



Appealing a Family Law Order

To start an appeal you must file a document called a Notice of Appeal, and there is a strict deadline to file that document. Generally, the final deadline to file a Notice of Appeal is 60 days after you are served with either a document called “Notice of Entry” of judgment or a filed-stamped copy of the judgment or order. ([California Rules of Court, rule 8.104\(a\)](#).) If neither of these documents is served on you the deadline is 180 days from the date the order was made. **There is a tipsheet [here](#) that can help you calculate your deadline to file a Notice of Appeal.** If you file your Notice of Appeal after your deadline you will lose your right to appeal your order.

The Notice of Appeal form is App-002. You can download the form [here](#). **FVAP created a tipsheet that may help you fill out this form [here](#).**

There is normally a \$775 fee for filing the Notice of Appeal form. You can ask the court not to charge this fee by filing form “FW-001” which is a Request to Waive Court Fees. You can download the form [here](#). You must fill out a new request even if you already have a Fee Waiver.

After completing the Notice of Appeal form, you should have someone who is both (1) over the age of 18 and (2) not a party in the case, serve a copy of the Notice of Appeal form on the opposing party. This means that if you are a party in the case, you cannot serve the documents yourself to the opposing side. There are three ways to serve notice: by mail, in person, or by email. Anyone can be served by mail or in person, but you can only serve the other party by email if they have already agreed to receive email service. Please note that the Fee Waiver Request form SHOULD NOT be served on the opposing party. There is more information about service on form [APP-109-INFO](#).

After you have had the Notice of Appeal served on the opposing party, you must file the Notice of Appeal, Fee Waiver Request (if you are filing one), and Proof of Service in the Superior Court where your case was already heard.

There is also more information about filing and serving the Notice of Appeal form on the Court of Appeal’s self-help website [here](#).