

Appealable Order

Not every court order can be appealed and it is hard to win an appeal. In California, less than 20% of all civil appeals succeed in reversing the original ruling. The appeals process can take years and it can be expensive.

Who can appeal? Generally, only the person who lost in the trial court can file an appeal.

What are the requirements to appeal? The court's decision must be an appealable order or judgment. There are rules about which decisions can be appealed. The final judgment at *the end* of a case can always be appealed. Most trial court orders *after* the final judgment can be appealed. Most trial court orders *before* the final judgment cannot be appealed right away. There may be exceptions in family law and probate cases.

What's the deadline? The deadline is different for every case, but generally it's 60 or 180 days after the trial court's order or judgment. [See California Rule of Court 8.104 for more details.](#)

Is an appeal a new trial? No. The Court of Appeal only considers testimony and evidence that are in the record from the original trial. An appeal must prove that the trial court made a legal mistake *and* that the mistake impacted the final decision.

Are there things to consider before appealing? The appeal process takes a lot of time, money, and effort. It's important to think carefully about the risks and benefits of an appeal. The court can fine people who file appeals with no legal basis. If the original decision is not reversed, the party who filed the appeal will likely have to pay some or all costs for the other side. A party may have other legal options to address what they feel went wrong in the trial.

What happens next? If there's an appealable order and the party who lost plans to appeal, the next step is to file a notice of appeal with the trial court where the case was decided. The notice of appeal begins the appeal process. It lets the court and the other side know that the decision is being challenged.

[Learn more about appealable orders.](#)



Vídeo: Judicial Branch Overview, 8:00



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Documents you will need for your case.