



**Office of Judicial Records - Civil
First Judicial District of Pennsylvania**

**Informational Guide for Municipal Court Appeal of a
Supplementary Order**

What is a Supplementary Order?

Supplementary Orders are orders granting or denying a petition to open a default judgment and any other post-judgment orders entered in Municipal Court. An appeal of a supplementary order is limited to a review of the record.

What is needed to file?

1. Notice of Appeal:

- Notice of Appeal form is available on the Court's website at www.courts.phila.gov/forms and in the Civil Filing Center Room 296, City Hall.
- Copy of order/decision entered in Municipal Court.
- Filing fee: \$215.29
 - If you are low-income and cannot afford to pay the cost of the appeal, you can make a request to the Court to waive the filing fees by filing a Petition to Proceed In Forma Pauperis available on the Court's website at www.courts.phila.gov/forms and in the Civil Filing Center Room 296, City Hall.

2. Motion: A motion is a written request that tells the Court what you are asking for and why it should be granted. A motion must be filed along with the Notice of Appeal or within 20 days of the filing of the Notice of Appeal. The case will not be presented to a judge for review if a motion is not filed. A motion should include the following:

- A title for your motion which is what you are asking for.
- List basic facts about the case to help the Judge in deciding your motion.
- Explain exactly what you are asking for. Be as detailed as possible.
- Explain errors that the Municipal Court Judge made that are improper.
- List the reasons why the decision made by the Municipal Court Judge was improper.
- List reasons why the Judge should agree with what you are asking for and grant your motion.
- Attach any documents that help support your motion.
- Filing fee: \$67.68

- If you are low-income and cannot afford to pay the cost of the appeal, you can make a request to the Court to waive the filing fees by filing a Petition to Proceed In Forma Pauperis available on the Court's website at www.courts.phila.gov/forms and in the Civil Filing Center Room 296, City Hall.

What is a stay (supersedeas)?

A stay (supersedeas) stops the other side from enforcing the Municipal Court judgment during your appeal. This Notice of Appeal does **not** create a stay automatically. A stay must be issued by a judge. An additional motion must be filed to ask a judge to issue a stay. See the motion details listed above.

How will the Judge review the appeal?

The Judge will review the case for any *errors of law* that may have been committed by the Municipal Court Judge. *This means losing parties can't appeal a case just because they are unhappy with the outcome.* You may only challenge decisions that may have resulted from errors by the Judge in Municipal Court, such as a failure to understand or interpret something correctly, an abuse of discretion in ruling upon the petition or motion filed in Municipal Court, or an error caused by misunderstanding of the rules of civil procedure.

NOTICE: This document is not intended to be legal advice or take the place of an attorney. If you need the assistance finding an attorney, our court staff can give you information on legal service organizations that may be able to help you.