Deadlines, Fees, Checklists

Deadlines *Appeals from the Magistrate Courts*

Document	Deadline (I.R.C.P.)
Notice of Appeal	42 days from date of judgment, order or decree of magistrate court (I.R.C.P. 83(e) [1])
Transcript	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])
Objections to the Transcript	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])
Filing of Transcript and Record with District Court	The magistrate court clerk has 7 days from date the Transcript is settled (83(p) [4])
Augmentation of Transcript or Record	Anytime after Transcript and Record are filed (83(q) [5]; I.A.R. 30 [6])
Appellant's Brief	35 days from date Transcript and Record are filed with district court (83(v) [7])
Respondent's Brief or Cross-Appellant's Brief	28 days from date Appellant's Brief is served (83(v) [7])
Cross-Respondent's Brief	28 days from date Cross-Appellant's Brief is served (83(v) [7])
Reply Brief	21 days from date any Respondent's Brief is served (83(v) [7])

Judicial Review of Agency Actions

Document	Deadline (I.R.C.P.)
Petition for Judicial Review	28 days from date of decision, order or award from administrative agency (I.R.C.P. 84(b)(1) [8])
Transcript	The transcriber has 14 days from the date the Petition for Judicial Review is (84(g)(1)(B) [9]
Record	The agency clerk has 14 days from the date the Petition for Judicial Review is filed (84(f)(5) [10])
Objections to the Transcript and Record	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])
Lodging of Transcript and Record with District Court	The agency has 42 days from date the Petition for Judicial Review is served (84(k) [12])
Augmentation of Transcript or Record	21 days from date Transcript and Record are filed with district court (84(l) [13])
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 order is announced (118(a) [24])
Brief in Support of the Petition for Review	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	Number of Copies
All Motions and supporting documents	Original
Brief	Original

Judicial Review of Agency Actions

Document	Number of Copies
All Motions and supporting documents	Original
Brief	Original

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Checklists *Checklists for Briefs*

Requirement	ü
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/checkists

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