

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Appellate Courts.

Instructions ▼	<input type="checkbox"/> THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a). <p style="text-align: center;">Appellate Case No.: _____</p> <p style="text-align: center;">IN THE APPELLATE COURT OF ILLINOIS</p> <p style="text-align: center;">_____ District</p>			
Keep this cover page white.				
Check the box to the right if your case involves custody, visitation, or removal of a child.				
Enter the Appellate Court case number.				
Just below “In the Appellate Court of Illinois,” enter the number of the appellate district where the appeal was filed.	<table border="1" style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <p>In re _____</p> <p>_____</p> <p>Plaintiff/Petitioner (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p> <p>v.</p> <p>_____</p> <p>Defendant/Respondent (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p> </td> <td style="width: 40%; vertical-align: top;"> <p>Appeal from the Circuit Court of _____ County</p> <p>Trial Court Case No.: _____</p> <p>Honorable _____</p> <p>Judge, Presiding</p> </td> </tr> </table>		<p>In re _____</p> <p>_____</p> <p>Plaintiff/Petitioner (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p> <p>v.</p> <p>_____</p> <p>Defendant/Respondent (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p>	<p>Appeal from the Circuit Court of _____ County</p> <p>Trial Court Case No.: _____</p> <p>Honorable _____</p> <p>Judge, Presiding</p>
<p>In re _____</p> <p>_____</p> <p>Plaintiff/Petitioner (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p> <p>v.</p> <p>_____</p> <p>Defendant/Respondent (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p>			<p>Appeal from the Circuit Court of _____ County</p> <p>Trial Court Case No.: _____</p> <p>Honorable _____</p> <p>Judge, Presiding</p>	
If the case name in the trial court began with “In re” (for example, “In re Marriage of Jones”), enter that name. Below that, enter the names of the parties in the trial court, and check the correct boxes to show which party filed the appeal (“appellant”) and which party is responding to the appeal (“appellee”).				
To the far right, enter the trial court county, trial court case number, and trial judge's name.				

APPELLANT'S BRIEF

Enter your complete address, telephone number, and email address, if you have one.
Check “Requested” if you want oral argument OR check “Not Requested” if you do not want oral argument. See <i>How to File an Appellant's Brief</i> for a discussion of oral arguments.

Your Information

Name: _____
First
Middle
Last

Address: _____
Street, Apt #
City
State
ZIP

Phone: _____
 Email: _____

Oral Argument

Requested Not Requested

Enter the Case Number given by the Appellate Court Clerk: _____

POINTS AND AUTHORITIES

[Refer to [Illinois Supreme Court Rule 341\(h\)\(1\)](#)]

Page of
Brief

You may have to complete the Argument section before completing the Points and Authorities section.

State the title of your 1st argument here and list the page where the argument starts later in the brief.

1. The trial court or jury (*check one*) made a mistake by _____

Authorities:

In the formats provided by [Illinois Supreme Court Rule 6](#), list the authorities (cases, statutes (laws), etc.) that you refer to in your 1st argument, in order of their importance, and the pages on which they will appear.

You may have to complete the Argument section before completing the Points and Authorities section.

If you have a 2nd argument, state the title of your 2nd argument here and list the page where the argument starts later in the brief. If you don't have a 2nd argument, remove this page.

2. The trial court or jury (*check one*) made a mistake by _____

Authorities:

In the formats provided by [Illinois Supreme Court Rule 6](#), list the authorities (cases, statutes (laws), etc.) that you refer to in your 2nd argument, in order of their importance, and the pages on which they will appear.

You may have to complete the Argument section before completing the Points and Authorities section.

If you have a 3rd argument, state the title of your 3rd argument here and list the page where the argument starts later in the brief. If you don't have a 3rd argument, remove this page.

3. The trial court or jury (*check one*) made a mistake by _____

Authorities:

In the formats provided by [Illinois Supreme Court Rule 6](#), list the authorities (cases, statutes (laws), etc.) that you refer to in your 3rd argument, in order of their importance, and the pages on which they will appear.

If you are making more than 3 arguments, fill out and insert 1 or more *Additional Points and Authorities* forms after this page.

NATURE OF THE CASE

[Refer to [Illinois Supreme Court Rule 341\(h\)\(2\)](#)]

State the kind of case that was in the trial court (e.g., "This case was filed in the trial court to recover damages caused by the alleged negligence of the defendant in driving his automobile.").

This case was filed in the trial court to _____

Check boxes to designate:
(1) whether or not the judgment you are appealing was based on a jury's verdict;
(2) whether the judgment was in favor of the plaintiff/petitioner or the defendant/respondent; and
(3) whether or not the judgment said there was a problem in the pleadings (meaning the complaint or petition). If the judgment did find a problem, describe the problem.

- (1) The trial court judgment was based on a jury verdict
 Yes No

- (2) The trial court entered a judgment in favor of
 Plaintiff/Petitioner Defendant/Respondent

- (3) A question is raised on the pleadings
 Yes No

If a question is raised on the pleadings, describe it: _____

Starting with this page, number the pages of your brief 1, 2, 3, etc. (This page is numbered for you.)

