



5.

[Only if less than the entire record is designated in paragraph 4:]  
Appellant intends to rely on the following points:

\_\_\_\_\_.

6.

This appeal is timely and otherwise properly filed before the Court of Appeals because:

\_\_\_\_\_  
\_\_\_\_\_.

7.

[In cases involving an audio record]

Appellant hereby requests copies at (appellant's/public) expense of the audio record designated in paragraph 4 or 5 of this notice of appeal. Copies are to be served on the parties to the appeal listed in paragraph 3 of this notice of appeal.

8.

Attached to this notice of appeal is a copy of the judgment being appealed. Also attached are copies of any other materials pertinent to determining appellate jurisdiction.

9.

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_ [date] \_\_\_\_, I served a true copy of this notice of appeal on:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Opposing party(ies) or attorney for opposing party(ies)]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[trial court administrator]

[transcript coordinator, if a transcript is designated as part of the record on appeal]

by [specify method of service]:

- \_\_\_\_\_ United States Postal Service, ordinary first class mail
- \_\_\_\_\_ United States Postal Service, certified or registered mail, return receipt requested
- \_\_\_\_\_ hand delivery
- \_\_\_\_\_ other (specify) \_\_\_\_\_

10.  
CERTIFICATE OF FILING

I certify that on \_\_\_\_ [date] \_\_\_\_, I filed the original of this notice of appeal with the State Court Administrator at this address:

State Court Administrator  
Supreme Court Building  
1163 State Street  
Salem, Oregon 97310

by [specify method of service]:

- \_\_\_\_\_ United States Postal Service, ordinary first class mail
- \_\_\_\_\_ United States Postal Service, certified or registered mail, return receipt requested
- \_\_\_\_\_ hand delivery
- \_\_\_\_\_ other (specify) \_\_\_\_\_

\_\_\_\_\_  
[Signature of appellant or attorney]

\_\_\_\_\_  
[Typed or printed name of appellant or attorney]

**APPENDIX B**  
**Illustration for Rule 2.25**

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of the Estate of John Doe, Deceased.	)	
	)	
	)	
MARY DOE, RICHARD DOE and DAVID DOE,	)	_____ County Circuit
Plaintiffs-Respondents- Cross-Appellants,	)	Court No. _____
	)	
NANCY DOE,	)	CA A _____
Plaintiff,	)	
	)	
v.	)	
	)	
NATIONAL BANK OF OREGON, Trustee of the John Doe Trust,	)	
Defendant-Appellant, Cross-Respondent.	)	
_____	)	
	)	
RICHARD DOE,	)	
Cross-claim Plaintiff,	)	
	)	
v.	)	
	)	
MARY DOE,	)	
Cross-claim Defendant.	)	
_____	)	
	)	
NATIONAL BANK OF OREGON, Third-Party Plaintiff-Appellant,	)	
	)	
v.	)	
	)	
ACME LIFE INSURANCE CO., Third-Party Defendant-Respondent.	)	

**APPENDIX C**  
**Illustration for Rule 3.30**

IN THE COURT OF APPEALS (SUPREME COURT) OF THE  
STATE OF OREGON

[Case title] ) \_\_\_\_\_ County Circuit  
                  ) Court No. \_\_\_\_\_  
                  ) CA A \_\_\_\_\_

REPORTER'S REQUEST FOR TIME EXTENSION  
FOR PREPARATION OF TRANSCRIPT

1. I reported all (or a portion) of the proceedings identified in the designation of record. I am responsible for preparing a transcript for \_\_\_\_ days of proceedings and a transcript of those proceedings will be approximately \_\_\_\_ pages. The transcript was ordered on [date].

2. I request an extension of time of \_\_\_\_ days, from \_\_\_\_\_ through \_\_\_\_\_, within which to prepare, serve and file the transcript. This is the \_\_\_\_ request for a time extension and is sought because:

I have not received payment for the transcript and a satisfactory arrangement for payment has not been made.

[or]

I have now received payment for the transcript [or] a satisfactory arrangement for payment has been made.

[or]

[Other reason]: \_\_\_\_\_

3. On order from me, and undelivered to date, are transcripts in the following cases: [Attach additional sheet(s) if necessary.]

Caption & Court	Date Ordered	Extension Allowed	Date Now Due	Est. No. of Pages
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

4. I have served copies of this request on: [List names and complete addresses of all counsel, parties and, when appropriate, the trial court judge(s)]  
[date]

\_\_\_\_\_  
Court Reporter

\_\_\_\_\_  
County

\_\_\_\_\_  
Telephone No.

