

## **Appealing a Conviction to Circuit Court**

When someone is found guilty of a traffic offense in the Wilsonville Municipal Court, they have the right to file an appeal with Clackamas County Circuit Court. The circuit court shall treat a matter appealed under this subsection as though the case had been originally filed with the circuit court and shall try the case anew, disregarding any irregularity or imperfection in the proceedings in the justice court or municipal court. Oregon Revised Statutes (ORS) Section 138.057(f).

A written notice of appeal must be filed within 30 days after the date of the decision in the Wilsonville Municipal Court to start the appeal process. There is a \$281.00 non-refundable filing fee required by the Circuit Court that must accompany the notice of appeal. Check must be made payable to State of Oregon.

If the appeal is made by the defendant from the decision of a municipal court, the copy of the notice of appeal must be served on the City Attorney. After the City Attorney has been served, proof of service must be filed with the Wilsonville Municipal Court.

Once a notice of appeal has been filed, the Wilsonville Municipal Court will forward the filing fee, notice of appeal, citation and other records to Clackamas County Circuit Court. A new trial date will be set by the Circuit Court and the information will be sent to the defendant.

For more information about service of the notice of appeal, please review ORS Section 138.057 (b), available in libraries or online at [https://www.oregonlegislature.gov/bills\\_laws/ors/ors138.html](https://www.oregonlegislature.gov/bills_laws/ors/ors138.html)