

**POULSBO MUNICIPAL COURT**  
**KITSAP COUNTY, WASHINGTON**  
200 NE Moe St, Poulsbo, WA 98370

Phone: 360.779.9846

Fax: 360.779.1584

**APPEAL INSTRUCTIONS**

**IMPORTANT NOTICE:** Please do not ask the clerks for advice. They are not to give legal advice and can only provide appellant with the forms to perfect an appeal. Further questions should be asked of an attorney. You may wish to consult your local library, Kitsap County Law Library, [www.courts.wa.gov](http://www.courts.wa.gov) on line or other legal references for advice on appeal procedures.

**TIME FRAMES FOR APPEALS**

- If you wish to appeal a decision of Poulsbo Municipal Court, you must file a Notice of Appeal with the clerk of **Poulsbo Municipal Court** within 30 days of the date of entry of the decision you wish to appeal. You must serve a copy of the Notice of Appeal on all other parties and provide proof of service with **Poulsbo Municipal Court**. **All appeal fees listed below must be paid at this time.**
- Within 14 days of filing of the Notice of Appeal, you must file a Designation of Record with the clerk of **Poulsbo Municipal Court** and serve a copy on all other parties. Proof of service must be provided to the **Poulsbo Municipal Court**.
- The Court will then prepare the record within 14 days after the Designation of Record is filed and notify all parties that the record has been transmitted to the Kitsap County Superior Court.
- You must transcribe the recording of the proceedings and file the certified transcript with **Kitsap County Superior Court**.
- After the case has been transmitted, refer to **Kitsap County Superior Court** for further procedures.

**REQUIRED FEES**

**Filing Fee:** The Superior Court appeal filing fee is \$230.00 payable at **Poulsbo Municipal Court** on all infraction and civil appeals. (Make check out to Kitsap County Clerk's Office.) A filing fee is not required on criminal appeals where jail time can be imposed. If you cannot afford the \$230.00 fee you must petition **Kitsap County Superior Court** to waive the filing fee. Paperwork is available through Kitsap County Superior Court Clerk's Office. The appeal cannot be perfected, nor forwarded to Superior Court until the fee is paid, or an Order Waiving Fees is filed.

**File Prep Fee:** The cost for preparation of the record is \$40.00 per case on all appeals (criminal/infraction/civil). (Make check out to Poulsbo Municipal Court or PMC.) This includes one copy of the court recording for your case. If you require additional copies of the recording for personal use or transcription purposes, additional copies will be provided at the cost of \$10.00 per CD. If you believe you are unable to pay the cost for preparation, you may complete and file a Motion/Affidavit and Order to Proceed Informa Pauperis with **Poulsbo Municipal Court**. The judge will decide if the fee will be waived.

**STAY OF ENFORCEMENT OF JUDGMENT (RALJ 4.3)**

Once a final decision has been made in the Municipal Court, the judgment will be carried out unless a stay of judgment is entered. In a criminal case, you must request a stay of judgment from the Court that entered the decision. The Municipal Court may set bail or bond at a reasonable sum, or the Court may determine that enforcement of the sentence should be stayed without cash bail or bond. In a civil case, you must file a motion in Superior Court to stay the enforcement of the Court judgment.

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You may wish to consult an attorney regarding an appeal. If you cannot afford an attorney and the offense is one which carries the possibility of a jail sentence you may wish to contact the Poulsbo Municipal Court. The Judge will determine whether you are entitled to legal representation at public expense.

CITY OF POULSBO  
 vs  
 \_\_\_\_\_  
 Plaintiff,  
 Defendant.

Case No:  
**DESIGNATION OF RECORD TO BE TRANSMITTED TO SUPERIOR COURT**

TO: Clerk of Poulsbo Municipal

Please prepare the following documents, exhibits and tapes for transmittal to Kitsap County Superior Court:

<u>Date:</u>	<u>Document Name or Tape Number</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COPIES OF THIS NOTICE HAVE BEEN SENT TO ALL PARTIES.

Dated: \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
 Appellant Signature  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Attorney of Appellant  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Name & Address of Appellant

Name, Address, Bar# -Attorney for Appellant