



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 TWO: STEPS AND FORMS

1.) What steps are involved in filing an appeal?

There are numerous steps involved with filing an appeal, all of which have very specific deadlines. If you miss a deadline, you may lose your right to appeal. If you miss a deadline, you will need to file a motion with the appellate court for an extension of time. Be certain to consult the [Illinois Supreme Court Rules](#) for complete information. Further details are available by reviewing the sections within this manual:

- Step 1: File the Notice of Appeal
- Step 2: Request Preparation of Record (Common law record)
- Step 3: Request Report of Proceedings (Transcripts)
- Step 4: File the Docketing Statement
- Step 5: File the Appellant's Brief
- Step 6: Wait for the Appellee's Brief – Response filed by the Appellee (optional)
- Step 7: File the Appellant's Reply Brief – Reply filed by the Appellant (optional)
- Step 8: Oral Argument (optional and if granted by the court)
- Step 9: The Appellate Court will issue a decision
- Step 10: Petition for Rehearing or Petition for Leave to Appeal to the Illinois Supreme Court (optional – only if you disagree with the appellate court's decision)

A one-page overview of an appeal from a final judgment or order may be found [here](#).

2.) How do I make a request to the appellate court to ask for more time?

All requests to the appellate court must be made by a motion. Motions must be in writing - the appellate court does NOT hear oral arguments for motions. You will need submit a motion that tells the court exactly what you want and why you think the court should grant your request.

If you need more time to file a document, such as a Notice of Appeal or Brief, you must file a motion with the appellate court for an extension of time. You must also submit a proposed order along with your motion. A statewide standardized form for filing a motion is available on the Illinois Courts' [website](#). There is also a one-page [overview](#) of filing motions and the required steps. The local rules for your appellate district may have different requirements for what must be included in your motion.

In general, filing a motion will require these steps:

- You must send or "serve" your motion to the other parties in the case. However, if any party has a lawyer, you must send your motion to their lawyer.
- You must file your motion and the proposed order with the court along with proof of service – this tells the court that you served the other parties with the motion.
- You must pay any fees associated with the filing OR if you are unable to pay the fees, submit an [Application for Waiver of Court Fees](#).
- The appellate court will decide if your motion will be granted or denied. It may take several weeks for the court to decide on your motion. You will receive a copy of the order once the court has made a decision.

3.) What forms do I need to file an appeal?

Many of the forms you will need for your appeal are available on the Illinois Courts' [website](#). These forms are fillable pdfs, meaning you can type directly into the forms, save them, and then upload them for e-filing. You also have the option of printing the forms, handwriting your information, and then scanning the forms to upload for e-filing.

The approved statewide standardized forms currently available on the Illinois Courts' [website](#) for the Appellate Court are:

- Notice of Appeal
- Request for Preparation of Record on Appeal
- Request for Report of Proceedings (Transcripts)
- Bystander's Report or Agreed Statement of Facts
- Docketing Statement
- Certification for Exemption From E-Filing

- Fee Waiver
- Motion form (general)
- Appellant's Brief
- Appellee's Brief
- Appellant's Reply Brief
- Petition for Rehearing
- Notice of Change of Address
- Appearance
- Additional Proof of Delivery

The approved statewide standardized forms currently available on the Illinois Courts' [website](#) for the Supreme Court are:

- Certification for Exemption From E-Filing
- Fee Waiver
- Motion form (general)
- Petition for Leave to Appeal
- Answer to Petition for Leave to Appeal
- Notice of Election
- Appellant's Brief
- Appellee's Brief
- Appellant's Reply Brief
- Petition for Rehearing
- Notice of Change of Address
- Appearance
- Additional Proof of Delivery

4.) How do I file documents for my appeal?

E-filing is mandatory for all civil appeals. Please visit the Illinois Courts' [website](#) to register for an Electronic Filing Service Provider (EFSP), which you will then use to file all of the forms necessary to complete your appeal. You must first register for an account before you will be able to e-file your documents with the court.

If you need help, each appellate clerk's office has a public computer terminal and scanner for you to register with an EFSP and then e-file your documents. If you handwrote your documents, you need to first scan and then upload the documents into the EFSP.

You must electronically file (e-file) all court documents in civil cases in Illinois unless:

- You are filing a will, which may not be electronically filed; or
- You are exempt because:
 - (1) *You are an inmate in a prison or jail and you do not have a lawyer;*
 - (2) *You are filing into a juvenile court case;*
 - (3) *You have a disability that prevents you from e-filing; or*
 - (4) *For good cause.*

The first 3 exemptions are automatic, and you do not need to submit additional paperwork.

For the fourth exemption (good cause), you must fill out and file a [Certification for Exemption from E-Filing](#) with the appellate court, that says you should be exempt because you do not have a lawyer and you:

- Do not have internet or computer access in your home or lack the technological literacy to meaningfully use it;
- Do not have an email account;
- Do not have a credit card, debit card, or bank account;
- Have trouble reading, writing, or speaking in English; or
- Tried to e-file your documents but were unable to complete the process because the equipment or assistance you needed was not available.

Please note, if you received an e-filing exemption in the circuit court, you need to file a new one with the appellate court (the exemption does not automatically carry over). If you have any questions about the exemption, please contact your local appellate clerk's office.

5.) Can I respond to a motion by my opponent?

Yes. You can file a written response to the motion with the clerk of the appellate court. Generally, you must file the response within 5 days after you receive the motion by email or personal service, or 10 days after you receive the motion by mail. You must send your response to the other parties and file a proof of service along with your response to the motion.