

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 Court will review the same facts, as they were presented to the Magistrate and consider comments on how the Magistrate incorrectly applied the law to those facts. The Family Court 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 in a Notice of Appeal in Family Court. 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.) The filing fee is \$100 and must be included to process the Notice of Appeal.

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

The bottom half of this form contains a Notice of Appeal that you may use to file an appeal in the Family Court.

NOTICE OF APPEAL

Vermont Family Court	County _____	Docket Number _____
Plaintiff _____	VS.	Defendant _____

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

 (date)

 (Signature)