

Appealing the Decision From an Informal Hearing

An appeal following an informal hearing is a matter of right for both parties. MCR 4.101 (G)(2) and MCL 257.746(5); MSA 9.2446(5).

- The appealing party must file a written appeal with the Court within 7 days of the judgment. MCR 4.101(G)(2).
- “A defendant who appeals must post with the District Court, at the time the appeal is taken, a bond equal to the fine and costs imposed.” MCR 4.101(G)(2)(a) and 4.101(G)(1)(a). “If a defendant who has posted a bond defaults by failing to appear at the formal hearing, or if the appeal is dismissed or the judgment is affirmed, the bond may be applied to the fine and costs.” MCR 4.101(G)(2)(a).
- The bond posted must be in cash or money order. Checks are not accepted.
- “A plaintiff’s appeal must be asserted by the prosecuting authority of the political unit that is responsible for providing the plaintiff’s attorney for the formal hearing. A bond is not required.” 4.101(G)(2)(b).

An appeal from an informal hearing is heard by a District Court Judge at a formal hearing. The formal hearing is held de novo, meaning that the judge will hear the case as if for the first time; no consideration is given to the earlier hearing.