ISSUES PRESENTED FOR REVIEW

[Refer to [Illinois Supreme Court Rule 341\(h\)\(3\)](#)]

In **1**, state the title of your 1st argument as you wrote it in the Points and Authorities section above.

1. Whether the trial court or the jury (*check one*) made a mistake by _____

If you are making more than 1 argument, use **2** and **3** (if necessary) to state the titles of those arguments. If not, leave the rest of this section blank.

2. Whether the trial court or the jury (*check one*) made a mistake by _____

3. Whether the trial court or the jury (*check one*) made a mistake by _____

If you are making more than 3 arguments, fill out and insert 1 or more *Additional Issues Presented for Review* forms after this page.

JURISDICTION

[Refer to [Illinois Supreme Court Rule 341\(h\)\(4\)\(ii\)](#)]

In 1, state the Illinois Supreme Court Rule under which the appellate court has jurisdiction, and explain why the trial court's judgment is appealable under that rule.

1. This court has jurisdiction under Illinois Supreme Court Rule

[301](#), because the trial court's judgment ended a civil (non-criminal) case.

[304](#), because the trial court's judgment

ended only part of a civil (non-criminal) case but included a special finding of appealability under Rule 304(a).

ended only part of a civil (non-criminal) case but is one of the judgments listed in Rule 304(b), such as a child custody order.

Specifically, the judgment _____

[307](#), because the trial court's judgment did not end any part of a civil (non-criminal) case but is one of the judgments listed in Rule 307, such as a termination of parental rights or a restraining order.

Specifically, the judgment _____

Other: _____

In 2, 3, 4, and 5, referring to the pages of the common law record where the documents appear, fill in the dates of the documents that show that the appeal is timely.

Specifically, fill in the date of the judgment, the dates of any post-judgment motions, the dates of the rulings on those motions, and the date of the *Notice of Appeal (Civil)*.

2. On _____, the trial court entered the judgment (C _____).
Enter Date *Enter page(s) of record*

3. On _____, post-judgment motion(s) was/were filed
Enter Date(s)

(C _____).
Enter page(s) of record

4. On _____, the trial court ruled on the post-judgment
Enter Date(s)

motion(s) (C _____).
Enter page(s) of record

5. On _____, the *Notice of Appeal (Civil)* was filed (C _____).
Enter Date *Enter page(s) of record*

STATEMENT OF FACTS

[Refer to [Illinois Supreme Court Rule 341\(h\)\(6\)](#)]

Tell the story of what happened in the trial court, with references to the specific pages of the record where each fact appears. Refer to pages of the common law record as "C [page]." Refer to pages of the report of proceedings as "R [page]." For example, "On January 2, 2015, the plaintiff filed his complaint. C 1."

You should describe the following:

- what was said in the complaint or petition,
- anything relevant that happened in court before the trial,
- the testimony of all witnesses,
- how the judge ruled, any findings by the jury, and anything that happened in court after the trial.

Refer to the specific pages of the record where each fact appears.

Tell the story correctly and fairly. Do not make arguments or comments here.

Enter the Case Number given by the Appellate Court Clerk: _____

Lined area for case number entry, consisting of 20 horizontal lines.

Enter the Case Number given by the Appellate Court Clerk: _____

ARGUMENT

[Refer to [Illinois Supreme Court Rule 341\(h\)\(7\)](#)]

State the title of your 1st argument here as you wrote it in the Points and Authorities section above.

1. The trial court or jury (*check one*) made a mistake by _____

Standard of review (*Check all that apply to your 1st argument*)

- The trial court made a mistake in applying the law. (This is **de novo** review. The appellate court must give **no** deference to the trial court);
- The trial court or the jury made a mistake in deciding the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);
- The trial court made a mistake in conducting the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or
- other: _____

Authority for standard of review: _____

Explain your argument, using the law to demonstrate how, under the facts of your case, the outcome should have been different. (*Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.*) _____

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

- the standard of review you want the appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Enter the Case Number given by the Appellate Court Clerk: _____

State the title of your 2nd argument here as you wrote it in the Points and Authorities section above.

If you don't have a 2nd argument, remove this page and the following argument pages.

2. The trial court or jury (*check one*) made a mistake by _____

Standard of review (*Check all that apply to your 2nd argument*)

- The trial court made a mistake in applying the law. (This is **de novo** review. The appellate court must give **no** deference to the trial court);
- The trial court or the jury made a mistake in deciding the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);
- The trial court made a mistake in conducting the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or
- other: _____

Authority for standard of review: _____

Explain your argument, using the law to demonstrate how, under the facts of your case, the outcome should have been different. (*Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.*) _____

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

- the standard of review you want the appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Enter the Case Number given by the Appellate Court Clerk: _____

Blank lined area for text entry.

State the title of your 3rd argument here as you wrote it in the Points and Authorities section above.

If you don't have a 3rd argument, remove this page and the following argument pages.

