

NOTICE OF APPEAL

City of Milwaukee,

Plaintiff

Vs.

Case Number _____

Citation Number _____

Defendant

PLEASE TAKE NOTICE that the above-named defendant appeals to the Circuit Court of Milwaukee County from the judgment of the Honorable _____, Municipal Court Judge, on the _____ day of _____, 20____, wherein the defendant was adjudged guilty of violating _____ of the Milwaukee Code of Ordinances, adopting s. _____ Wis. Stats., and assessed a forfeiture in the amount of \$_____ including/plus costs. The defendant at this time requests a:

- Trial on the Record
- Trial de Novo
- Trial de Novo with a Six-Person Jury

Dated at Milwaukee, Wisconsin this _____ of _____, _____.

By Defendant/Defendant's Attorney _____

Defendant's Address _____ City _____ State _____ Zip Code _____

Attorney's Name (if applicable) _____

Attorney's Address (if applicable) _____ City _____ State _____ Zip Code _____

NOTICE OF APPEAL INSTRUCTIONS

The form for the Notice of Appeal and a sample of which will be found at the end of these instructions.

Wisconsin Statutes govern the appeal of municipal court judgments as follows: §800.14(1). Appeals from judgments of municipal courts may be taken by either party to the circuit court of the county where the offense occurred. The appellant shall appeal by giving the municipal judge and other party written notice of appeal within 20 days after judgment

To appeal a judgment imposed by the Municipal Court to the Circuit Court, you must file a written **“Notice of Appeal”** within 20 calendar days from the trial date on which you were found guilty. *(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).*

Using the “Notice of Appeal” form, make sure you fill in the following required information:

1. Your name
2. Case number
3. Name of the Municipal Court Judge that found you guilty
4. Date that you were found guilty (judgment date)
5. Number of Ordinance violated
6. Wisconsin Statute(s)
7. Amount of your judgment (forfeiture amount)

Be sure to designate on the “Notice of Appeal” form the type of the appeal you are requesting by checking the appropriate box:

1. **Trial on the Record** *(a Circuit Court Judge will review the transcript of the Municipal Court record and render his/her decision)* - \$143.00 plus any bond amount if ordered by the Municipal Court Judge and the cost of the transcript if the judgment is affirmed by the Circuit Court.
2. **Trial de Novo** *(a new trial conducted in Circuit Court)* - \$148.00 plus any bond amount if ordered by the Municipal Court Judge.
3. **Trial de Novo with a Jury** *(a new trial conducted in Circuit Court heard before a 6-person jury)* \$148.00 plus \$36.00 for a 6-person jury for a total of \$184.00 plus any bond amount if ordered by the Municipal Court Judge. *(Available only for cases involving a charge of Operating While Intoxicated).*

How to File the Form: Within 20 calendar days of the judgment date, you can bring the form to the court in person *(between 8:00 a.m. and 11:00 a.m. and 1:00 p.m. and 3:00 p.m. Monday through Friday)* with the proper filing fees and bond if ordered by the Municipal Court Judge. **You must also provide written notice to the City Attorney within 20 calendar days of the judgment date.**

Should you choose to file the form by mail, you must mail the original to the Municipal Court with the proper filing fees and bond if ordered by the Municipal Court Judge and **provide written notice to the City Attorney within 20 calendar days of the judgment date.** **If the “Notice of Appeal” form and fees are not received within the 20 (calendar) day time limit, you will forfeit your right to an appeal.**

You can mail the form to: Milwaukee Municipal Court
951 N. James Lovell Street
Milwaukee, WI 53233-1449

The Milwaukee County Circuit Court will contact you regarding your request for an appeal when the “Notice of Appeal” form is filed with the Circuit Court.