

Notice of Appeal

1. Must be filed within thirty (30) days of the judge's decision date
2. Requires a filing fee of \$38.00 or motion to waive filing fee or poverty affidavit.
3. Documents required include Notice of Appeal, and Service Request. Other documents such as a copy of the entry, or civil docket statement can be included.
4. Basic copies needed by the Court include the original and four (4) copies.

FORMS NEEDED TO BEGIN AN APPEAL **(Civil Cases)**

Notice of Appeal

An appeal as of right shall be taken by filing a notice of appeal with the clerk of the trial court within the time allowed by Rule 4. (30 days) **This is a required form.** You must serve a copy on opposing counsel and complete the certificate of service at the bottom of the form.

Civil Docket Statement and Instructions

The purpose of the docket statement is to assist the court in issuing a scheduling order. **This is a required form.** You must serve a copy on opposing counsel and complete the certificate of service at the bottom of the form.

Please read over the forms, instructions and frequently asked questions. This will help you with filing your notice of appeal. If you should have questions about the forms, please feel free to contact the court at (513) 946-3500 or go to the “**PROCESS**” page on this website for additional information. The Courts and its clerks are precluded by law from giving legal advice. If you are uncertain as to your legal rights, contact a lawyer. If you do not have a lawyer, you may want to contact the Cincinnati Bar Association, Lawyer Referral Service at (513) 381-8359.

HAMILTON COUNTY, OHIO

Case No. _____

Plaintiff

NOTICE OF APPEAL

-vs-

Defendant

Now comes the _____, _____ and hereby gives notice of appeal to the First District Court of Appeals from the _____, entered by said trial court on _____.

Signature

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice of appeal was served by regular mail upon,

_____ on _____.

Signature

INSTRUCTIONS FOR COMPLETING

DOCKET STATEMENT

Below are instructions for completing either the civil or criminal docket statement. The docket statement must be typed and filed in duplicate and served upon opposing counsel with the Notice of Appeal or Notice of Cross-Appeal. Post-conviction and juvenile (unless termination of parental rights) cases should use the criminal docket statement. Failure to timely file the docket statement may result in a dismissal of the appeal. Note: A Practitioner's Handbook for the Court is available from the Cincinnati Bar Association.

Complete the entire form by matching the numbered instruction with the appropriate area or blank and serve (send) to opposing counsel.

1. Case Caption: The name of the case. In criminal cases it is generally, State of Ohio v. _____. In completing the case caption, list only those parties that will be participating in the appeal. If there are multiple plaintiffs or defendants, please list only those participating in the appeal and use "et al." for any others. The caption provided would be the caption used by the Court in tracking the appeal. If counsel is to be listed in items 8 or 9, then the parties they represent must be included in the caption. If sufficient space is not provided, please attach separate sheet.
2. Appeal Number(s): Indicate the appeal number(s) in which the docket statement is being filed. The letter "C" precedes the appeal number.
3. Trial Number(s): Indicate the trial court number(s) in which the Notice of Appeal was filed.
4. Trial Judge: Indicate the trial judge who entered the Judgment/Order from which the appeal is taken and any other trial judge who participated in the case.
5. Related Appeal(s): Provide the appeal number(s) for any pending appeal(s) which have arisen from the trial court in this case.
6. Date of Judgment, Etc.: Provide the date of the Judgment or Order from which the appeal is taken.
7. Date of Notice of Appeal: Provide the date on which the Notice of Appeal was filed.
8. Counsel for the Appellant: Provide the attorney name, registration number, address, phone number, and fax number and e-mail address for counsel for the appellant(s) or the appellant(s) if pro se (representing oneself). Note: No registration number is needed if the appellant is pro se. Please be sure to designate the party or parties that counsel is representing, i.e., plaintiff-appellant or defendant-appellant and include the party's or parties' name(s). This is necessary to ensure that each attorney is properly designated as representing a particular party. If sufficient space is not provided please attach separate sheet.
9. Counsel for the Appellee: Same as 8 but for the opposing party.
10. A. Civil Rule 54(B): Review Civil Rule 54(B) and circle the appropriate response.
Note: This does not apply to criminal cases.

B. Criminal Status: Review the statements; circle the appropriate response(s) and complete length of sentence.
Note: This does not apply to civil cases.
11. Record (circle the appropriate response): Prior to filing this form, counsel or pro se must determine what type of record is to be filed. If that type of record is not timely filed, the appeal will be dismissed. Remember, we are talking about the transcript of proceedings from the trial court relative to the matter that is on review, i.e., appeal; the reference is to the transcript of the trial court proceedings to be reviewed, i.e., appealed, and not a transcript of proceedings that may have been previously filed in an earlier appeal or even filed in the trial court as in an administrative appeal. Before checking the box for either App.R. 9(C) or 9(D), counsel are cautioned to review those rules.

Note: If the appeal is from the granting of Summary Judgment, in all likelihood there is no transcript of proceedings to be filed. Review Civil Rule 56 before completing this form.

The docket and journal which includes all documents (pleadings) filed in the trial court will, in most instances, be transmitted and certified to the Court of Appeals no matter which box is checked. The clerk will send a notice (postcard) to all counsel of record that the docket and journal has been filed. This notice will indicate whether the transcript of proceedings is included or excluded in the record that the clerk has filed. Counsel is cautioned to review the record once this notice is received to determine whether the record is complete as filed. If the clerk's notice indicates excluding transcript of proceedings and counsel has ordered a transcript from the court reporter, counsel should maintain contact with the court reporter to make sure that the transcript will be timely prepared and/or filed. Remember, it is counsel's duty to make sure the record is complete and timely filed.

