _____, was ordered by <input type="checkbox"/> a. _____, attorney for _____ Name (type or print) <input type="checkbox"/> b. the appellant, _____ Name (type or print) <input type="checkbox"/> c. the appellee, _____ Name (type or print) <input type="checkbox"/> d. the court.		
2. Payment has been secured and the transcript will be furnished by me on or about _____ Estimated date of completion Estimated number of pages is _____.		
<input type="checkbox"/> 3. The transcript has been filed with the court and furnished as requested. Date filed: _____		
<input type="checkbox"/> 4. There is no record to be transcribed.		
Date _____	Certification designation and number _____	
Reporter/Recorder signature _____	Business address _____	
Name (type or print) _____	City, state, zip _____	Telephone no. _____
List names, certification designations and numbers, and dates of each proceeding of each reporter or recorder who reported or recorded or transcribed any part of the proceedings:		

Notice of Filing of Transcript and Affidavit of Mailing

SCAO Form MC 502

<http://courts.mi.gov/administration/scao/forms/courtforms/appeals/mc502.pdf>

Approved, SCAO

Distribution of Form: Original - Appellate court
1st copy - Trial court
2nd copy - Appellee/Attorney

3rd copy - Appellant/Attorney
4th copy - Reporter/Recorder

STATE OF MICHIGAN
JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY PROBATE

NOTICE OF FILING OF TRANSCRIPT
AND AFFIDAVIT OF MAILING

CASE NO.

Court address

Court telephone no.

Plaintiff's/Petitioner's name(s) and address(es) ☐ Appellant
☐ Appellee

Defendant's/Respondent's name(s) and address(es) ☐ Appellant
☐ Appellee

Plaintiff's attorney, bar no., address, and telephone no.

Defendant's attorney, bar no., address, and telephone no.

☐ Probate In the matter of

Instruction: Do not duplicate below the attorney names and addresses provided above. Use only when there are more than two attorneys.

Attorney name and address

Representing:

Attorney name and address

Representing:

NOTE: A separate notice of filing must be completed by each court reporter or recorder who is filing in this case.

1. On this date I filed in the trial court

- ☐ a. a portion of the total proceedings taken in this case before Hon. _____ Bar no. _____
on _____ Date(s) _____
- ☐ b. a complete transcript of the proceedings taken in this case.

2. I have notified all parties stated above that the transcript has been filed.

Date

Reporter/Recorder signature

Name (type or print)

Certification designation and number

Business address

City, state, zip

Telephone no.

(See other side for an affidavit of mailing.)

(To be printed on the back of the original copy only - for filing in the appellate court.)

AFFIDAVIT OF MAILING

I certify that on this date I served a copy of this notice of filing of transcript upon the following parties, in the manner indicated, and if by mail, addressed to their last-known addresses.

Name (type or print)

☐ personal service.
☐ registered mail (receipts attached).
☐ certified mail (receipts attached).
☐ first-class mail.

Name (type or print)

☐ personal service.
☐ registered mail (receipts attached).
☐ certified mail (receipts attached).
☐ first-class mail.

Name (type or print)

☐ personal service.
☐ registered mail (receipts attached).
☐ certified mail (receipts attached).
☐ first-class mail.

Name (type or print)

☐ personal service.
☐ registered mail (receipts attached).
☐ certified mail (receipts attached).
☐ first-class mail.

Date

Reporter/Recorder signature

Name (type or print)

Subscribed and sworn to before me on _____, _____ County, Michigan.

