

Rule 342. Appendix to the Brief. The appellant’s brief shall include, as an appendix, a table of contents to the appendix, the judgment appealed from, any opinion, memorandum, or findings of fact filed or entered by the trial judge or by any administrative agency or its officers, any pleadings or other materials from the record that are the basis of the appeal or pertinent to it, the notice of appeal, and a complete table of contents, with page references, of the record on appeal. The table shall state:

(1) the nature of each document, order, or exhibit, *e.g.*, complaint, judgment, notice of appeal, will, trust deed, contract, and the like;

(2) in the case of pleadings, motions, notices of appeal, orders, and judgments, the date of filing or entry; and

(3) the names of all witnesses and the pages on which their direct examination, cross examination, and redirect examination begin.

In addition, in cases involving proceedings to review orders of the Illinois Workers’ Compensation Commission, the appellant’s brief shall also include as part of the appendix decisions of the arbitrator and the Commission.

The appellee’s brief and the appellant’s reply brief may include in a supplementary appendix other materials from the record that also are the basis of the appeal or are essential to any understanding of the issues raised in the appeal.

The pages of the appendix shall be numbered consecutively with the letter “A” preceding the number of each page. If an appendix would expand the size of the PDF comprising the combined brief and appendix to greater than 150 megabytes, it may be filed as a separate PDF and labeled “Separate Appendix.”

Amended October 21, 1969, effective January 1, 1970; amended July 30, 1979, effective October 15, 1979; amended June 1, 1984, effective July 1, 1984; amended May 18, 1988, effective August 1, 1988; amended December 17, 1993, effective February 1, 1994; amended October 15, 2004, effective January 1, 2005; [amended June 22, 2017, eff. July 1, 2017](#); [Sept. 26, 2019, eff. Oct. 1, 2019](#).

Commentary
(December 17, 1993)

A separate table of contents to the appendix is added as a requirement under paragraph (a). The rule also provides that all pages of the appendix must be numbered to permit easy reference.

Committee Comments
(Revised June 1, 1984)

Rule 342 was substantially rewritten in 1979. Prior to 1964 it was required that the appellant prepare and file an abstract of the record on appeal. In that year former Rule 36-1 was adopted (29 Ill. 2d R. 36-1), giving the appellant in appeals referable to magistrates the option of substituting for the abstract excerpts from the record, containing the judgment or order appealed from, the notice of appeal, and “the parts of the record deemed essential for the judges of the reviewing court to read in order to decide the issues presented” (29 Ill. 2d R. 36-1(8)). Provision was made for an

exchange of designations of items to be included in the excerpts, the excerpts to be filed by the appellant no later than 14 days after the due date of the appellee's brief. At the time it was thought that reproduction of the actual pages from the record was at once less time consuming, and therefore less expensive, than the preparation of a narrative statement, and also more accurate. Rule 342, effective January 1, 1967, extended the provision for the filing of excerpts from record to cover all appeals. Extensive amendments were adopted effective January 1, 1970.

As revised in 1979, Rule 342 requires that the appellant include in its brief an appendix containing a copy of the judgment appealed from, any opinion, memorandum, or findings of fact filed or entered by the trial judge, the notice of appeal, and a table of contents of the record (paragraph (a)). Otherwise it is not required that any parts of the record be duplicated. All reference to excerpts of record were therefore deleted. The contemplation is that in most instances the appeal will be heard on the original papers. It is provided, however, that the reviewing court may order that an abstract be prepared and filed. Therefore the provisions of the rule governing the contents, form, and filing of an abstract are retained. Appropriate changes were made in other rules that included reference to the preparation and filing of excerpts from the record. (See Rules 306, 307, 308, 317, 344, 607, and 612.) Since in most cases there will no longer be either abstract or excerpts, the duty of the parties to make a fair and accurate statement of the facts in their briefs, always important, has become even more so, and this duty has been emphasized by amendment to Rules 315(b)(4) and 341(e)(6).

In 1984 subparagraph (a) was amended to require that copies of the decisions of both the arbitrator and the Commission be included in the appendix in all cases involving proceedings to review orders of the Industrial Commission.