



# Judicial Council of California

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## Subject Details (With Text)

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**Title:** Appellate Procedure: Notice of Appeal and Record on Appeal in Appellate Division Cases (Action Required)

**Sponsors:**

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Date	Ver.	Action By	Action	Result
9/21/2018	1	Judicial Council	approved	Pass

### Title

#### **Appellate Procedure: Notice of Appeal and Record on Appeal in Appellate Division Cases (Action Required)**

### Summary

The Appellate Advisory Committee recommends revising several notice of appeal forms and record election forms used in appellate division matters. The revisions provide more complete and accurate information, make corrections, and clarify various items.

### Recommendation

The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2019:

1. Revise *Notice of Appeal/Cross-Appeal (Limited Civil Case)* (form APP-102) to provide a way to indicate that there is more than one appellant and to clarify the requirements for serving and filing a notice designating the record on appeal;
2. Revise *Respondent's Notice Designating Record on Appeal (Limited Civil Case)* (form APP-110) to add references to the appellate fee waiver rules and to expand the sections regarding a reporter's transcript and a transcript from an electronic recording to better describe the respondent's options and responsibilities;
3. Revise *Notice of Appeal (Misdemeanor)* (form CR-132) to clarify the sections regarding appellant's attorney in the trial court and whether court-appointed counsel is being sought on appeal and to add an advisement of the potential penalties for not timely filing a notice regarding the record on appeal;
4. Revise *Notice Regarding Record on Appeal (Misdemeanor)* (form CR-134) to clarify the section regarding appellant's attorney, to reorganize the section regarding a reporter's transcript to better explain the appellant's options and responsibilities in designating this form of the record of the oral proceedings, and to more accurately set forth the potential penalties for failing to timely file a proposed statement on appeal; and
5. Revise *Notice of Appeal and Record on Appeal (Infraction)* (form CR-142) to clarify the section regarding appellant's attorney, to set forth the circumstances under which a proposed statement on appeal must be served on the prosecuting attorney, and to more fully describe the options for paying for a reporter's

transcript or filing a certified transcript.