My commission expires: _____ Date _____ Signature: _____

Notary public, State of Michigan, County of _____

Motion to Change Time for Filing Transcript on Appeal

SCAO Form MC 503

<http://courts.mi.gov/administration/scao/forms/courtforms/appeals/mc503.pdf>

Distribution of Form:		
Appeals to circuit court Original - Trial court 1st copy - Appellee court 2nd copy - Appellate Attorney 3rd copy - Appellate Attorney 4th copy - Reporter/Recorder	Appeals to Court of Appeals Original and 4 copies to Court of Appeals 5th copy - Appellate Attorney 6th copy - Appellate Attorney 7th copy - Reporter/Recorder JIS Code: MET	
<div style="display: flex; justify-content: space-between;"><div style="width: 30%;">Approved, SCAO STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE</div><div style="width: 40%; text-align: center;">MOTION TO CHANGE TIME FOR FILING TRANSCRIPT ON APPEAL</div><div style="width: 30%;">CASE NO.</div></div>		
<div style="display: flex; justify-content: space-between;"><div style="width: 60%;">Court address</div><div style="width: 40%;">Court telephone no.</div></div>		
<div style="border: 1px solid black; padding: 2px;">Plaintiff/Petitioner's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</div> <div style="border: 1px solid black; padding: 2px; margin-top: 10px;">Plaintiff's attorney, bar no., address, and telephone no.</div>	v	<div style="border: 1px solid black; padding: 2px;">Defendant/Respondent's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</div> <div style="border: 1px solid black; padding: 2px; margin-top: 10px;">Defendant's attorney, bar no., address, and telephone no.</div>
<input type="checkbox"/> Probate In the matter of _____		
<p>1. On _____, a certificate was filed in this court that payment had been secured, and the transcript, estimated to be _____ pages, would be furnished by _____.</p> <p>2. The time for furnishing the transcript should be changed because:</p> <p>3. I REQUEST an order <input type="checkbox"/> extending <input type="checkbox"/> shortening the time for furnishing the transcript to _____.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%;"><p>_____ Date</p><p>_____ Party/Reporter/Recorder signature</p><p>_____ Name (type or print)</p></div><div style="width: 55%;"><p>_____ Certification designation and number of reporter or recorder</p><p>_____ Address</p><p>_____ City, state, zip</p><p>_____ Telephone no.</p></div></div> <div style="text-align: center; margin: 10px 0;">CERTIFICATE OF MAILING</div> <p>I certify that on this date I served a copy of this motion to change time for filing transcript on the parties or their attorneys or the court reporter/recorder as necessary by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3).</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%;">_____ Date</div><div style="width: 55%;">_____ Signature</div></div>		
<div style="display: flex; justify-content: space-between;"><div>MC 503 (3/13) MOTION TO CHANGE TIME FOR FILING TRANSCRIPT ON APPEAL</div><div>MCR 7.109(B)(3)(b)(i), MCR 7.210(B)(3)</div></div>		

Transmission of Record by Trial Court

MCR 7.109(G)



- **Within 14 days after the complete transcript is filed, the trial court must “promptly” send the record to the appellate (circuit) court**
 - record must include:
 - an appended certificate:
 - identifying name of the case
 - listing all papers with reasonable definiteness
 - indicating required fees have been paid and any required bond has been filed
 - register of actions
 - exhibits on file
 - all documents and papers
 - all transcripts
 - all opinions, findings, and orders
 - order or judgment appealed
 - **NOTE:** items removed by parties’ stipulation or court order are not part of the record