**APPENDIX D**  
**Illustration for Rule 3.30 and ORS 19.078(1)**

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

_____	)	
Plaintiff-Appellant,	)	
(or Plaintiff-Respondent)	)	_____ County Circuit
	)	Court No. _____
v.	)	
	)	CA A _____
_____	)	
Defendant-Respondent,	)	
(or Defendant-Appellant)	)	

CERTIFICATE OF PREPARATION,  
FILING AND SERVICE

I certify that I prepared:

All of the transcript designated as part of the record for this appeal.

[or]

These portions of the transcript designated as part of the record for this appeal:

\_\_\_\_\_.

Other portions of the record were reported by \_\_\_\_\_.

I certify that the original of the transcript or portion thereof prepared by me, consisting of \_\_\_\_\_ volumes, and a copy of this Certificate were filed with the trial court administrator on \_\_\_\_\_ [date].

I certify that on \_\_\_\_\_ [date] a copy of the transcript or portion thereof prepared by me and a copy of this Certificate were served by (U.S. mail/personal service) on:

[name and address of each person served]

Material served by mail was deposited in the U.S. Postal Service facility at \_\_\_\_\_ in a sealed envelope, addressed as shown above, with postage fully prepaid thereon.

\_\_\_\_\_ [date]

\_\_\_\_\_  
Court Reporter

\_\_\_\_\_  
County

\_\_\_\_\_  
Telephone No.

**APPENDIX E**  
**Illustration for Rule 4.15**  
**(Other than Workers' Compensation Case)**

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

[The title should be set up, to the extent possible, as it was before the agency, showing the parties with their appropriate appellate designations]

	)	Agency Name _____
	)	No. _____
	)	CA A _____
	)	

PETITION FOR JUDICIAL REVIEW

Petitioner seeks judicial review of the final order of the \_\_\_\_\_  
in case number \_\_\_\_\_, dated \_\_\_\_\_.

The parties to this review are:

\_\_\_\_\_  
\_\_\_\_\_

[Set out names and addresses]

A. Attached to this petition is a copy of the order, rule or ruling for which judicial review is sought. If a copy of the order, rule or ruling is not attached, the nature of the order for which review is sought is \_\_\_\_\_.

B. Petitioner was a party to the administrative proceeding which resulted in the order for which review is sought.

[or]

Petitioner was denied status as a party to the administrative proceeding that resulted in the order for which review is sought.

[or]

Petitioner is adversely affected or aggrieved by the order as set forth in an affidavit attached to this petition.

C. Petitioner is not willing to stipulate that the agency record may be shortened.

[or]

Petitioner is willing to stipulate that the agency record may be shortened and designates these portions of the record to be included in the record:

\_\_\_\_\_.

DATED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Attorney for Petitioner  
[Sign or print/type name, bar number, address and  
telephone number]

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_ [date] \_\_\_\_\_, I served a true copy of this petition for judicial review on:

_____	_____
_____	_____
_____	_____
[State agency and address]	[Solicitor General and address]
_____	_____
_____	_____
_____	_____

[Other party(ies) or attorney for other party(ies)]

by [specify method of service]:

- \_\_\_\_\_ United States Postal Service, ordinary first class mail
- \_\_\_\_\_ United States Postal Service, certified or registered mail, return receipt requested
- \_\_\_\_\_ hand delivery
- \_\_\_\_\_ other (specify) \_\_\_\_\_

CERTIFICATE OF FILING

I certify that on \_\_\_\_ [date] \_\_\_\_\_, I filed the original of this petition for judicial with the State Court Administrator at this address:

State Court Administrator  
Supreme Court Building  
1163 State Street  
Salem, Oregon 97310

by [specify method of service]:

- \_\_\_\_\_ United States Postal Service, ordinary first class mail
- \_\_\_\_\_ United States Postal Service, certified or registered mail, return receipt requested
- \_\_\_\_\_ hand delivery
- \_\_\_\_\_ other (specify) \_\_\_\_\_

\_\_\_\_\_  
[Signature of petitioner or attorney]

\_\_\_\_\_  
[Typed or printed name of petitioner or attorney]

**APPENDIX F**  
**Illustration for Rule 4.15**  
**(Workers' Compensation Case)**

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of the Compensation of _____, Claimant.	)	WCB Case No. _____
	)	
	)	
Petitioner,	)	CA A _____
	)	
v.	)	
	)	
	)	
_____, Respondent.	)	

PETITION FOR JUDICIAL REVIEW  
OF ORDER OF THE WORKERS' COMPENSATION BOARD

Petitioner seeks judicial review of the final order of the Workers' Compensation Board Order on Review dated \_\_\_\_\_.

