



Deadlines, Fees, Checklists

Deadlines Appeals from the Magistrate Courts

Document

Notice of Appeal

Transcript

Objections to the Transcript

Filing of Transcript and Record with District Court

Augmentation of Transcript or Record

Appellant's Brief

Respondent's Brief or Cross-Appellant's Brief

Cross-Respondent's Brief

Reply Brief

Deadline (I.R.C.P.)

42 days from date of judgment, order or decree of magistrate court ([I.R.C.P. 83\(e\)](#) [1])

14 days from date Notice of Appeal is filed to pay estimated fee ([83\(k\)](#) [2])

The transcriber has 35 days from date estimated fee is paid ([83\(k\)](#) [2])

21 days from date Notice of Lodging of Transcript is mailed by the magistrate court clerk, or else the Transcript will be considered settled ([83\(o\)](#) [3])

The magistrate court clerk has 7 days from date the Transcript is settled ([83\(p\)](#) [4])

Anytime after Transcript and Record are filed ([83\(q\)](#) [5]; [I.A.R. 30](#) [6])

35 days from date Transcript and Record are filed with district court ([83\(v\)](#) [7])

28 days from date Appellant's Brief is served ([83\(v\)](#) [7])

28 days from date Cross-Appellant's Brief is served ([83\(v\)](#) [7])

21 days from date any Respondent's Brief is served ([83\(v\)](#) [7])

Judicial Review of Agency Actions

Document

Petition for Judicial Review

Transcript

Record

Objections to the Transcript and Record

Lodging of Transcript and Record with District Court

Augmentation of Transcript or Record

Deadline (I.R.C.P.)

28 days from date of decision, order or award from administrative agency ([I.R.C.P. 84\(b\)\(1\)](#) [8])

The transcriber has 14 days from the date the Petition for Judicial Review is ([84\(g\)\(1\)\(B\)](#) [9])

The agency clerk has 14 days from the date the Petition for Judicial Review is filed ([84\(f\)\(5\)](#) [10])

14 days from date Notice of Lodging of Transcript and Record is mailed by the agency, or else the Transcript and Record will be considered settled ([84\(j\)](#) [11])

The agency has 42 days from date the Petition for Judicial Review is served ([84\(k\)](#) [12])

21 days from date Transcript and Record are filed with district court ([84\(l\)](#) [13])



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|---|---|
| Petitioner's Brief | 35 days from date Transcript and Record are filed with district court (84(p) [14]) |
| Respondent's Brief or Cross-Appellant's Brief | 28 days from date Appellant's Brief is served (84(p) [14]) |
| Cross-Respondent's Brief | 28 days from date Cross-Appellant's Brief is served (84(p) [14]) |
| Reply Brief | 21 days from date any Respondent's Brief is served (84(p) [14]) |

Appeals from the District Courts

| Document | Deadline (I.A.R.) |
|--|--|
| Notice of Appeal | 42 days from date of judgment, order or decree of district court + up to 180 days if district court retains jurisdiction (I.A.R.14 [15]) |
| Reporter's Transcript | The court reporter has 30 days from date Notice of Appeal is filed, if transcript is estimated to be under 100 pages in length (24(e) [16]) The court reporter has 63 days from date Notice of Appeal is filed, if transcript is estimated to be more than 100 pages but less than 500 pages in length |
| Clerk's Record | The district court clerk has 30 days from date Notice of Appeal is filed (27(d) [17]) |
| Request for Additional Transcript or Record | 14 days from date Notice of Appeal is filed (19(d) [18]) |
| Objections to the Transcript or to the Record | 28 days from date Transcript and Record are served by the district court clerk, or else Transcript and Record will be considered settled (29(a) [19]) |
| Filing of Transcript and Record with Supreme Court | The district court clerk has 7 days from date the Transcript and Record are settled (29(b) [19]) |
| Motion for Involuntary Dismissal for Failure to Comply With the I.A.R. | 21 days before oral argument on the merits (32(a) [20]) |
| Appellant's Brief | 35 days from date that Transcript and Record are filed with Supreme Court (34(c) [21]) |
| Respondent's Brief or Cross-Appellant's Brief | 28 days from date Appellant's Brief is served (34(c) [21]) |
| Cross-Respondent's Brief | 28 days from date Cross-Appellant's Brief is served (34(c) [21]) |
| Reply Brief | 21 days from date any Respondent's Brief is served (34(c) [21]) |
| Motion for Extension of Time to File Brief | Due date of brief (34(e) [21]) |
| Petition for Rehearing | 21 days from date Court's opinion is filed (42(a) [22]; 116 [23]) |
| Brief on the Petition for Rehearing | 14 days from date Petition is filed (42(b) [22]) |
| Petition for Review by the Supreme Court | 21 days from date Court of Appeals opinion or |