Certificate of Records Transmitted for Appeal and Notice to Parties

SCAO Form MC 57

<http://courts.mi.gov/administration/scao/forms/courtforms/appeals/mc57.pdf>

Original - Appellate court 1st copy - Trial court/Agency		2nd copy - Notice to appellant 3rd copy - Notice to appellee JIS Code: OTM
Approved, SCAO		CASE/FILE NO.
<input type="checkbox"/> STATE OF MICHIGAN <input type="checkbox"/> JUDICIAL CIRCUIT COUNTY <input type="checkbox"/> IN THE COURT OF APPEALS	CERTIFICATE OF RECORDS TRANSMITTED FOR APPEAL AND NOTICE TO PARTIES	TRIAL COURT: AGENCY:
Court address		Court telephone no.
Plaintiff's/Petitioner's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee	v	Defendant's/Respondent's name(s) and address(es) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.
<input type="checkbox"/> Probate In the matter of _____		
CERTIFICATE OF RECORDS TRANSMITTED		
<p>1. I certify that the record to be transmitted is <input type="checkbox"/> the original <input type="checkbox"/> an accurate reproduction of the original on file in the _____ Court or this agency.</p> <p>2. The required fees have been paid and any required bond has been filed.</p> <p>3. The record to be transmitted to the <input type="checkbox"/> circuit court <input type="checkbox"/> Court of Appeals Includes:</p> <p style="margin-left: 20px;">a. the register of actions in the case, b. any exhibits on file except those omitted by written stipulation of the parties or removed by order of the court, c. all documents from the court file, d. all transcripts, e. all opinions, findings, and orders of the court, and f. the order or judgment appealed.</p> <p>4. (If applicable.) The date of the order allowing appeal is _____.</p>		
Date _____	Court clerk/Register/Agency official _____	
This section to be completed for appeals to circuit court only.		
NOTICE TO PARTIES OF RECORD FILED IN CIRCUIT COURT		
The record on appeal in this case has been filed in the circuit court.		
Date _____	Circuit court clerk _____	
CERTIFICATE OF MAILING		
I certify that on this date I served a copy of this notice of the filing of the record on appeal in the circuit court on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).		
Date _____	Circuit court clerk _____	
MC 57 (3/13) CERTIFICATE OF RECORDS TRANSMITTED FOR APPEAL AND NOTICE TO PARTIES		
MCR 7.109(G), MCR 7.210(G)		

Trial Court's
Certificate of
Transmission

Clerk's Notice

Decision

MCR 7.114



- **Oral argument:**
 - **Request** must be made in a timely-filed brief
 - Court must schedule oral argument if properly requested, unless it concludes that the briefs and record adequately present the facts and legal arguments and that the court's deliberation **would not be significantly aided by oral argument**
- **Decision:**
 - Oral or written **opinion** required
 - **Order** must be issued; court's order is its judgment
 - No time limit indicated in MCR 7.114, but see Administrative Rule of Court 8.107(A) (matters under submission to judge should be "promptly" determined, no later than 35 days after submission)
- **Motion for reconsideration—MCR 2.119(F):**
 - May be filed and served within **21 days**
 - **No response** allowed
 - **No oral argument** unless otherwise ordered

Return of Record

MCR 7.109(H)



- **Promptly** after deciding the appeal, the appellate (circuit) court must **send the original record, along with the order and any opinion**, to:
 - the trial court, or
 - the Court of Appeals, if application for leave to appeal is timely filed
- Appellate clerk should **retain trial record** until after expiration of the time limits for filing a motion for reconsideration and for filing a timely application for leave to appeal in the Court of Appeals:
 - 21 days after entry of decision appealed
 - 21 days after entry of order deciding motion for reconsideration, if filed within the initial 21-day period or within further time circuit court allowed during that period
- Upon receipt of the appellate court's decision and order on appeal, the trial court clerk should notice the parties of the return of the record

Notice of Record Return from Circuit Court—MCR 7.109(I)

