



APPEAL PROCEDURE

IN ORDER TO PERFECT AN APPEAL TO THE APPEALS PANEL OF THE TRAFFIC TRIBUNAL THE FOLLOWING PROCEDURES SHALL BE COMPLIED WITH:

1. APPEALS MUST BE FILED WITHIN TEN (10) CALENDAR DAYS FROM IMPOSITION OF SENTENCE TO FILE.
2. YOU MUST COMPLETE THE APPEAL FORM THAT IS PROVIDED BY THE TRAFFIC TRIBUNAL'S CLERK'S OFFICE AND PAY THE FILING FEE OF TWENTY-FIVE (\$25.00) DOLLARS.

The cost of the filing fee is mandated by Rhode Island General Law § 31-41.1-8 (h)

3. FOLLOWING THE COMPLETION OF THE APPEAL FORM AND FILING A TRANSCRIPT OF THE HEARING, THE CLERK WILL ASSIGN THE DATE AND TIME THAT YOUR APPEAL WILL BE HEARD AT THE TRAFFIC TRIBUNAL.

In addition the clerk will provide a copy of the Proof of Service form (See procedure 6, below)

4. IN MOST CASES, YOU WILL NEED TO HAVE A COPY OF THE TAPE TRANSCRIBED SO THAT THE APPEALS PANEL MAY REVIEW THE RECORD.

The cost to obtain a copy of a tape is ten (\$10.00) dollars per copy. The tape of your hearing must be transcribed. The original transcript and three (3) copies must be filed with the Traffic Tribunal no later than ten (10) days prior to your appellate hearing date. This transcript is necessary for the determination of the appeal.

A copy of the transcript and memoranda must be forwarded to the opposing party within twenty (20) days or no later than ten (10) days prior to the initial date of the appeal hearing as set by the court. The court may extend the time period for good cause shown.

5. TRANSCRIPTS SHALL BE TYPED ON 8½ by 11 PAPER.

The name, address, and signature of the person who transcribed the tape(s) shall be noted at the end of the transcript. The transcriber shall certify that they have transcribed the tape to the best of their ability and acknowledge that it is an accurate and complete transcription of the hearing. The person transcribing the tape must be a reliable or disinterested party or a transcription service company.

Rhode Island General Law § 31-41.1-8 (E) notes that “the transcript of any hearing which formed the basis or determination will be reviewed only if it is submitted by the appellant.”

Failure to provide a transcript with due diligence shall result in a dismissal of your appeal.

6. A COPY OF THE APPEAL AND A COPY OF THE TRANSCRIPT SHALL BE SERVED ON THE OPPOSING PARTY.

Proof of service form must be completed by you and filed with the court prior to your hearing before the appeals panel.

By completing the proof of service form you are attesting to the court that you have delivered a copy of your appeal to the opposing party; and they have been notified of the date and time of your appellate hearing.