



APPELLANT'S GUIDE FOR SELF-REPRESENTED LITIGANTS

FAMILY APPEALS

ARIZONA COURT OF APPEALS

Division One
1501 W. Washington, Suite 203
Phoenix, AZ 85007
602-452-6700
azcourts.gov/coa1

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FAMILY APPEALS

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WELCOME

This guide explains the appeal process at the Arizona Court of Appeals, Division One.

READ THIS GUIDE CAREFULLY

This guide is not legal advice.

It provides information to help you handle your case without a lawyer. It does not replace Arizona laws or court rules, which are linked here:

[Arizona Laws](#)

[Arizona Court Rules](#)

This guide gives only general information. It may not apply in all cases.

Every case is unique, and your situation might be different.

ADDITIONAL RESOURCES

If this guide does not answer your questions, you can ask the Court of Appeals Clerk's Office for help. But remember that court employees cannot give legal advice or tell you what you should do. If you need that kind of help, think about contacting one of the [appellate legal resources](#) listed on the court's website.

This information is also available in video form. Find the video guide here:



www.youtube.com/@ArizonaCOA

COMMUNICATING WITH THE COURT



PHONE

602-452-6700



EMAIL

inform@appeals.az.gov



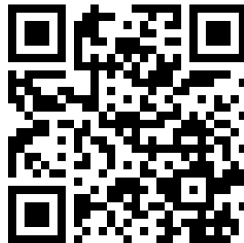
MAIL OR VISIT

1501 W. Washington, Suite 203
Phoenix, AZ 85007

The court is open Monday-Friday, 8am to 5pm. Closed on State holidays.
If you have an appellate case number, include it with your documents or message.

You cannot file documents by email.

You can find more information about the court online:



www.azcourts.gov/coa1

FAQ



HOW TO FILE DOCUMENTS

After the Court of Appeals opens your case and gives you an appellate case number, you can file documents with the court by:

- (1) Mailing them to the court,
- (2) Taking them to the court (8am-5pm, Monday to Friday), or
- (3) E-filing at any time through [TurboCourt](#) (the court's online e-filing service).

You cannot file any documents by email.



CERTIFICATES OF SERVICE

When you file a document at the Court of Appeals, include a "Certificate of Service" to tell the court when and how you gave the document to the other party. Use the [Certificate of Service form](#).

You must file a Certificate of Service with your document, not later.



HOW TO GET DOCUMENTS FROM THE COURT

The court will send you documents about your case by U.S. mail unless you ask it to email you instead. To ask the court to email you documents, use the [Consent to Electronic Distribution form](#).

Make sure to add coanotifications@appeals.az.gov to your safe senders list so emails from the court do not go to your spam folder.

Immediately tell the court in writing if your email or mailing address changes. Use the [Notice of Change of Contact Information form](#). Otherwise, you might not get notices or decisions, and you could miss important deadlines. **If you miss a deadline or do not respond to something, the court may dismiss your case.**

FAQ



CASE INFORMATION AND STATUS

You can check the status of your case by reviewing the Court of Appeals [docket](#).

A docket is a schedule that shows important events and deadlines for your case.

The court updates the docket each night after business hours. It may take 1-2 business days for filed documents to be shown on the docket.



HOW TO CALCULATE DUE DATES

There are [special rules](#) for calculating due dates. Generally,

- If you have 10 days or less to do something, do not count weekends and State holidays.
- If you have 11 days or more, include weekends and State holidays.

If a document is served by mail (not by email, TurboCourt, or hand-delivery), add 5 days of mail time to the last day. Mail time is **never** added to court orders.

Do not calculate a due date if an order says you must do something by a specific date (i.e., January 2, 2025). Follow the date in the order.

The court will list upcoming due dates on the [docket](#) for your case, but it is up to you to make sure you have the right date and file documents on time.

Find more information about how to calculate a due date [here](#).

HOW TO START AN APPEAL FROM THE SUPERIOR COURT

THINK THERE WAS A LEGAL MISTAKE IN YOUR CASE?



You can appeal it by filing a notice of appeal **at the superior court** within 30 days after the ruling.

If you miss this deadline, the Court of Appeals will dismiss your appeal.



You cannot appeal every superior court ruling.

Generally, the decision must have ended the case, or it must have specific language allowing an immediate appeal. See [A.R.S. §12-2101](#) for more information about what rulings are appealable.

If you mistakenly appeal a decision that cannot be appealed, the Court of Appeals may dismiss your appeal or send you back to the superior court to ask for an order that you can appeal.

HOW TO START AN APPEAL FROM THE SUPERIOR COURT

The path to the Court of Appeals.

01

FILE A NOTICE OF APPEAL

File your notice of appeal in the **superior court** within 30 days of the ruling you want to appeal. The superior court charges a fee to file this document.

02

ORDER TRANSCRIPTS

If your appeal is about things that were said in court hearings, you may want to get a typed copy of everything that was said (called a transcript). See [How to Order Transcripts](#).