The parties to this review are:

\_\_\_\_\_  
\_\_\_\_\_

[Set out names and addresses]

The relief sought and reason relief should be granted are: \_\_\_\_\_

\_\_\_\_\_.

DATED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Attorney for Petitioner  
[Sign or print/type name, bar number, address and  
telephone number]

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_ [date] \_\_\_\_, I served a true copy of this petition for judicial review on:

Workers' Compensation Board

\_\_\_\_\_  
\_\_\_\_\_  
[address]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Other party(ies) or attorney for other party(ies)]

by [specify method of service]:

- \_\_\_\_\_ United States Postal Service, ordinary first class mail
- \_\_\_\_\_ United States Postal Service, certified or registered mail, return receipt requested
- \_\_\_\_\_ hand delivery
- \_\_\_\_\_ other (specify) \_\_\_\_\_

CERTIFICATE OF FILING

I certify that on \_\_\_\_ [date] \_\_\_\_, I filed the original of this petition for judicial with the State Court Administrator at this address:

State Court Administrator  
Supreme Court Building  
1163 State Street  
Salem, Oregon 97310

by [specify method of service]:

- \_\_\_\_\_ United States Postal Service, ordinary first class mail
- \_\_\_\_\_ United States Postal Service, certified or registered mail, return receipt requested
- \_\_\_\_\_ hand delivery
- \_\_\_\_\_ other (specify) \_\_\_\_\_

\_\_\_\_\_  
[Signature of petitioner or attorney]

\_\_\_\_\_  
[Typed or printed name of petitioner or attorney]

**APPENDIX G**  
**Illustration for Rule 5.05**

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

_____	)	
Plaintiff-Appellant,	)	
(or Plaintiff-Respondent)	)	_____ County Circuit
	)	Court No. _____
v.	)	
	)	CA A _____
_____	)	
Defendant-Respondent,	)	
(or Defendant-Appellant)	)	

APPELLANT'S BRIEF AND ABSTRACT OF RECORD

Appeal from the judgment (order) of the Circuit Court for \_\_\_\_\_  
County; Honorable \_\_\_\_\_, Judge.

\_\_\_\_\_, Attorney for Appellant  
[Mailing address, bar number and telephone number]

\_\_\_\_\_, Attorney for Respondent  
[Mailing address, bar number and telephone number]

**APPENDIX H**  
**Illustration for Rule 5.45**

**ASSIGNMENTS OF ERROR**

**Illustration 1**

The court erred in denying (or allowing) the following motion: [Set forth verbatim the motion and ruling of the court.]

**Illustration 2**

The court examination of witness \_\_\_\_\_ erred in sustaining (or failure to sustain) objection to the following question: [Set forth verbatim the question, the objection made, the answer given, if any, offer of proof, if any, and the ruling of the court.]

**Illustration 3**

The court erred in denying (or sustaining) the motion for dismissal or directed verdict: [Set out verbatim the motion and the ruling of the court.]

**Illustration 4**

The court erred in failing to give the following requested instruction: [Set out verbatim the requested instruction and the exception, if any, made thereon.]

**Illustration 5**

The court erred in giving the following instruction: [Set out verbatim the instruction and the exception made thereto.]

**Illustration 6**

The court erred in holding ORS \_\_\_\_\_ (or Oregon Law 19\_\_\_\_, chapter \_\_\_\_\_, section \_\_\_\_\_) unconstitutional (or constitutional).

**APPENDIX J**  
**Illustration for Rule 5.50**

**ABSTRACT OF RECORD**

**COMPLAINT**

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, plaintiff filed in the Circuit Court of  
\_\_\_\_\_ County a

COMPLAINT

stating claims as follows:

[Set forth so much of the complaint as necessary to an understanding of the questions to be presented to the appellate court.

Give the date of filing of the original complaint, but omit the text thereof if an amended complaint has been filed, unless special circumstances necessitate presenting both. Separately copy each paragraph of the complaint except where the paragraph may be properly summarized, such as regarding damages, personal injuries and prayer (examples below).

If a paragraph of the complaint alleges corporate, martial or other capacity of the plaintiff or defendant, and if no issue is raised as to the fact or form of the allegations, simply state, without legal formality, "Paragraph No. \_\_\_\_\_ alleges the corporate (or other) capacity of the plaintiff (defendant)."]

