

Should I Appeal?

by the Woodring Law Firm

How a Florida Appeal Works: the Timeline

A civil appeal from a final order of a circuit or county court to a District Court of Appeal. Rule numbers are Florida Rules of Appellate Procedure (The Florida Bar, October 1, 2026 edition) unless noted.

When	What happens	Rule
Day 0	The order is rendered. The signed, written order is filed with the clerk of the trial court. A timely, authorized motion for rehearing, new trial, or to alter or amend, directed to the final order, postpones rendition until it is decided.	9.020(h)
Day 30	Notice of appeal. Filed with the clerk of the trial court (for a state agency or DOAH order, with the clerk of the agency, with a copy and the fee to the appellate court). No court can extend this time.	9.110(b)–(c); 9.190(b)
Notice + 10 days	Transcripts designated. The appellant designates the proceedings to be transcribed and serves the court reporter; the appellee may add to the designation within 20 days.	9.200(b)(1)
Notice + 50 and 60 days	The record. The trial court clerk prepares the record and serves its index by day 50, and transmits the record to the appellate court by day 60.	9.110(e)
Notice + 70 days	Initial brief. The appellant’s initial brief (13,000 words; each issue cites where it was preserved). For a nonfinal order under rule 9.130: 20 days.	9.110(f); 9.210(a)(2), (b)(6); 9.130(e)
+ 30 days	Answer brief. Due 30 days after service of the initial brief (13,000 words).	9.210(g)
+ 30 days	Reply brief. Due 30 days after service of the answer brief (4,000 words), if the appellant files one.	9.210(g)
Last brief + 15 days	Request for oral argument. A separate request; the court decides. When argument is held, 20 minutes a side unless the court orders otherwise.	9.320
Within 180 days	Decision. The courts’ time standard: a decision within 180 days of oral argument or of submission to the panel. A target, not a deadline. Affirmed (often per curiam, without opinion), reversed, reversed in part, or remanded.	Fla. R. Gen. Prac. & Jud. Admin. 2.250(a)(2)
Decision + 15 days	Rehearing. Motion for rehearing, clarification, certification, or a written opinion; it must state what the court overlooked or misapprehended and may not raise new issues.	9.330(a)
Decision + 15 days	Mandate. Issues 15 days after the decision unless the court orders otherwise; a timely rehearing motion extends it to 15 days after the motion is decided.	9.340(a)–(b)
Decision + 30 days	Florida Supreme Court. Notice to invoke discretionary jurisdiction, then a brief on jurisdiction 10 days later (2,500 words; no reply). Review is limited to certain decisions; a decision holding a statute or constitutional provision invalid is appealable as of right.	9.120(b), (d); Art. V, § 3(b)(1), (3)
Decision + 90 days	U.S. Supreme Court. Petition for certiorari, when a federal question was decided.	Sup. Ct. R. 13.1
Other paths		Rule
Nonfinal orders	Orders on the list in rule 9.130 (venue, injunctions, personal jurisdiction, possession of property, certain family-law rulings, class certification, immunity, arbitration): notice within 30 days; initial brief 20 days after the notice. Other nonfinal orders: petition for an extraordinary writ, usually certiorari, within 30 days.	9.130(a)(3), (b), (e); 9.100(c)
Administrative appeals	Final orders of state agencies and DOAH: notice with the agency clerk within 30 days; same 70-30-30 briefing. Nonfinal agency action: petition within 30 days. Local boards not under the APA: certiorari in circuit court within 30 days, then second-tier certiorari in the DCA.	9.190(b)–(c); 9.100(c)
Stay pending appeal	A money judgment is stayed automatically when the appellant posts a bond for the judgment plus twice the statutory interest rate; otherwise ask the trial court. The State and public bodies: the notice itself is a stay in most cases.	9.310(a)–(b)
Federal appeals	Notice within 30 days of entry (60 days when the United States, an agency, or a federal officer is a party); appellant’s brief 40 days after the record is filed, appellee’s 30 days later, reply 21 days after that; oral argument unless a panel unanimously finds it unnecessary.	Fed. R. App. P. 4(a)(1), 31(a)(1), 34(a)(2)

General information, not legal advice. The periods are those in the rules in force on October 1, 2026; the rules that apply to a case depend on its facts, and many periods can be extended by the court or by a timely motion. Prepared October 27, 2026.