Brief in Support of the Petition for Review order is announced ([118\(a\)](#) [24])
14 days after Petition for Review is filed ([118\(a\)](#) [24])

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Filing Fees

| Type of Appeal | Filing Fee |
|--|------------|
| Appeals in civil cases (Except habeas corpus, post-conviction relief) | \$109.00 |
| Appeals from the Public Utilities Commission | \$109.00 |
| Appeals from the Industrial Commission | \$109.00 |
| Any cross-appeals from the 3-types listed above | \$109.00 |
| Applications to intervene | \$94.00 |
| Petitions for a special writ under the original jurisdiction of the Supreme Court (Except habeas corpus, criminal cases) | \$76.00 |
| Petitions for rehearing (Except criminal cases, habeas corpus, post-conviction relief) | \$71.00 |
| Appeals in criminal cases (Fees for reporters transcript and clerks record still apply) | \$ 0.00 |
| Petitions for writ of habeas corpus | \$ 0.00 |
| Petitions for post-conviction relief | \$ 0.00 |
| Petition for review of a decision of the Court of Appeals | \$ 0.00 |

* No appellate filing fee is required for State agencies and counties, including public defenders *
([I.A.R. 23\(a\)](#) [25])

Number of Copies *Appeals from the District Courts*

| Document | Number of Copies |
|---|--|
| All Motions and supporting documents | Original and 6 copies |
| Brief | Original, 6 bound copies and 1 unbound, unstapled copy |
| Petition for Rehearing | Original and 9 copies |
| Brief on the Petition for Rehearing | Original and 9 copies |
| Petition for Special Writ | Original and 6 copies |
| Brief in Support of Petition for Special Writ | Original and 6 copies |

Civil & Criminal Appeals from the Magistrate Courts



Document

All Motions and supporting documents
Brief

Number of Copies

Original
Original

Judicial Review of Agency Actions

Document

All Motions and supporting documents
Brief

Number of Copies

Original
Original

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Checklists *Checklists for Briefs*

Requirement

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Paper: unruled and untreated 8 by 11 white paper
([I.A.R. 36\(c\)](#) [26])

Typeface: no smaller than 12 point Times New Roman ([36\(c\)](#) [26])

- Prisoners may write documents in legible, hand-printed black ink ([36\(c\)](#) [26])

Line Spacing: double-spaced, quotations may be single-spaced and indented ([36\(c\)](#) [26])

Page Margin: 1 at top and bottom of page, 1 at each side ([36\(c\)](#) [26])

Page Numbers: number each page at the bottom ([36\(c\)](#) [26])

Binding: must be bound on the left with comb binding only ([36\(c\)](#) [26])

Front Cover: must include:

- Title of the court (Supreme Court or Court of Appeals)
- Title of the action
- Title of the document (e.g. Appellant's or Respondent's Brief)
- Name of presiding trial judge
- Names and addresses of all counsel of record showing for whom they appear ([36\(a\)](#) [26])

Color of Cover:

- Appellant's Brief: light blue
- Respondent's Brief: white
- Appellant's Reply Brief: tan or light brown
- Respondent's Reply Brief: light yellow (RE: Respondent- Cross Appellant's Reply Brief)
- See [36\(b\)](#) [26] for more cover colors



Cover Material: 65 cover stock or heavier, or vinyl of equal weight, not plastic or acetate [36\(b\)](#) [26]

Table of Cases and Authorities: cases must be alphabetically arranged ([35\(a\)\(3\)](#) [27])

Length: must be 50 pages or under, including covers, excluding addendums or exhibits
- Briefs in excess of 50 pages may be filed with consent of the Supreme Court ([34\(b\)](#) [21])

Service: two copies of the brief must be served upon each party to the appeal ([34\(d\)](#) [21])

Filing: original, six bound copies and one unbound, unstapled copy shall be filed with the Supreme Court ([34\(a\)](#) [21])

Signing: original must be signed when filed with Supreme Court ([34\(a\)](#) [28])

Certification of Service: certify service and the date and manner of service in the original brief filed with the Supreme Court ([20](#) [29])

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Color Chart for Briefs *Checklists for Briefs*

* Only Original needed for appeals from a magistrate court *

Source URL: <https://isc.idaho.gov/appeals-court/checklists>

Links

- [1] <https://isc.idaho.gov/./ircp83e>
- [2] <https://isc.idaho.gov/./ircp83k>
- [3] <https://isc.idaho.gov/./ircp83o>
- [4] <https://isc.idaho.gov/./ircp83p>
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Deadlines, Fees, Checklists

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