03

THE RECORD IS MADE

After the superior court gets your notice of appeal, it makes a list of all the documents filed in your case. The documents are called the “record” and the list is called the Index of Record.

04

THE RECORD IS SENT

The superior court sends the record and the Index of Record to the Court of Appeals. It will also send you a copy of the Index of Record. This can take up to 30 days after you file the notice of appeal.

05

THE APPEAL IS OPENED

The Court of Appeals sends you a notice when it gets the record, opens your appeal, and assigns an appellate case number. You can see the record documents in person at the court (there is a fee for copies) or in [TurboCourt](#) if you choose to e-file documents.

06

PAY THE FILING FEE

You must pay a \$330 filing fee to the Court of Appeals or it will dismiss your case. To ask the court to waive or defer (delay) the fee, use the [Application for Deferral or Waiver of Court Fees form](#).

THINGS TO KNOW ABOUT FAMILY APPEALS



WHAT IS A FAMILY APPEAL?

Family appeals usually start at the superior court in divorce, custody (legal decision-making, parenting time, and child support), and paternity cases.

Family appeals have an appellate case number that starts with “CV” and ends with “FC.”

TYPE OF APPEALS

Commonly appealed rulings include:

- Divorce decrees
- Paternity judgments
- Orders modifying or refusing to modify parenting time, child support, or spousal maintenance

WHAT CAN YOU APPEAL?

Only some rulings can be appealed. Typically, you can only appeal if the decision ends the case or if there is special language that allows for an appeal. This language will refer to Arizona Rule of Family Law Procedure 78(b) or 78(c).

See A.R.S. §12-2101 for more information about what rulings are appealable.

IMPORTANT RULES FOR YOUR APPEAL

The Arizona Rules of Civil Appellate Procedure are used in most family appeals. Read these rules to know what you need to do and when you need to do it.

WHO ARE THE APPELLANT AND APPELLEE?

The person who started the appeal is the “appellant.” The other party is the “appellee.” This is true no matter what your role was in the superior court.

HOW LONG DOES AN APPEAL TAKE?

The appeal process can take a year or longer.

THINGS TO KNOW ABOUT FAMILY APPEALS



FILING A CASE MANAGEMENT STATEMENT

You must file a Case Management Statement in the Court of Appeals that describes your appeal within 20 days after the court sends you a scheduling notice. Use the [Case Management Statement form](#).

If you do not file this form or ask the court for more time to do so by the deadline, the court may dismiss your appeal.

THE RECORD ON APPEAL

After you file your notice of appeal, the superior court will automatically send the case record to the Court of Appeals. This can take up to 30 days.

The case record will not include audio recordings or transcripts of what was said in court. If your appeal is about things that were said during superior court hearings, you may need to order a transcript. See [How To Order Transcripts](#).

HOW DOES AN APPEAL WORK?

If you think there was a legal mistake in your case, you can ask the Court of Appeals to review it to make sure it was done right.

Some common reasons people appeal are that they think the judge mistakenly let in or kept out evidence, did not follow the right court rules, or used the law the wrong way.

If you think one of these mistakes, or another mistake, happened in your case, be sure to point that out in your opening brief and tell the court why it mattered. See [How To Write and File Briefs](#).

An appeal is not a do-over of your case. You will not have a new trial at the Court of Appeals, and you cannot bring in new evidence or witnesses.

The court will consider the things that you point out as mistakes in your opening brief. It will not re-examine your entire case looking for mistakes or change the result just because you think it was wrong or unfair.

Even if there was a mistake, it might not change the outcome in your case.

STAGES OF A FAMILY APPEAL

01

SET-UP

The court opens the appeal, gets the record, and assigns an appellate case number.

02

BRIEFING

You write why you think the decision was right or wrong, the other side responds, and you can reply.

03

AT ISSUE

The case is ready to be assigned to the judges.

04

CONFERENCE / ORAL ARGUMENT

The judges discuss the case.

05

UNDER ADVISEMENT

The judges write their decision.

06

DECISION

The court sends you a written decision.

STAGES OF A FAMILY APPEAL

01 SET-UP

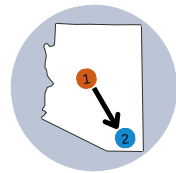


Filing a Notice of Appeal in the superior court starts a family appeal.

After set-up, some cases are sent to Division Two of the Arizona Court of Appeals (located in Tucson).

These cases are picked based on a set schedule. The court does not look at each case and decide if it wants to keep it or not.

If your case is moved, the court will let you know and tell you how to contact Division Two.



RECORD



Before the Court of Appeals can look at an appeal, it needs to get all the documents from the case in the superior court. This is called the record.

The record has all the documents and orders from the superior court, but it does not include what was said in court hearings. If you want transcripts of what was said, you need to order them separately (see below).

After you file the notice of appeal, the superior court will make a list of all the documents from your case. This is called the Index of Record. It will send both the list and the documents to the Court of Appeals. This might take up to 30 days.

The Court of Appeals will open your appeal and send you a notice when it gets the Index of Record and the case documents. It will give you an appellate case number that you must use when you file documents in the Court of Appeals or contact the court.

