

**CASE PROCESSING STANDARDS ANALYSIS  
LIMITED JURISDICTION APPEALS - CIVIL**

**National Center for State Courts Model Time Standards:**

None for this case type

**Arizona Limited Jurisdiction Appeals Cases**

The following standards have been adopted for Limited Jurisdiction Appeals cases:

**75% within 180 days**

**99% within 365 days**

✓ Administrative appeals are not included in this standard.

**Measurement:** Superior Court filing date through date appeal is decided (e.g. affirmed, reversed, remanded).

**Excluded Time:** The following may result in a stay of proceedings and the time elapsed will be excluded from measurement: special actions and appeals

Arizona Rules and Statutes	Timelines under Statute and Rule
<b>Appeal Filed:</b>	<b>(Measurement Starts Here)</b>
Rule 3, SCRAP-CV <sup>1</sup>	An appeal shall commence by filing a written notice of appeal with the trial court.
<b>Time for Taking Appeal and Cross Appeal:</b> Rule4, SCRAP-CV	<p>(a) The notice of appeal shall be filed with the trial court <b>within 14 calendar days</b> after the entry of the order, ruling, or judgment appealed from, except that in forcible and special detainer cases, the time limit shall be five calendar days.</p> <p>(b) The notice of cross-appeal shall be filed with the trial court <b>within 28 calendar days</b> after the entry of the order, ruling, or judgment appealed from, except that in forcible and special detainer cases the time limit shall be ten calendar days.</p> <p>(c) The date of receipt of the notice of appeal or any notice of cross-appeal shall be stamped or marked on its face when received.</p> <p>(d) <b>Within the 14 calendar day deadline</b> to file the notice of appeal, or <b>five day deadline</b> in forcible and special detainer cases, the appellant shall also pay the applicable record or transcript fees to the trial court in cash or other manner allowed by the trial court, or make arrangements with an authorized transcriber for the preparation and filing with the trial court of the certified transcript(s). <b>Within the 28 calendar day deadline</b> to file a cross-appeal, or ten day deadline in forcible and special detainer cases, the cross- appellant shall pay the applicable record or transcript fee pertaining to the cross-appeal to the trial court in cash or other manner allowed by the trial court, or make arrangements with the authorized transcriber for the preparation and filing with the trial court of the certified transcript(s) pertaining to the</p>

<sup>1</sup> Superior Court Rules of Appellate Procedure-Civil

Arizona Rules and Statutes	Timelines under Statute and Rule
	<p>cross-appeal. Appellant shall be responsible for the filing of all certified transcripts with the trial court prior to the filing of its memorandum. Cross-appellant shall be responsible for the filing of all certified transcripts pertaining to the cross-appeal with the trial court prior to the filing of its appellate memorandum. The trial court may assess a separate fee to prepare additional requested copies of the record, including documents, exhibits, and electronic recordings of proceedings.</p>
<p><b>Record on Appeal</b> Rule 6, SCRAP-CV</p>	<p><b><u>Designation of the Record on Appeal:</u></b> Within the time allowed to appeal, the appellant shall also file an original, and one copy for each party, of a designation of items to be included in the record on appeal. The documents shall be date stamped on their face when received by the trial court. The trial court shall send the copy(ies) to the opposing side(s). <b>Within 14 calendar days</b> of the date of filing, the opposing party(ies) may also file its designation of portions of the record to be included.</p> <p><b>Sufficiency of Record on Appeal; Trial de Novo.</b> If it appears to the trial court that the record is insufficient for an appeal on the record, the trial court may, on its own motion or on motion of a party, reset the matter for a new trial <b>within 45 days</b> from such determination. In such event, any appeal rights shall begin to run from the entry of a judgment or order following the new trial. In cases where it appears that the record is insufficient, the preference shall be for a new trial at the trial court level. Notwithstanding the foregoing, cases summarily transferred to the superior court for trial de novo or determined by the superior court to have an insufficient record may be remanded to the original trial court for a new trial or hearing in lieu of a trial de novo in the superior court. Unlike the parties in a trial de novo held in the superior court, the parties in a case remanded pursuant to this rule for a new trial in the original trial court shall have the rights of appeal as provided by statute or rule for all litigants following a trial or the entry of an appealable judgment or order.</p> <p style="text-align: center;"><b>(Measurement Stops Here if case remanded to the original trial court for insufficient record)</b></p>
<p><b>Appellate Memoranda, Motions for More Time, Procedural Motions</b> Rule 6, SCRAP-CV</p>	<p><b>(a) Appellate Memoranda.</b> (1) In cases where the appellant is not represented by counsel, an original and one copy (for each other party) of the appellant's memorandum shall be filed with the trial court <b>within 60 calendar days</b> from the deadline to file the notice of appeal. The trial court shall send the copy of appellant's memorandum to the opposing side(s). In cases where the appellee is not represented by counsel, an original and one copy of the appellee's memorandum shall be filed within 30 calendar days of the filing date of the appellant's memorandum. The</p>

