

How To Appeal A Court Decision

1. If you wish to appeal a Court decision you must first apply for permission to appeal. Your application should be made within 21 days of the date of the decision that you wish to appeal. If this deadline has been missed, you can still file your application but you must ask the Court to consider your application out of time.
 - If your claim was allocated to the fast track or multi track, you should complete **Form N161**.
 - If your claim was allocated to the small claims track, you should complete **Form N164**.
2. Where you issue your application will depend upon
 - The type of case you were involved in,
 - The level of Judge that heard your case and
 - The type of decision you wish to appeal. You may need to seek guidance from us.
3. The Court Service also publishes guidance notes which you may wish to read.
 - The County Court/High Court notes can be found in a leaflet known as **“I want to appeal – the High Court or a County Court” Form EX340**.
 - The Court of Appeal guidance notes are incorporated into two leaflets, **“Routes of Appeal” Form 201** and, **“How to Appeal to the Court of Appeal” Form 202**.
4. With your application you will need to provide the Court with your grounds of appeal. A belief that the Court got the decision wrong is not on its own sufficient reason to appeal. Your grounds of appeal must show that the decision was wrong or unjust because of a serious procedural or other irregularity.
5. Permission to appeal will only be given if your appeal has a real chance of success or if there is some other compelling reason why it should be heard.
6. You will also need to supply the Court with an appeal bundle (although this can be sent to the Court 14 days after your application has been issued). **Form N161** and **Form N164** list the sort of documents that need to be included in the bundle.
7. If your application is to be issued in the Court of Appeal, the list of documents to be included in the bundle are set out in the leaflet, “How to Prepare an Appeal Bundle for the Court of Appeal” Form 204.
8. You will usually have to pay a fee when you issue your application. The leaflet called **“County Court Fees” Form EX50** will explain what fee should be paid and the circumstances when a fee does not need to be paid. If you believe you are entitled to a fee exemption you will need to complete Form EX160 and take this with you when you go to issue your application.
9. After issuing your application, you should send a copy to your opponent within 7 days. If your opponent sends a response to the Court, a copy should be sent to you within a further 7 days.
10. The Court will then consider your application on paper. If your application is rejected, you can usually ask to have it re-considered at an oral hearing. A request for an oral hearing must be made within 7 days of the date when your application for permission to appeal was refused.