STAGES OF A FAMILY APPEAL

01 SET-UP

FILING FEE

You must pay a **\$330 filing fee** within 10 days after the Court of Appeals sets up your case.

How to pay the fee:

- **By mail:** send a personal check or a certified money order made out to the Court of Appeals.
- **In person at the Court of Appeals Clerk's Office:** pay with a debit or credit card (service fee applies), cash (exact change required), personal check, cashier's check, or certified money order made out to the Court of Appeals.
- **Online through TurboCourt:** debit or credit card (service fee applies).



The court cannot refund your fee or apply it to another appeal no matter how your case turns out.

If you cannot afford the filing fee, you can ask the Court of Appeals to waive it, defer (delay) your payment until the end of the case, or let you pay over time. Use the [Application for Deferral or Waiver of Court Fees form](#).

- If the superior court waived or deferred your fees in the past year, the Court of Appeals will automatically do the same and notify you that no fee is due.

If you do not pay the fee on time or get a waiver or deferral, the court will dismiss your appeal.

STAGES OF A FAMILY APPEAL

01 SET-UP

TRANSCRIPTS



If your appeal is about things that were said during hearings in your case, you may want to get a typed copy of everything that was said (called a transcript) from a certified court reporter or an authorized transcriber.

The Court of Appeals will not know what was said in your case unless you give it a transcript.

When you order the transcripts, the court reporter or transcriber will tell you the cost. It could be anywhere from a few hundred dollars to several thousand dollars, depending on how long the hearing lasted.



If your appeal depends on what was said at a hearing, but you do not give the Court of Appeals a transcript, it may assume that what was said supports the superior court's ruling.

The Court of Appeals prefers a written transcript and only accepts a recording of a hearing in certain situations. You can ask the court to let you file a recording instead of a transcript if the hearing was less than 30 minutes. Use the [General Motion form](#).

If the court lets you file a recording, you must send a copy to the other party.

For more information, see [How to Order Transcripts](#).

STAGES OF A FAMILY APPEAL

02 BRIEFING

Briefs are written arguments where you and the other party explain what happened and why you think the decision in your case was right or wrong. Most cases are decided just based on the briefs. See [How to Write and File Briefs](#).

You and the other party must give copies of your briefs to each other when you file them. This is called “serving” the brief. See [Things to Know About Service](#) to learn more.

BRIEFING TIMELINE

Opening Brief

When the Court of Appeals opens your case, it tells you the due date for your opening brief.

Answering Brief

The other party can file an answering brief to respond to your arguments. The deadline is 40 days after you serve the opening brief.

Reply Brief

You are not required to file a reply brief. If you decide to file one, the deadline is 20 days after the answering brief was served.

EXTENSIONS OF TIME

You can ask for more time to file a brief using the [Motion for Extension of Time to File a Brief form](#). **If you do not file your opening brief or ask for an extension by the due date, the court may dismiss your case.**

ORAL ARGUMENT



To ask the court to let you and the other party talk to the judges in person about what is in the briefs (called oral argument), you must file a [Request for Oral Argument form](#). The deadline to file the form is **10 days after the reply brief is due or is filed, whichever comes first.**

STAGES OF A FAMILY APPEAL

03 AT ISSUE

After the reply brief is filed (or the deadline passes), the case is then “At Issue.” This means it is ready to be assigned to a panel of three judges.

Your case may be At Issue for several months before it assigned to judges.

04 CONFERENCE / ORAL ARGUMENT

After your case is assigned to a panel of judges, the court will set a conference date. That is the date the judges will meet to discuss your case. You cannot attend the conference. You can check the [docket](#) to find out which judges will decide your case.

The judges typically decide appeals by reading the briefs and looking at the case record, without setting oral argument.

If you or the other party requested oral argument and the judges decide it would be helpful in your case, the court will tell you when and where to go for the argument. Arguments are usually in person at the Court of Appeals building in Phoenix.

STAGES OF A FAMILY APPEAL

05 UNDER ADVISEMENT

A case is “Under Advisement” after the judges discuss it at conference or hear oral argument.

During this time, the judges are researching and writing their decision.

It may take several months for the judges to decide a case once it is Under Advisement.

06 DECISION

You will get a written decision from the court when the judges decide your case.

The court typically releases decisions on Tuesdays and Thursdays. It will send you the decision on the day it is released, either by mail or email (if you agreed to email delivery).

All decisions are public and will be posted on the court’s [website](#) on the day they are released.

THINGS TO KNOW ABOUT FILING FEES



HOW MUCH IS THE FILING FEE?

The fee is \$330 and must be paid within 10 days after the Court of Appeals opens your case. You can use the [Application for Deferral or Waiver of Court Fees form](#) to ask the court to waive or defer (delay) your payment.

If you do not pay the fee on time or get a waiver/deferral, the court will dismiss your appeal.