SCAO Form MC 60

<http://courts.mi.gov/Administration/SCAO/Forms/courtforms/appeals/mc60.pdf>

Original - Trial court 1st copy - Appellee 2nd copy - Appellant		JIS Code: NOR
<div style="border: 1px solid black; padding: 2px; font-size: x-small;">Approved, SCAO</div> <div style="border: 1px solid black; padding: 2px; font-size: x-small;">STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE</div>	<div style="border: 1px solid black; padding: 2px; font-weight: bold;">NOTICE OF RECORD RETURN FROM CIRCUIT COURT/COURT OF APPEALS</div>	<div style="border: 1px solid black; padding: 2px; font-weight: bold;">CASE NO.</div>
Court address		Court telephone no.
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><div style="border: 1px solid black; padding: 2px; font-size: x-small;">Plaintiff's/Petitioner's name(s) and address(es)</div><div style="border: 1px solid black; padding: 2px; font-size: x-small;">Plaintiff's attorney, bar no., address, and telephone no.</div></div><div style="width: 10%; text-align: center; font-size: x-small;">v</div><div style="width: 45%;"><div style="border: 1px solid black; padding: 2px; font-size: x-small;">Defendant's/Respondent's name(s) and address(es)</div><div style="border: 1px solid black; padding: 2px; font-size: x-small;">Defendant's attorney, bar no., address, and telephone no.</div></div></div>		
<div style="display: flex; align-items: center;"><input type="checkbox"/> Probate In the matter of</div>		
<div style="border: 1px solid black; width: 100%; height: 100%;"></div>		
<p>You are notified that the <input type="checkbox"/> Court of Appeals <input type="checkbox"/> circuit court has returned the original record previously transmitted in connection with the appeal taken from this court.</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 30%;"><div style="border: 1px solid black; height: 15px; width: 100%;"></div><div style="font-size: x-small;">Date</div></div><div style="width: 60%;"><div style="border: 1px solid black; height: 15px; width: 100%;"></div><div style="font-size: x-small;">Clerk/Deputy register</div></div></div> <div style="text-align: center; margin: 10px 0;"><div style="border: 1px solid black; padding: 2px; font-weight: bold; font-size: small;">CERTIFICATE OF MAILING</div></div> <p style="font-size: x-small;">I certify that on this date I served a copy of this notice on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 30%;"><div style="border: 1px solid black; height: 15px; width: 100%;"></div><div style="font-size: x-small;">Date</div></div><div style="width: 60%;"><div style="border: 1px solid black; height: 15px; width: 100%;"></div><div style="font-size: x-small;">Signature</div></div></div>		
<div style="display: flex; justify-content: space-between;">MC 60 (5/12) NOTICE OF RECORD RETURN FROM CIRCUIT COURT/COURT OF APPEALSMCR 7.109(I), MCR 7.210(I)</div>		

Appeals that Don't Proceed According to Plan



- **There are provisions in the court rules for:**
 - **Voluntary Dismissals (stipulation by parties; plaintiff dismissal)**
 - **Involuntary Dismissals (e.g., failure to timely file a brief) (appellate court)**

Dismissal

MCR 7.113



- **Voluntary dismissal:**
 - Appellate (circuit) court must enter order of dismissal if the parties file a signed stipulation agreeing to dismiss appeal or appellant files unopposed motion to withdraw appeal
- **Involuntary dismissal (such as for failure to file a brief) requires:**
 - **Notice of intent to dismiss appeal** must be mailed to the parties ([SCAO Form CC 59](#)); allows appellant 14 days to perfect the appeal by filing the missing document(s)
 - Copy of **order dismissing an appeal** ([SCAO Form CC 61](#)) must be sent to the parties and the trial court **immediately** upon entry of any dismissal

Order Dismissing Appeal

SCAO Form CC 61

<http://courts.mi.gov/Administration/SCAO/Forms/courtforms/appeals/cc61.pdf>

Approved, SCAO		Original - Circuit court 1st copy - District court/agency 2nd copy - Appellant 3rd copy - Appellee
STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	ORDER DISMISSING APPEAL	CASE NO.
Court address		Court telephone no.
Plaintiff's name(s), address(es), and telephone no(s). <input type="checkbox"/> Appellant	v	Defendant's name(s), address(es), and telephone no(s). <input type="checkbox"/> Appellant
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.
THE COURT FINDS: <input type="checkbox"/> 1. The appellant was sent a notice of deficiency on _____, and did not remedy the deficiency within 14 days after the notice was served. <input type="checkbox"/> 2. The parties stipulated to dismissal of the appeal. <input type="checkbox"/> 3. The appellant filed an unopposed motion to withdraw the appeal. <input type="checkbox"/> 4. The appellant failed to pursue the appeal in conformity with the Michigan Court Rules. <input type="checkbox"/> 5. The appeal was vexatious. <input type="checkbox"/> 6. The court does not have jurisdiction. <input type="checkbox"/> 7. Other: _____		
IT IS ORDERED: <input type="checkbox"/> 8. The appeal is dismissed. <input type="checkbox"/> 9. Damages are assessed as follows: _____		
Date	Judge	Bar no.
<div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">CERTIFICATE OF MAILING</div> <p style="font-size: small; margin-top: 10px;">I certify that on this date I served a copy of this order on the parties or their attorneys and on the trial court or agency by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3).</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 30%;">Date</div><div style="width: 60%;">Signature</div></div>		
CC 61 (5/12) ORDER DISMISSING APPEAL MCR 7.112, MCR 7.113		

