

WHAT TO KNOW ABOUT SUPERSEDEAS BONDS



When a party loses a lawsuit and is ordered to pay money (damages or attorneys' fees) or do something specific, they can post a bond. The bond lets them avoid paying the money or taking action until the appeal is finished.

WHAT IS THE PURPOSE OF A BOND?

If no bond is filed, the party who won the lawsuit can collect or enforce the judgment right away, even if the other party is appealing.

The bond helps keep things the same during the appeal and protects the party who won the lawsuit by making sure they get paid (or receive other relief) if the appeal does not succeed.

ASKING FOR A BOND

The appealing party must ask the superior court judge who entered the judgment to set the bond.

If you and the other party agree on the bond amount, you can file a stipulated request. If not, the appealing party must file a motion asking the judge to decide the bond amount. Enforcement of the judgment will be stayed (paused) until the court makes a decision.

See [Arizona Rule of Civil Appellate Procedure 7](#) and [Arizona Rule of Civil Procedure 62](#) for more information.

HOW MUCH IS THE BOND?

The bond amount depends on the details of the case, such as the size of the judgment and how likely it is that the appealing party can pay if they lose the appeal.

In some cases, the superior court can order a party to provide other types of security instead of a money bond.

DO BONDS APPLY IN FAMILY COURT APPEALS?

Yes. A family court judgment that divides assets, orders property or money to be transferred, or awards costs or expenses can be enforced if no bond is posted. However, a bond cannot be used to stay (pause) enforcement of support or custody orders.