HOW TO PAY YOUR FILING FEE

Mail to Court of Appeals Clerk’s Office	<ul style="list-style-type: none"> Personal check, cashier’s check, or certified money order payable to the Court of Appeals
In Person at Court of Appeals Clerk’s Office	<ul style="list-style-type: none"> Cash (exact change required) Debit or credit card (service fee applies) Personal check, cashier’s check, or certified money order payable to the Court of Appeals
Online through <u>TurboCourt</u>	<ul style="list-style-type: none"> Debit or credit card (service fee applies)



AFTER THE CASE ENDS

If the Court of Appeals delays your fee payment until the end of the case, it will send you a bill when the case is over. You can either pay then or ask the court to waive the fee or allow you to pay over time. Use the [Supplemental Application for Deferral or Waiver of Court Fees form](#).

COURT PROGRAMS

SETTLEMENT CONFERENCE PROGRAM

The court offers a voluntary [Settlement Conference Program](#) where appellate judges help parties try to resolve their case early in an appeal. Participating in the program might help you settle your disagreement faster and could lead to a better outcome.

You can ask the court to consider your case for the program by sending an email to SettlementProgram@appeals.az.gov.

Be sure to include your appellate case name and number.

The court does not grant all requests to be included in the program. If both parties do not agree to participate, the court will not place a case in the program.

PRO BONO PROGRAM

The court may place your case in its [Pro Bono Program](#). The goal of the program is to provide a volunteer (no cost) attorney to self-represented parties in certain cases.

You still must pay court filing fees (unless the court waived or deferred them), [TurboCourt](#) fees, and the cost for any transcript you want to order.

You may ask the court to put your case in the program by filing the [Request to Participate in Pro Bono Program form](#). The court does not grant all requests.

You can choose not to participate in the program and continue to represent yourself.

HOW TO ORDER TRANSCRIPTS

WHAT IS A TRANSCRIPT?

- A transcript is a typed script of everything that was said in a hearing.
- If your appeal is about things that were said in hearings – especially if the court took evidence and heard testimony – you may need to get a transcript.
- The Court of Appeals does not automatically get transcripts. A certified court reporter or an authorized transcriber must prepare the transcript.

WHY DOES THE COURT NEED A TRANSCRIPT?

- It shows the Court of Appeals what everyone said during the hearing. The court may need this to see if there were any mistakes.
- **If your appeal depends on what was said at a hearing, but you do not give the Court of Appeals a transcript, it may assume that what was said supports the superior court's ruling.**

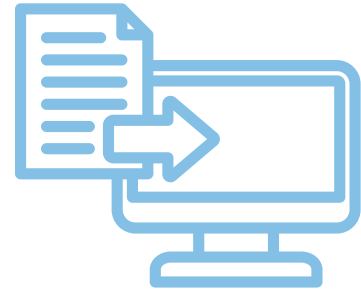
HOW TO ORDER TRANSCRIPTS

As soon as possible after you file your notice of appeal, contact the superior court to find out how to order the transcript for your case. How you order the transcript will depend on how the hearing was recorded.

RECORDED BY COURT REPORTER	RECORDED ELECTRONICALLY
<p>If a court reporter attended your hearing, the court reporter must prepare the official transcript. Their name will appear in the hearing order.</p>	<p>If your hearing was recorded electronically, contact the superior court to order the recording. Be sure to have your superior court case information available.</p>
<p>Contact the superior court to order the transcript. Be sure to have your superior court case information available.</p>	<p>After you get the electronic recording, you need to hire an authorized transcriber make an official written transcript. The superior court has a list of authorized transcribers.</p>

It may take up to 30 days for the transcript to be ready. If you need it sooner, you might have to pay extra for a faster copy.

HOW TO ORDER TRANSCRIPTS



HOW MUCH WILL A TRANSCRIPT COST?

Prices range from a few hundred to a few thousand dollars depending on the hearing's length.

If the superior court waived or deferred your fees, you can ask it to do the same for the transcript costs using the [Application for Deferral or Waiver of Court Fees or Costs and Consent to Entry of Judgment form](#).

WHAT TO DO WHEN THE TRANSCRIPT IS READY?

File the original with the Court of Appeals and give a copy to the other party. See [Things to Know About Service](#).

Make sure to keep a copy so you can use it when you write your appellate brief(s).

If your transcript is ready before the Court of Appeals opens your appeal, wait to file it until the court notifies you that it has opened your case and given you an appellate case number.

IS YOUR HEARING SHORT (LESS THAN 30 MINUTES)?

If so, you can ask the Court of Appeals to let you file the recording instead of a transcript. Use the [General Motion form](#).

The court prefers a written transcript and does not usually take a recording. If it does say yes, you must file the recording and send a copy to the other party.

THINGS TO KNOW ABOUT SERVICE



You must give a copy of every document you file in the Court of Appeals to the other party’s attorney (or the party if no attorney).

This is called “service” and there are rules for how to do it.

HOW YOU CAN SERVE DOCUMENTS



By U.S. Mail to the other party’s address.



IF AND ONLY IF the other party has agreed in writing that you can serve them by email.



Hand it to the other party **OR** Drop it off at their office (with someone or where it is easy to find), or at their home with a responsible person who lives there.



