

# INSTRUCTIONS FOR APPEALING YOUR CASE TO THE SUPREME COURT

## Forms you will need:

1. **Notice of Appeal Form** (include your name, address, phone number and a statement that you are proceeding pro se).
2. **In Forma Pauperis** (If you do not have \$262.50 for the filing fee)
3. **Transcript Order Form**
4. **Docketing Statement**

## Procedures to follow:

1. File the **Notice of Appeal** form with the trial court. You have 30 days from the judgment date to file. (Please note: Discretionary appeals---including small claims and traffic court appeals---require litigants to seek permission to appeal within **10 days** of the judgment date.)

Send a copy of the **Notice of Appeal** to:  
Vermont Supreme Court  
109 State Street  
Montpelier, VT 05609-0801

2. Send copies of the **Notice of Appeal** to all the parties in your case.
4. Pay the filing fee of \$262.50 to the trial court (check made payable to Vermont Supreme Court.) If you can not afford the filing fee, request an **In Forma Pauperis** form. Fill out the form and submit it with the **Notice of Appeal**.
5. Within 10 days\* from the date you filed the **Notice of Appeal** you will need to:  
  
File an **Appellant's Docketing Statement** with the court.  
  
File a **Transcript Order** form with the trial court.

You must pay the appropriate deposits at the time you order the transcript from **eScribers, LLC** or **AVTRanz**. Follow the instructions on the **Transcript Order** form.

The state **will not** necessarily cover the costs of the transcript even if you cannot afford them. The state will pay for the transcript only if your case involves a constitutional liberty interest (a possible jail sentence or involuntary confinement).

You do not have to order a transcript, but if you do not order one the Supreme Court will not have the transcript to use in deciding your case. The Court may affirm the decision of the trial court on that basis alone if it believes a transcript is necessary to decide the issues you raise on appeal.

Certain courts use video recordings rather than audio recordings. If the video recordings are less than 12 hours total, they may serve as the official record in lieu of a written transcript. (See V.R.A.P. 10.1)

6. Wait for further instructions from the Supreme Court.

\* NOTE: If appealing a CHINS or TPR decision, the 10 day period does not apply. V.R.A.P. 10(b)(7) states, "In any proceeding under Chapter 55 of Title 33, other than a delinquency proceeding, the appellant shall order the transcript at the same time the notice of appeal is filed, following the procedures set forth in subdivision (b)(1)."