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	<p>trial court shall send the copy of the appellee's memorandum to the appellant. A cross-appellant's memorandum and one copy shall be filed concurrently with appellee's memorandum. Cross-appellee's memorandum and one copy (for each other party) shall be filed within 30 days of the filing date of the cross-appellant's memorandum. The trial court shall send copies of the cross-appeal memoranda to the opposing parties in the manner of the appeal memoranda. No reply memorandum shall be filed unless authorized by the Superior Court. If no appellee or cross-appellee memorandum is filed, the matter shall be deemed submitted on the record and the appellant's or cross-appellant's memorandum. Non-filing of an appellee or cross-appellee memorandum shall not constitute confession of error.</p> <p><b>(c) Procedural Motions</b>  (2) The caption of a procedural motion shall bear the notation “Procedural Motion--Refer to Superior Court.” The movant shall file an original and two copies, which shall be date stamped upon receipt by the trial court. The trial court shall send one copy to the opposing side(s) and retain the other copy for later transmittal to the Superior Court. The opposing side(s) shall have <b>14 calendar days</b> from the filing date to respond. The caption of the response shall bear the notation “Procedural Motion Response--Refer to Superior Court.” No reply shall be filed unless permitted by the trial court. Requests for oral argument shall be noted within the caption of the pleading, and may be granted by the Superior Court. The parties may refer to the record, but shall attach such documents as support the motion or response.</p>
<p><b>Perfection of Appeal, Dismissal for Non-compliance</b></p> <p>Rule 9, SCRAP-CV</p>	<p><b>(a) Perfection of Appeal.</b> Perfection of the appeal and cross-appeal shall be a precondition of transmitting the record to the Superior Court. For purposes of this section, perfection shall include the timely filing of a notice of appeal or cross-appeal, the payment of any record or transcript fee, and the timely filing of appellant's, or cross-appellant's memorandum.</p> <p><b>(b) Abandonment of Appeal; Dismissal.</b> In the event an appeal or cross-appeal is not fully perfected, it shall be deemed abandoned and shall be dismissed by order of the trial court with notice to the appellant or cross-appellant.</p> <p style="text-align: center;"><b>(Measurement Stops Here if Appeal not Perfected and Court Dismisses Case)</b></p>
<p><b>Notification to Superior Court, et al:</b></p> <p>Rule 10 - SCRAP-CV</p>	<p><b><u>Notification to Superior Court:</u></b> After the time for the filing of appellate memoranda has expired and the appeal and cross-appeal, where applicable, are otherwise perfected, the trial court shall send the notice of appeal and cross-appeal to the Superior Court <b>within 30</b></p>

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	<p><b>calendar days.</b> Upon receipt, the Superior Court shall notify the parties regarding payment of applicable appeal filing fees in the Superior Court.</p> <p><b>Payment of Appeal Fee.</b> The appeal fee shall be payable to the Superior Court <b>within 30 calendar days</b> of the notification to the appellant and/or cross-appellant. The notice shall advise the appellant and/or cross-appellant that the failure to pay the appeal fee will result in abandonment of the appeal, and a dismissal of the appeal or cross-appeal by the trial court.</p> <p><b>Transmission of the Record.</b> Upon payment of the appellant's and/or cross-appellant's appeal fee(s), the Superior Court shall notify the trial court. The record shall be transmitted to the Superior Court <b>within 30 calendar days</b> of the notification.</p> <p><b>Dismissal Upon Nonpayment of Appeal Fee.</b> Upon non-payment of an appellant's or cross-appellant's appeal fee, the appeal and/or cross-appeal shall be deemed abandoned, and the Superior Court shall so notify the trial court. The appeal and/or cross-appeal shall be dismissed by the trial court pursuant to rule 9(b) of these rules.</p> <p style="text-align: center;"><b>(Measurement Stops Here if Appeal Fee Not Paid)</b></p>
<p><b>Disposition of Appeals:</b> Rule 12 - SCRAP-CV</p>	<p>(c) Form of Decision: The Superior Court shall make its ruling in writing. A copy of such ruling shall be transmitted by the clerk of the Superior Court to the trial court and to the parties. The ruling and the trial court record shall be transmitted by the clerk of the Superior Court to the trial court <b>within 30 calendar days</b> after the expiration of the time for the filing of a motion for rehearing or the Superior Court files its order finally disposing of the case, whichever occurs later, unless a notice of appeal is filed.</p> <p style="text-align: center;"><b>(Measurement Stops When Decision is Docketed into CMS)</b></p>