If the other party has an attorney **OR** If the other party has agreed in writing that you can serve them through TurboCourt.

THINGS TO KNOW ABOUT SERVICE



Every time you file a document, you must tell the court how and when you served it on the other party.

Use the Certificate of Service form. File it the same way you file your document.

If the other party has an attorney, serve your document on the attorney, not the party.

Explain how you served the document.

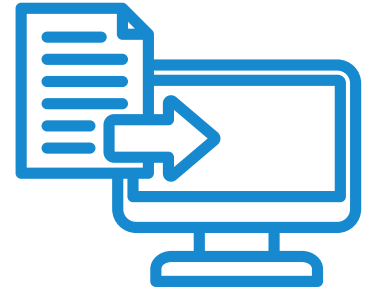
You do not need to show proof like a return mail receipt. Your signature on the certificate is a promise to the court that you served the document exactly as you said.

The service rules make sure both sides see everything filed with the court and can respond if they want.

If you do not file a Certificate of Service, the court could:

- Order you to file one,
 - Refuse to consider your document (strike it), or
 - Dismiss your case.
-

THINGS TO KNOW ABOUT TURBOCOURT



IF YOU CHOOSE TO E-FILE, YOU MUST USE TURBOCOURT

TurboCourt is an online service that allows you to electronically file (e-file) Word or PDF documents with the Arizona Court of Appeals, Division One.

Attorneys have to e-file their documents. Because you are representing yourself, you also have the option to bring or mail documents to the court for filing. But if you choose to e-file, you must use TurboCourt.

FEES

- Filing fee: \$6.50 filing fee for each document you e-file
- Service fee: \$3.80 fee if you use TurboCourt to serve the other party
- Credit card processing fee: 3.0% of the total transaction

NOTE: These fees do not apply in criminal or post-conviction cases.

REQUIREMENTS

- **Registration:** you must register and create an account in TurboCourt
- **Email address:** you need an email address for communication
- **Document format:** an electronic (Word or PDF) copy of your document
- **Payment:** you need a debit or credit card to pay the fees

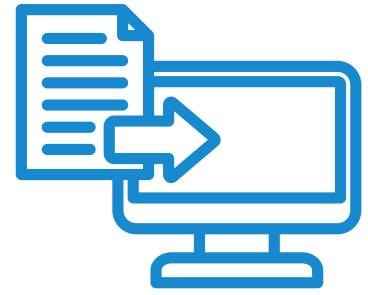


If there is a filing fee due in your case and you pay it in TurboCourt, you need to file a document with the payment. Use the Notice of Filing Fee Payment form.




If no filing fee is due in your case or you have already paid, select “no” when TurboCourt asks if it is your first filing in a case, even if you have not filed any other documents yet.

THINGS TO KNOW ABOUT TURBOCOURT



TURBOCOURT FEATURES

- You can e-file documents with the court 24/7. That means you can file your document until 11:59 p.m. (Arizona time) on the day it is due.
- When the court gets your document, the status will update to "Delivered." After the court reviews and accepts it, the status will change to "Accepted."
- Once you have access to your case in TurboCourt, you can see all the documents that have been e-filed by you and the other party. This is a good way to keep track of the filings in your appeal.
- You can view the record for your case in TurboCourt, if it is not sealed or restricted.
- TurboCourt lets you serve the other party with your document when you e-file. If you use this option, you can see when the other party has read your document.

 **WARNING:** Be sure the other party has agreed in writing to e-service if they do not have an attorney. If they have not, you must serve by mail or hand delivery.



When you use TurboCourt, file documents using your appellate case number.



You cannot e-file documents that are sealed or that you are asking the court to seal. You must bring or mail those documents to the court.

THINGS TO KNOW ABOUT DIGITAL EVIDENCE



WHAT IS DIGITAL EVIDENCE?

Digital evidence is any item that was submitted through an online portal to be used in a superior court case. It can be a document, photo, audio recording, video, etc.



WHAT IS CASE CENTER?

Case Center (formerly CaseLines) is the online portal used by Arizona courts for digital evidence.

The superior court uses Case Center in some cases to collect, organize, and keep digital evidence. When a case with digital evidence is appealed, the superior court lets the Court of Appeals view the evidence in Case Center.



IF YOU USED DIGITAL EVIDENCE IN SUPERIOR COURT

If you represented yourself in the superior court and had access to Case Center, you can use the same log-in information on appeal to view the same evidence.

If you had an attorney in the superior court, but are representing yourself on appeal, the Court of Appeals will give you access to Case Center.

- To request access, call or email the Court of Appeals.
- Once the court confirms that you are a party to the case and invites you to view it in Case Center, you will need to create an account. To do this, you will need an email address.

THINGS TO KNOW ABOUT DIGITAL EVIDENCE



USING CASE CENTER ON APPEAL

If your case in the superior court had digital evidence in Case Center, the Court of Appeals can see that evidence. No new evidence can be added to the Case Center portal during the appeal.

You must log in to Case Center to view the digital evidence.

