



## ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

This document provides information for self-represented litigants in filing an appeal from a circuit court order or judgment in a civil case to the Illinois Appellate Court. It does not discuss how to file an appeal in a criminal case or in federal court.

The civil appeals process is difficult. The process involves many strict deadlines and adherence to [Illinois Supreme Court Rules](#) ("Rules"). You are strongly encouraged to speak to a lawyer about your appeal. Should you decide to appeal your case without a lawyer, you will need to follow the Rules just like those parties who have an attorney. You will also need to do a significant amount of legal research and write lengthy briefs in order to convince the appellate court that your position is correct. You can search for a lawyer with experience in appeals to represent you at [Illinois Lawyer Finder](#) (outside Cook) or [Chicago Bar Association Lawyer Referral Service](#) (in Cook).

The material presented herein is legal information and aims to provide general resources for you. This FAQ is not a substitute for legal counsel and does not constitute legal advice. You must speak with a lawyer to receive legal advice. This resource is neither legal authority nor a substitute for the requirements found in the Rules.

### SECTION TEN: THE APPELLATE COURT'S DECISION

**1. How will my appeal be decided?**

Three appellate justices will decide your case. The justices will consider the record on appeal, the parties' briefs, and, in certain cases, the parties' oral argument.

**2. How will I be notified when a decision has been made about my appeal?**

The appellate court clerk will notify all parties when the court issues a decision.

**3. How long will my appeal take?**

It can take many months to complete an appeal. Factors that impact the amount of time the appellate court needs to decide your case include: the issues involved; how long it took the parties to submit the record and their briefs to the appellate court; any motions filed on the case; and the number of cases pending before the appellate court.

**4. I received a letter addressed to the clerk of the circuit court stating that the appellate court issued the mandate. What is the mandate?**

The mandate is the order that officially finalizes the decision of the appellate court and transfers jurisdiction back to the circuit court. The appellate court will send the mandate to the clerk of the circuit court.



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**5. What if I disagree with the appellate court's decision?**

If the appellate court has ruled against you and you believe the court overlooked or misunderstood key points of your case, you may file a Petition for Rehearing in the appellate court within **21 days** after the decision. See [Rule 367](#) for more information. The Petition for Rehearing [form](#) is available on the Illinois Courts' website.

If you lost the appeal, you may *also* file a Petition for Leave to Appeal ("PLA") to the Illinois Supreme Court within **35 days** after the appellate court files its decision. A \$50 filing fee is due when filing the PLA, but if you are unable to afford the fee, you may apply for a fee waiver by submitting a [Fee Waiver Application](#) with the Illinois Supreme Court. See [Rule 315](#) for more information. There is a [template](#) for the PLA and an [overview](#) of the PLA process on the Court's website.

You may file *both* a Petition for Rehearing and a Petition for Leave to Appeal. However, if you file a Petition for Rehearing, you cannot file a Petition for Leave to Appeal until *after* the appellate court has ruled on your Petition for Rehearing. You must file the Petition for Leave to Appeal within **35 days** after that ruling.