12. Court Reporters Certification: If a partial transcript or complete transcript of proceedings is to be filed, make sure the court reporter has completed this certification. If the particular court reporter is not available, contact the chief court reporter to complete the certification. See App.R. 9(B) for duties of the appellant when ordering the transcript. Remember, it is the appellant's and/or counsel's duty to make sure the record is timely filed.

13. Brief: Provide the number of days the appellant needs to file its brief after the complete record is filed. Note: If counsel finds it necessary to seek an extension of time to file the record, there is no automatic extension for filing briefs. The Court anticipates the briefs being filed within the time set forth in the Scheduling Order.

14. Nature of the Appeal:

Note: See App.R. 11.2 regarding Adoption and Parental Rights Appeals and be sure to check the appropriate space.

A. (Civil): Check the appropriate box(es) that best describes the nature of the action from which the appeal is taken, and provide specific information when space is provided.

B. (Criminal): Check the appropriate box(es) that best describes the nature of the case and the crime(s) involved.

15. Probable issues for Review:

A. (Civil): Fill in the probable issues involved in the appeal in the space provided.

B. (Criminal): If appellate counsel was not trial counsel and is as yet unable to identify probable issues for review, check the box provided. Otherwise, if counsel is able to identify probable issues, check all the appropriate boxes that apply and provide specific information when space is provided.

16. Case(s), Statute(s), and/or Rules: Indicate the case(s), Statute(s), and/or Rules to be discussed.

17. Certificate of Service: Date, sign, and serve (send) to all other counsel.

Civil Docket Statement
(Must Be Typed and Filed In Duplicate and Served On Opposing Counsel)

1. Case Caption vs.
2. Appeal No.
3. Trial No.
4. Trial Judge
5. Related Appeals
6. Date of Judgment/Order Appealed From
7. Date Appeal Filed

8. Counsel for Appellant
E-Mail address
9. Counsel for Appellee
E-Mail address

10(A) Civil Rule 54-B
If multiple judgments or claims: Does Civil Rule 54-B Apply: Yes No
If yes, does the judgment include a certification of "No Just Cause for Delay?" Yes No

11. Record
There will be a partial transcript of proceedings filed. Yes No
The parts to be ordered are:
There will be a complete transcript of proceedings filed. Yes No
If either of the above are applicable the court reporter's certification below must be completed.
If neither of the above are applicable then one of the following must be circled:
There will be a statement filed pursuant to App. R. 9(C) Yes No
There will be an agreed statement filed pursuant to App. R. 9(D) Yes No
There is no transcript, statement or agreed statement to be filed. Yes No
Circling any of the above three will be deemed sufficient compliance with App. R. 9(C) and Local Rule 5.

12. Court Reporter's Certification
The transcript as ordered consists of approximately pages and pursuant to Local Rule 10, the transcript will be prepared and ready for filing on
Date: Signature:

13. Brief
Upon the filing of the complete record I request days to file the brief and assignments of error.

14. Nature of Appeal
Please Check All That Apply and Provide Specific Information Whenever Space Is Provided.
BE SURE TO NOTE IF THIS APPEAL IS PURSUANT TO APP R. 11.2 ADOPTION OR TERMINATION OF PARENTAL RIGHTS.
() APP R. 11.2 ADOPTION OR TERMINATION OF PARENTAL RIGHTS
() Administrative
() Attorney Fees
() Civil Service
() Constitutional Law
() Contracts
() Corporations/Partnerships
() Damages
() Declaratory Judgment
Domestic Relations/Children
() Child Support
() Custody
() Dependency
() Divorce
() Other:
() Insurance
() Landlord/Tenant
() Procedure/Rules
() Real Property
() Summary Judgment
() Tax
Tort
() Intentional Tort - Workplace
() Malpractice
() Negligence - Auto
() Negligence -
() Product Liability
() Slip and Fall
() Other:
Trial Matters
() Evidence
() Jury Instructions
() Expert Witnesses
() Other:
() Weight of Evidence
() Other:
() Unemployment Compensation
() Weight/Sufficiency of Evidence
() Workers Compensation
() Writs
() Zoning
() Other:

15. Probable Issues for Review

16. Case[s] and/or Statute[s] to be Discussed

17. Certificate of Service
I certify that I have mailed or otherwise delivered a copy of this docket statement to all counsel of record or the parties if unrepresented.
Date: Signature:

HAMILTON COUNTY JUVENILE COURT
SERVICE REQUEST

- WRITTEN REQUEST FOR SERVICE** (Civil)
 PRAECIPE (Delinquent/Criminal)

IN RE: _____

CASE NUMBER: _____

Case Type: _____

Reason for Hearing: _____

Charges: _____

A hearing is scheduled on the _____ day of _____, 20____, at _____ : _____ AM / PM.

Judge / Magistrate: _____ Case Manager: _____

Type of Form: (Summons) (Subpoena) or (Notice) *(List one of these selections for each address listed below.)*
(Parties) (Witnesses) (Attorney/Parties)

Type of Service: (Regular Mail) (Certified Mail) (Personal Service)
(Usual Service)
(Residential Service) or (Publication) *(List one of these selections for each address listed below.)*

<u>Type of Form</u>	<u>Type of Service</u>	<u>Name and Complete Address and Zip Code</u>
1. _____	_____	_____ _____ _____ _____
2. _____	_____	_____ _____ _____ _____
3. _____	_____	_____ _____ _____ _____

If I have requested certified mail service, and the service is returned by the U.S. Post Office as Refused or Unclaimed, I request ordinary mail service in accordance with Civ.R. 4.6(C), (D), and (E).

Requested by: _____ Phone: (____) _____

Address: _____