- If you view your appeal record in the Court of Appeals' viewing room or through [TurboCourt](#), it will have a link to the digital evidence in Case Center.
- Otherwise, log in to Case Center and search for your superior court case number to view the digital evidence.

If you are not sure if your case has digital evidence, check the [docket](#). You will see "Digital Exhibits" listed as part of the record if there is digital evidence.

You cannot access sealed or restricted exhibits in Case Center. Contact the Court of Appeals if you need access to these exhibits.

[Help for Using Case Center](#)

HOW TO WRITE AND FILE MOTIONS

HOW TO FILE A MOTION



File the original document with the court. If you file in paper, file the original plus one copy.

Attach a signed Certificate of Service to the original and each copy telling the court when and how you are giving your motion to the other party (mail, email, [TurboCourt](#), or hand delivery). Use the [Certificate of Service form](#).

Give a copy of your motion to the other party. If they have an attorney, give the copy to the attorney instead. See [Things to Know About Service](#).

Keep a copy of the motion for yourself.

THERE ARE SPECIAL RULES FOR FIGURING OUT DUE DATES

The court will list upcoming due dates on the [docket](#) for your case, but it is up to you to make sure you have the right date and file documents on time.

See [How to Calculate a Due Date in the Arizona Court of Appeals](#) for more information.

HOW TO WRITE AND FILE MOTIONS

WHAT HAPPENS AFTER YOU FILE A MOTION



The court might rule on your motion right away. If not, the other party may respond to your motion within 10 days. If the other party responds, you may file a reply within 5 days.



If you file a reply, explain to the court why you think the response is wrong. Do not just repeat what you already said in your motion or bring up totally new points. Focus on the other party's response.



If you need more time to file your reply, file a motion for extension of time before the due date. Use the [General Motion form](#).



After you and the other party file all papers related to the motion, the court will make a decision and send you a written order ruling on the motion.

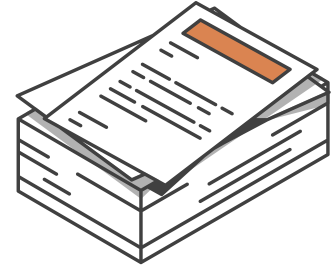
RESPONDING TO A MOTION

If the other party files a motion, you may respond with your arguments against it, but you do not have to. Use the [Motion Response form](#).

The deadline for responding is usually 10 days after you are served with the motion. If you need more time to file your response, file a motion for extension of time before the due date. Use the [General Motion form](#).



HOW TO WRITE AND FILE BRIEFS



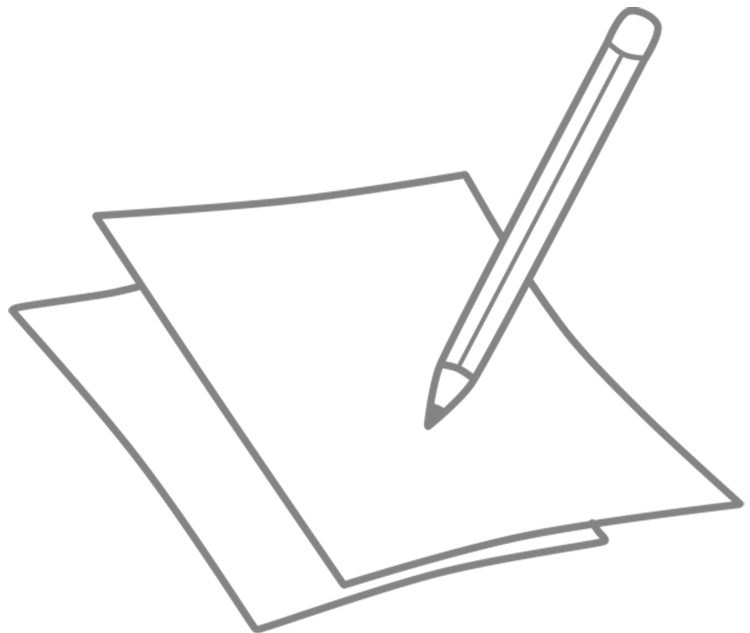
Briefs are written arguments where you and the other party tell the Court of Appeals what happened and why you think the decision in your case was right or wrong.

The party asking the Court of Appeals to review the decision files the opening brief, the other party files an answering brief, and then the first party can file a reply brief.

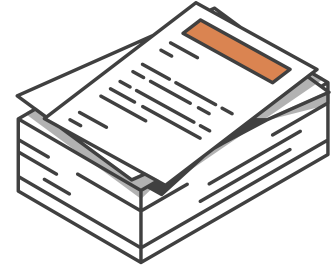
Briefs are very important because the Court of Appeals decides your case based on what you write in the briefs. Even if the court allows you to argue your case in person, you will only be able to talk about what is in your briefs.

HOW TO WRITE A BRIEF

- Be sure to follow the rules about how a brief must look and what it should include, like a caption on the first page. You can use this checklist to make sure you have all the necessary information.
- Opening and answering briefs cannot be longer than 14,000 words and a reply brief cannot be longer than 7,000 words. It is okay to use fewer words than allowed.