3. The trial court or jury (*check one*) made a mistake by _____

Standard of review (*Check all that apply to your 3rd argument*)

- The trial court made a mistake in applying the law. (This is **de novo** review. The appellate court must give **no** deference to the trial court);
- The trial court or the jury made a mistake in deciding the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);
- The trial court made a mistake in conducting the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or
- other: _____

Authority for standard of review: _____

Explain your argument, using the law to demonstrate how, under the facts of your case, the outcome should have been different. (*Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.*) _____

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

- the standard of review you want the appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Enter the Case Number given by the Appellate Court Clerk: _____

Lined area for case number entry, consisting of 20 horizontal lines.

CONCLUSION

[Refer to [Illinois Supreme Court Rule 341\(h\)\(8\)](#)]

State what you want the court to do. You may check as many as apply.

The appellant respectfully requests that this court:

- reverse the trial court's judgment (*change the judgment in favor of the other party into a judgment in your favor*) and send the case back to the trial court for any hearings that are still required;
- vacate the trial court's judgment (*erase the judgment in favor of the other party*) and send the case back to the trial court for a new hearing and a new judgment;
- change the trial court's judgment to say: _____

- order the trial court to: _____

- other: _____

and grant any other relief that the court finds appropriate.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

Respectfully submitted,

/s/
Signature

Print Name

CERTIFICATE OF COMPLIANCE

[Refer to [Illinois Supreme Court Rule 341\(c\)](#)]

Rule 341(a) governs the form of briefs, and Rule 341(b) governs the length. Unless a motion to file a longer *Brief* is granted, the *Appellant's Brief* (not counting the pages listed) must contain no more than 50 pages OR no more than 15,000 words.

If your *Brief* is within the page limit, add the number of pages in your *Brief* (not counting the pages listed).

If your *Brief* is not within the page limit, but is within the word limit, add the number of words in your *Brief* (not counting the pages listed).

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

I certify that this *Brief* conforms to the requirements of Supreme Court Rules 341(a) and (b).

The length of this *Brief*, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is _____ pages or words.

/s/
Signature

Print Name

PROOF OF SERVICE (You must serve the other party and complete this section)

In **1a**, enter the name, mailing address, and email address of the party or lawyer to whom you sent the document.

In **1b**, check the box to show how you sent the document, and fill in any other information required on the blank lines.

In **1b**, check the box to show how you are sending the document.

CAUTION: If you and the person you are sending the document to have an email address, you **must** use one of the first two options. Otherwise, you may use one of the other options.

In **c**, fill in the date and time that you sent the document.

In **2**, if you sent the document to more than 1 party or lawyer, fill in **a**, **b**, and **c**. Otherwise leave **2** blank.

1. I sent this document:

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

b. By:

An approved electronic filing service provider (EFSP)

Email (*not through an EFSP*)

Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.

Personal hand delivery to:

The party

The party's family member who is 13 or older, at the party's residence

The party's lawyer

The party's lawyer's office

Mail or third-party carrier

c. On: _____
Date

At: _____ a.m. p.m.
Time

2. I sent this document:

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

b. By:

An approved electronic filing service provider (EFSP)

Email (*not through an EFSP*)

Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.

Personal hand delivery to:

The party

The party's family member who is 13 or older, at the party's residence

The party's lawyer

The party's lawyer's office

Mail or third-party carrier

c. On: _____
Date

At: _____ a.m. p.m.
Time

Enter the Case Number given by the Appellate Court Clerk: _____

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is perjury, a Class 3 Felony.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

I certify that everything in the Proof of Service is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

/s/ _____

Your Signature

Print Your Name

APPENDIX

[Refer to Illinois Supreme Court Rule 342(a)]

This is a Table of Contents for the Appendix.

- In addition to the materials listed, list any other materials from the record that are relevant to the appeal. Do not list materials that are not in the record.
- Add those materials to the end of the Appendix, in the order in which you list them.
- Number the pages of the Appendix A-1, A-2, A-3, etc.
- Fill in the appropriate page numbers on the Table of Contents.

- 1. Index to the record A- _____
- 2. Complaint or Petition A- _____
- 3. Judgment A- _____
- 4. *Notice of Appeal (Civil)* A- _____

Report of Proceedings ("R")

[Refer to [Illinois Supreme Court Rule 323](#)]

[Rule 323](#) discusses reports of proceedings. List each hearing in the report of proceedings (the transcript of the trial court hearings), the date on which each hearing occurred, and the page of the transcript on which the report of each hearing begins.

Proceeding	Date	Page
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

If you need more room, fill out and insert 1 or more *Additional Report of Proceedings* forms after this page.

Enter the Case Number given by the Appellate Court Clerk: _____

[Complaint or Petition]

After this page, insert
the complaint or
petition that was filed
in the trial court.

A- _____

Enter the Case Number given by the Appellate Court Clerk: _____

[Judgment]

After this page, insert the trial court's written judgment that you are saying was wrong (including any opinion, memorandum, or findings of fact).

A- _____

Enter the Case Number given by the Appellate Court Clerk: _____

[Notice of Appeal (Civil)]

After this page, insert the *Notice of Appeal (Civil)*.

Add any other materials from the record that are relevant to the appeal. Number those pages. List the additional materials and page numbers in the Table of Contents for the Appendix, in the order in which you attach them.

A- _____