

MAGISTRATE APPEAL INFORMATION

Either party in a case decided by a Magistrate has the right to appeal the decision of the Magistrate. An appeal is not a new trial. On appeal, the Family Division will review the same facts, as they were presented to the Magistrate and consider comments on how the Magistrate applied the law to those facts. The Family Division will hear additional evidence only where for good cause shown, the record of the hearing before the Magistrate is found to be incomplete.

If you decide to appeal, the FIRST STEP is to file a Notice of Appeal in Family Division. This must be done within 30 days of the date the Order of the Magistrate was filed in the Clerk's Office. (*See **stamped date on the Order.***) There is a filing fee and it must be included to process the Notice of Appeal or an Application to Waive the Filing Fees and Service costs must be filed.

Upon filing your Notice of Appeal, you will receive further instructions.

Use the bottom half of this form to file a Notice of Appeal in Family Division.

STATE OF VERMONT

SUPERIOR COURT
Unit

FAMILY DIVISION
Docket No.

Plaintiff Name	v.	Defendant Name
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NOTICE OF APPEAL

I, _____, appeal the Order of the Magistrate issued on _____
(date)
and filed in the Court on _____.
(date)

Dated _____

Signature