HOW TO WRITE AND FILE BRIEFS



HOW TO FILE A BRIEF

- You can file a brief by mailing or taking it to the court, or by e-filing it through [TurboCourt](#), by the date it is due.
 - Documents can only be filed in person until 5 p.m., when the court building closes. You may file in [TurboCourt](#) until 11:59 p.m. (Arizona time) on the date your document is due.
- You cannot file any documents by email.
- If you file by mail or hand delivery, you must file an original and one copy of the brief with the court and send two copies of the brief to the other party.
- You must include a signed “Certificate of Compliance.” This is where you confirm that the brief does not exceed the word or page limit. Use the [Certificate of Compliance form](#).
- You must also include a signed “Certificate of Service” that tells the court when and how you gave your brief to the other party (mail, email, [TurboCourt](#), or hand delivery). Use the [Certificate of Service form](#).

THERE ARE SPECIAL RULES FOR FIGURING OUT DUE DATES

The court will list upcoming due dates on the [docket](#) for your case, but it is up to you to make sure you have the right date and file documents on time.

See [How to Calculate a Due Date in the Arizona Court of Appeals](#) for more information.

ATTORNEYS' FEES AND COSTS



ATTORNEYS' FEES

If you are representing yourself in an appeal, you cannot get a fee award for your work on the appeal.

If the other party has an attorney and wins the appeal, they can ask the Court of Appeals to make you pay their legal fees. They must do that in their answering brief and state which law, rule, contract, court case, or other source supports their request.

If you do not agree with the request, you have to say why you disagree in your reply brief.

The court will say in the case decision whether it grants or denies the request for attorneys' fees. If it grants the request, it then has to decide how much money to award. To do that, it will review these documents and make an award without having a hearing.

Document	Filing Deadline
The party with an attorney files a Statement of Attorneys' Fees listing all fees they want you to pay	10 days after the decision granting the fee request is filed
You file a Response explaining why you should not have to pay some or all of the fees	10 days after the Statement of Attorneys' Fees is served
The other party can Reply in support of their Statement of Attorneys' Fees	5 days after the Response is served

ATTORNEYS' FEES AND COSTS



COSTS

The winning party in an appeal can ask the court to make the other side pay their costs. Costs are different than attorneys' fees. Examples of costs that can be reimbursed are:

- The filing fee,
- The cost of making copies of the briefs, and
- Transcript costs.

The court's case decision usually says which party may ask for a cost award by filing a **Statement of Costs**. Use the [Statement of Costs form](#). The court will then decide how much money to award without having a hearing.

Document	Filing Deadline
Statement of Costs	10 days after the decision is filed
Response	10 days after the Statement of Costs is served
Reply	5 days after the Response is served



PAYMENT

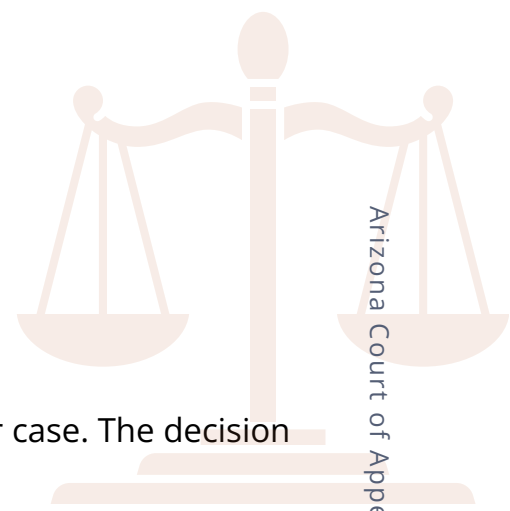
If the court orders you to pay attorneys' fees and/or costs to the other party, they can get a judgment against you to collect the money.



DEADLINES

There are [special rules](#) for figuring out due dates. The court will list the upcoming due dates on the [docket](#) for your case, but it is up to you to make sure you have the right date.

WHEN THE COURT MAKES A DECISION



The court will send you a written decision when it decides your case. The decision may be an order, a memorandum decision, or an opinion.

An **order** is usually a short ruling without detailed reasoning. It is publicly available, but not posted on the court's website.

A **memorandum decision** explains how your case was decided but is not meant to be used as a guide for other cases. An **opinion** includes a deeper legal analysis and can be used as a guide for future cases. Both types of decisions are posted on the court's website.

POSSIBLE OUTCOMES

The Court of Appeals decision could do one or more of these things.

AFFIRM

The Court of Appeals decides that the ruling being appealed was correct.

REVERSE

The Court of Appeals decides that the ruling being appealed was incorrect and changes it.

REMAND

The Court of Appeals sends the case back for further action (a new trial, new hearing, or other actions as directed).

VACATE

The Court of Appeals cancels the decision being appealed and may order further action.