**DESCRIPTIONS**

[If the pleading contains a lengthy description of real or personal property and no question is raised as to its correctness, omit it from the abstract and refer to the paragraph of the original pleading, wherein it may be found.]

**DAMAGES**

[If the complaint is for damages, and if the questions raised on the appeal do not relate to the issue of damages, summarize the allegation.]

**EXHIBITS**

[Omit parts of exhibits which may be formally required but are not relevant; for example, if the exhibit is a deed or mortgage, and no question is raised on appeal as to the acknowledgment, omit the acknowledgment.]

## PERSONAL INJURIES

[Unless the nature or extent of injuries is relevant to issues on appeal, merely summarize the prayer of the complaint, e.g.:]

The prayer of the complaint is for \_\_\_\_\_ dollars general and \_\_\_\_\_ dollars special damages.

### ANSWER

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, defendant filed an

### ANSWER

as follows:

[Here give so much of the answer as necessary to explain the questions raised on appeal, omitting all merely formal parts. If the answer either admits or denies all of the allegations of a paragraph of the complaint, state only:]

Paragraph No. \_\_\_\_ is admitted (denied).

### REPLY

[If a reply was filed, continue:]

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, plaintiff filed a

### REPLY

[Summarize or copy the reply, following as nearly as possible the illustrations of complaint and answer.]

## MOTIONS AND ORDERS

[If a pleading was moved against, continue:]

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, defendant (plaintiff) filed a motion to the complaint (answer or reply).

[Specify the grounds relied on.]

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the motion was overruled (sustained).

[Give the substance of motions and orders relevant to the appeal, without legal formality. If no question is raised on appeal regarding rulings of the trial court on motions, they should not be mentioned in the abstract.]

### **VERDICT**

When the abstract shows issue joined, proceed:]

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, said cause was tried by a jury.

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the jury returned the following verdict:

[Set out the verdict if necessary to a full understanding of the questions presented; if not, state the party in whose favor the verdict was rendered and the amount or character of relief awarded.]

### **FINDINGS**

[If a cause was tried by the court without a jury, the findings, objections thereto, and requested findings of the appellant, if any, when relevant to the appeal, should be set out; if not relevant, it must be stated whose favor the findings were made and the court's conclusion of law.]

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, judgment was entered.

[Set forth only so much of the judgment as necessary.]

### **APPEAL FROM ORDER GRANTING NEW TRIAL**

[or]

### **APPEAL FROM JUDGMENT N.O.V.**

[Where the appeal is from an order granting a new trial, or judgment n.o.v., set forth verbatim the grounds specified in the motion and the order thereon.]

### **DENIAL OF MOTION FOR NEW TRIAL**

[If a motion for a new trial has been denied and the ruling is one which the court may consider on appeal, e.g., a motion based on newly discovered evidence, set forth verbatim the grounds specified in the motion and the order thereon.]

**APPENDIX K**  
**Illustration of Rule 7.25**

IN THE SUPREME COURT (COURT OF APPEALS) OF THE  
STATE OF OREGON

_____ , )	)	
Plaintiff-Appellant, )	)	
(or Plaintiff-Respondent) )	)	_____ County Circuit
v. )	)	Court No. _____
_____ , )	)	CA A _____
Defendant-Respondent, )	)	
(or Defendant-Appellant) )	)	

**MOTION FOR EXTENSION OF TIME**

Appellant (Respondent) moves this court for an extension of time of \_\_\_\_ days, from \_\_\_\_\_ through \_\_\_\_\_, within which to serve and file the appellant's (or respondent's) brief (or other item) in this case.

The Notice of Appeal in this case was filed on \_\_\_[date]\_\_\_. The brief (or other item) is due on \_\_\_[date]\_\_\_. This is the first (or second or third) request for a time extension and one is now sought because [set out the reason].

[In a criminal case, indicate whether defendant is incarcerated or under what terms defendant has been released.]

Opposing counsel in this case inform me that (counsel) (has no objection to / concurs in / has no comment on) this request for extension of time.

\_\_\_\_\_  
Attorney for Appellant  
[Sign and print/type name, bar number,  
address and telephone number]

Date \_\_\_\_\_



**APPENDIX M**  
**Illustration of Rule 10.15**

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of _____,	)	
a Child.	)	
	)	_____ County Circuit
	)	Court No. _____
State ex rel Juvenile Department of	)	
_____ County,	)	CA A _____
Respondent (or Appellant)	)	
	)	<b>TERMINATION OF PARENTAL</b>
v.	)	<b>RIGHTS</b>
	)	
_____,	)	
Appellant (or Respondent)	)	NOTICE OF APPEAL
on Review.	)	

**APPENDIX N**  
**Illustrations for Rule 11.05**

Illustration 1a.      Sample case title for a peremptory writ of mandamus proceeding challenging the action of a judge in a particular case (Chris Dow, Plaintiff, v. Out of State Business, Inc., Defendant).