Appeal Worksheet for Claim of Appeal of Right

SCAO Form DC 54

<http://courts.mi.gov/Administration/SCAO/Forms/courtforms/appeals/dc54.pdf>

Approved, SCAO			
STATE OF MICHIGAN JUDICIAL DISTRICT	APPEAL WORKSHEET FOR CLAIM OF APPEAL OF RIGHT	CASE NO. CIRCUIT COURT DISTRICT COURT	
Date of judgment/order: _____		LAST DATE FOR FILING	DATE ACTUALLY FILED
1. a. File appeal in circuit court.....			
b. File copy of claim of appeal in district court			
c. Pay filing fee in circuit court (MCL 600.2529)			
d. Settle bond in district court (if applicable)			
e. File copy of bond in circuit court (if applicable)			
f. File proof that money, property, or documents delivered/deposited (if applicable)			
g. File/order transcript.....			
<input type="checkbox"/> Transcript unavailable - settled statement of facts filed along with certifying order			
h. Pay district court:			
Taxable costs			
\$25 fee (MCL 600.6536)			
2. Serve appellee copies of:			
a. Entire record on appeal, including transcripts and exhibits in appellant's possession			
b. Copy of bond or waiver (if applicable)			
c. Statement re: payment of fees			
d. Recorder's/reporter's certificate			
3. File proof of service in circuit court			
4. File proof of service in district court			
5. a. Applies to appellee only: file appearance with circuit court and identify individual appellate attorneys			
b. <input type="checkbox"/> File cross appeal			
6. Transcript filed by recorder/reporter			
7. Certificate of records transmitted on appeal			
8. Record transmitted, including transcript and docket entries			

DC 64 (3/13) APPEAL WORKSHEET FOR CLAIM OF APPEAL OF RIGHT

Appeal Worksheet for Application for Leave to Appeal

SCAO Form DC 53

<http://courts.mi.gov/Administration/SCAO/Forms/courtforms/appeals/dc53.pdf>

Approved, SCAO STATE OF MICHIGAN JUDICIAL DISTRICT		APPEAL WORKSHEET FOR APPLICATION FOR LEAVE TO APPEAL	CASE NO. CIRCUIT COURT DISTRICT COURT
Date of judgment/order: _____		LAST DATE FOR FILING	DATE ACTUALLY FILED
1. a. File signed application for appeal in circuit court			_____
b. Pay fee in circuit court			_____
c. File/order transcript			_____
<input type="checkbox"/> Transcript unavailable - settled statement of facts filed along with certifying order			_____
2. Serve appellee copies of:			_____
a. Application for appeal			_____
b. Order on application for appeal			_____
c. Statement re: payment of fees			_____
d. Recorder's/reporter's certificate			_____
3. File proof of service in circuit court			_____
If leave to appeal is granted, then do the following:			_____
4. a. Set/file bond in district court (if applicable)			_____
b. File copy of bond in circuit court (if applicable)			_____
c. File proof that money, property, or documents delivered/deposited (if applicable)			_____
d. Pay district court:			_____
Taxable costs			_____
\$25 appeal fee			_____
5. a. Applies to appellee only: file appearance with circuit court and identify individual appellate attorneys			_____
b. <input type="checkbox"/> File cross appeal			_____
6. Serve appellee copies of:			_____
a. Entire record on appeal			_____
b. Bond or waiver (if applicable)			_____
7. File proof of service in circuit court		_____	
8. File proof of service in district court		_____	
9. Transcript filed by recorder/reporter		_____	
10. Order settling and transmitting record on appeal		_____	
11. Record transmitted, including transcript and docket entries		_____	

Questions?



- **Questions**
 - concerning the appeals rules
 - role of the trial court
- **If you wish to submit a comment or question at any time after today, please send an e-mail to:**
westras@courts.mi.gov