

NOTICE OF RIGHT TO APPEAL

Wisconsin State Statute Chapter 800.14 governs the appeals of municipal court judgments and rulings on motions to reopen and payment plans. Appeals may be taken by either party to the circuit court.

When is an appeal due? Within 20 calendar days from the date on which you were found guilty and the judgment was entered against you. *(20 calendar days, include Saturdays, Sundays and holidays. However, if the 20th day falls on a Saturday, Sunday, or holiday, you may file the appeal the next regular business day.)*

How do I file an appeal? Fill out the “Notice of Appeal” form below. Submit it with the proper fees to:

Madison Municipal Court
210 Martin Luther King Jr. Blvd., Rm. 203
Madison, WI 53703

For options 2 and 3, also file a written request with the
Dane County Circuit Court Clerk.

You must give a copy of your “Notice of Appeal” and any documents filed with the Dane County Circuit Court Clerk under options 2 and 3 below to:

**City Attorney’s Office
City-County Building, Room 401
210 Martin Luther King Jr. Blvd.
Madison, WI 53703
(608) 266-4511**

Give copies to the City Attorney’s office on the date(s) you file the documents with the courts.

What are my appeal options? *See below and on the other side of this document.*

NOTICE OF APPEAL

I hereby request an appeal. I have chosen and marked the type of appeal that I wish to pursue on the other side of this document. I understand I must execute a bond with (or without) surety to the Madison Municipal Court the amount of which is determined by the Municipal Judge and, if I lose the appeal, I must pay the amount of judgment plus costs awarded on appeal. I have also paid the required appeal fees listed on the other side of this document.

_____ **OPTION 1: Trial on the Record.** An appeal to circuit court without a new trial. The circuit court judge will review a transcript of the recorded trial or ruling and any exhibits. Fees are payable as follows: \$10 to Madison Municipal Court and \$129.50 to Dane County Circuit Court. Accepted payment methods are cash, check or money order. In addition, within 20 days after the notice of appeal you are required to pay the estimated cost of the transcript as determined by the municipal court and shall be responsible for the actual cost of preparing the transcript unless the municipal court determines you have an inability to pay.

_____ **OPTION 2: Trial de Novo.** An appeal to circuit court for a new trial, without a jury. You must file a written request for the new trial without a jury with the Dane County Circuit Court Clerk within twenty days after this “Notice of Appeal” has been filed with the Madison Municipal Court. (Remember: This “Notice of Appeal” must be filed with the Madison Municipal Court within 20 days from the date of final judgment.) Fees are payable as follows: \$144.50 to Dane County Circuit Court. Accepted payment methods are cash, check or money order. You must arrange to bring your own witnesses to the trial and present evidence.

_____ **OPTION 3: Trial de Novo with a Jury.** An appeal to circuit court for a new trial, with a six-person jury. You must file a written request for the new trial with a six-person jury with the Dane County Circuit Court Clerk within twenty days after this “Notice of Appeal” has been filed with the Madison Municipal Court. (Remember: This “Notice of Appeal” must be filed with the Madison Municipal Court within 20 days from the date of final judgment.) Fees are payable as follows: \$180.50 to Dane County Circuit Court. Accepted payment methods are cash, check or money order. You must arrange to bring your own witnesses to the trial and present evidence.

Defendant: _____
(Please Print)

Address: _____

Phone No. _____

Case No.: _____

Signature

Date