CHRIS DOE,	)	_____ County Circuit
Plaintiff-Adverse Party,	)	Court No. _____
	)	
v.	)	SC S _____
	)	
OUT OF STATE BUSINESS, INC.,	)	PETITION FOR PEREMPTORY WRIT
Defendant-Relator.	)	OF MANDAMUS

---

Illustration 1b.      Sample case title for a motion in a mandamus proceeding challenging the action of a judge in a particular case.

CHRIS DOE,	)	_____ County Circuit
Plaintiff-Adverse Party,	)	Court No. _____
	)	
v.	)	SC S _____
	)	
OUT OF STATE BUSINESS, INC.,	)	MANDAMUS PROCEEDING
Defendant-Relator.	)	MOTION TO DISMISS

Illustration 2. Sample case title for an alternative writ of mandamus proceeding against an administrative agency.

STATE ex rel TERRY DOE,	)	_____ Agency Name _____
an elector of the State of Oregon,	)	Case No. _____
Plaintiff-Relator,	)	
	)	
v.	)	SC S_____
	)	
PAT ROE, Secretary of State for the	)	PETITION FOR ALTERNATIVE
State of Oregon,	)	WRIT OF MANDAMUS
Defendant.	)	

---

Illustration 3. Sample case title for an alternative writ of mandamus proceeding challenging an administrative action of a judge.

STATE ex rel OREGON	)	
ADVOCATES FOR JURORS,	)	SC S_____
Plaintiff-Relator,	)	
	)	
v.	)	
	)	
KELLY BENCH, Presiding Judge for	)	PETITION FOR ALTERNATIVE
_____ County Circuit Court,	)	WRIT OF MANDAMUS
Defendant.	)	

**APPENDIX O**  
**Illustration for Rule 13.10**

IN THE SUPREME COURT (COURT OF APPEALS) OF THE  
STATE OF OREGON

_____ , )	)	
Plaintiff-Appellant, )	)	
(or Plaintiff-Respondent) )	)	_____ County Circuit
v. )	)	Court No. _____
_____ , )	)	
Defendant-Respondent, )	)	
(or Defendant-Appellant) )	)	(SC or CA) _____

**PETITION FOR ATTORNEY FEES**

Appellant (Respondent) moves this court for an order allowing appellant (respondent) a reasonable sum as attorney fees in the amount of \$\_\_\_\_\_.

This petition is based on [cite authority] and on the following facts.

[Set out facts showing the attorney time involved, the time devoted to each task, the reasonableness of the amount of time claimed, the hourly rate at which time is claimed, and the reasonableness of the hourly rate.]

[If the petition is based on a contractual provision, that provision should be set out verbatim in the petition.]

\_\_\_\_\_  
Attorney for Petitioner  
[Sign and print/type name, bar number, address and telephone number]

**APPENDIX P**  
**Illustration for Rule 13.15**

[This form is available from Appellate Records Section, Office of the State Court Administrator, 1163 State Street, Salem, OR 97310; (503) 986-5555]

*NOTE: This form is now available on our site. You should browse back and choose "FORMS"*



- \_\_\_\_\_ •Payment from indigent defense funds is not authorized by statute or constitution.
- \_\_\_\_\_ •Was billed beyond statutory or rule deadlines.
- \_\_\_\_\_ •Other (explain): \_\_\_\_\_

The Court has requested the State Court Administrator to issue a warrant in the amount certified as follows:

Counsel Compensation.....	\$ _____
Law Clerk/Paralegal Fees.....	\$ _____
Other Costs and Expenses.....	\$ _____
<b>TOTAL AMOUNT .....</b>	<b>\$ _____</b>

You may ask the court to reconsider this amount by submitting a request with additional documentation within 14 days after the date of this notice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Judge (Chief Justice)

c: Fiscal Services Section  
Indigent Defense Services Division



**APPENDIX R**  
**ORS Chapter 19**

*NOTE: ORS Chapter 19 as well as additional chapters of the Oregon Revised Statutes (ORS) are available at <http://landru.leg.state.or.us/ors/>. A link to this site has been provided for you. To view Chapter 19 as well as other chapters of the ORS, browse back and choose "ORS SITE"*