



Subject Text

Meeting materials
are available through

File #: 17-154, Version: 1

Title

Appellate Procedure: Designation of the Record in Limited Civil Cases (Action Required)

Summary

The Appellate Advisory Committee recommends revising the form that appellants in limited civil cases may use to designate the record on appeal. The revisions are intended to (1) clarify the consequences for an appellant of choosing not to designate a record of the oral proceedings in the trial court, (2) make it easier for the appellant to identify what portions of an electronic recording the appellant wants transcribed, and (3) provide spaces where the appellant can indicate that he or she has chosen one of the permissible alternatives to a deposit for a court reporter's transcript. The committee also recommends making nonsubstantive revisions to the information sheet about limited civil appeals to reflect these changes.

Recommendation

The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2018:

1. Revise *Appellant's Notice Designating Record on Appeal (Limited Civil Case)* (form APP-103) to:
 - a. Reorder the provisions on the form so that the provisions addressing designation of the record of the oral proceedings comes first;
 - b. Revise the cautionary language about not designating a record of the oral proceedings to clarify that certain bases for appeal will not be available without this record (see paragraph below "Record of Oral Proceedings in Trial Court" heading);
 - c. Add information to the section about reporter's transcripts about the fee for depositing funds with the court for a transcript (see item 4.a.(4)(a));
 - d. Add places where appellants can indicate if they are using one of the permissible alternatives to making a deposit for a designated reporter's transcript (see items 4.a.(3) and 4.a.(4));
 - e. Add a place where appellants can designate what portions of an official electronic recording they are requesting be transcribed (see item 4.b.); and
 - f. Add information about the options for calculating the cost of a transcript made from an official electronic recording (see item 4.b.(1)).
2. Revise *Information on Appeal Procedures for Limited Civil Cases* (form APP-101-INFO) to reflect these changes to form APP-103.