WHEN THE COURT MAKES A DECISION



FURTHER REVIEW

If you think the Court of Appeals' decision in your case is wrong and want to take further action, you have two options:

OPTION 1

File a motion for reconsideration in the Court of Appeals

- Use the [General Motion form](#). It must be filed within 15 days after the decision.
- Tell the Court of Appeals why you think the decision is wrong. Restating the arguments in your brief(s) or saying the court got it wrong without giving reasons will not convince the court to change its decision.
- The court may deny the motion without a response, but it will not grant the motion without first asking the other side to file a response. The court will tell you if you can file a reply to the response.

OPTION 2

File a petition for review in the Arizona Supreme Court

- The deadline is 30 days after the Court of Appeals' decision, or 15 days after the Court of Appeals decides a motion for reconsideration, whichever is later.
 - If you need more time, you must file a motion for extension of time **in the Arizona Supreme Court**.
- Read [Arizona Rule of Civil Appellate Procedure 23](#) before you begin writing your petition for review. It must include a list of the issues that you want the Arizona Supreme Court to review, the facts that are important to those issues, and the reasons the court should grant the petition.
- The Arizona Supreme Court does not have to hear your case and it only takes a small number of cases each year.

WHEN THE COURT MAKES A DECISION



MANDATES

The mandate is the final order of the appellate court. The Court of Appeals issues the mandate after the time to file a petition for review at the Arizona Supreme Court ends, if no petition is filed.

When a petition for review is filed:

- If the Arizona Supreme Court **denies the petition**, the Court of Appeals will wait 15 days after the denial to issue the mandate.
- If the Arizona Supreme Court **grants the petition**, it will issue the mandate after it finishes the case.

Until the Court of Appeals or Arizona Supreme Court issues the mandate, no other court or agency can take any action that conflicts with the decision being reviewed or interferes with the review process.

If the court's decision in your case was an order, the court will issue a termination letter instead of a mandate.

IMPORTANT RULES FOR ALL CASES



MEET YOUR DEADLINES

Read everything you get from the court. The court will send you important instructions and deadlines for your case. **If you miss a deadline or do not respond to something, the court may dismiss your case.**

Make sure you know what is happening in your case by checking the docket. A docket is a schedule that shows events and deadlines for your case.

There are special rules for calculating due dates. The court will list upcoming deadlines on the docket for your case, but it is up to you to make sure you have the right date and file documents on time. See How to Calculate a Due Date in the Arizona Court of Appeals for more information.



FILL OUT YOUR FORMS CORRECTLY

Everything you send to the court must be clear and easy to read.

Use white letter-size (8.5 x 11 inch) paper. If possible, type your documents. If you write by hand, write clearly with blue or black ink.

Number your pages and put them in order. Use only one paper clip to keep your documents together; do not staple them.



KEEP COPIES OF YOUR DOCUMENTS

Make copies of all documents you file with the court and keep all documents sent to you.

IMPORTANT RULES FOR ALL CASES



DELIVER DOCUMENTS THE RIGHT WAY

Give a full copy of all documents you file with the court to the other party. If the other party has an attorney, give the documents to the attorney instead.

Use the correct address. Before you put anything in the mail, make sure the address is correct.

Use email or electronic service only if the other party has an attorney or has agreed in writing that you can serve them electronically.

Attach a signed Certificate of Service to every document you file with the court. Be sure to say how you gave your document to the other party (mail, email, TurboCourt, or hand delivery). Use the Certificate of Service form.

To find out more about delivering documents, see [Things to Know About Service](#).



TELL THE COURT IF YOUR INFO CHANGES

If your email or mailing address changes, tell the court right away. Use the Notice of Change of Contact Information form.

Otherwise, you might miss notices, decisions, or court deadlines. **If you miss a deadline or do not respond to something, the court may dismiss your case.**

HELPFUL COURT FORMS

FORM 1 NOTICE OF APPEAL

FORM 1A NOTICE OF CROSS-APPEAL

FORM 1.1 APPLICATION FOR DEFERRAL OR WAIVER OF COURT FEES

FORM 1.2 SUPPLEMENTAL APPLICATION FOR DEFERRAL OR WAIVER OF COURT FEES

FORM 1.3 NOTICE OF FILING FEE PAYMENT

FORM 1.4 CASE MANAGEMENT STATEMENT

FORM 2 CERTIFICATE OF COMPLIANCE

FORM 2.1 CERTIFICATE OF SERVICE

FORM 3 CAPTION

FORM 3.1 MOTION FOR EXTENSION OF TIME TO FILE BRIEF

FORM 3.2 GENERAL MOTION

FORM 3.3 RESPONSE TO MOTION

Full Set of Court Forms Available on the Court's [Website](#)

HELPFUL COURT FORMS

FORM 4.1 [BRIEF](#)

FORM 5 [CONSENT TO ELECTRONIC DISTRIBUTION](#)

FORM 5.1 [NOTICE OF CHANGE OF CONTACT INFORMATION](#)

FORM 6 [REQUEST FOR ORAL ARGUMENT](#)

FORM 7 [REQUEST TO PARTICIPATE IN PRO BONO PROGRAM](#)

FORM 8 [STATEMENT OF COSTS](#)

Full Set of Court Forms Available on the Court's [Website](#)

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