

# Illinois Supreme Court

## Overview of Petition for Leave to Appeal (PLA)

A PLA asks the IL Supreme Court to review and decide a case that was already decided by the Appellate Court. There is no right to an appeal with the Supreme Court and very few cases are accepted. Special rules apply to appeals involving child custody, delinquent minors, and the IL Workers' Compensation Commission, which are **not** outlined below (for those cases, contact the [Clerk of the Supreme Court](#) for further information and consult the [Supreme Court Rules](#)).

### Deadlines & Fees



#### Due Date

- The PLA must be filed within 35 days after the date of the Appellate Court decision in your case.
- **Exception:** if a Motion to Publish a Rule 23 Order or a [Petition for Rehearing](#) is filed, you will then have 35 days after the Appellate Court rules on those filings to file a PLA in the Supreme Court.
- If you need more time to file a PLA, you can file a motion requesting an extension of time. The motion must be filed within 35 days of the original due date.



#### Cost

- The person filing (petitioner) must pay a \$50.00 filing fee.
- The person answering the PLA (respondent) will pay a \$30.00 appearance fee if they wish to file an answer.
- If you cannot afford the fees, file an [Application for Waiver of Court Fees](#) with the Clerk of the Supreme Court.



#### Forms and Rules

- Carefully review Supreme Court Rules [315](#), [317](#), [341](#), [342](#) and [343](#). If you need to file a motion, see Supreme Court Rule [361](#).
- You can find a template for your PLA [here](#).
- Additional statewide standardized forms for your appeal are available [here](#).
- The PLA and any motions must be filed with the Clerk of the Supreme Court (**not** into your existing appellate court case).
- All civil cases must be e-filed unless you are exempt. For more information, see Supreme Court Rule [9](#) regarding exemptions.

### Petition & Order



#### Filing the PLA

- The PLA (not including the Cover, Certificate of Compliance, Proof of Service, and the Appendix) must not be more than 20 pages or 6,000 words.
- There are many sections and requirements for the PLA, and the Supreme Court Rules must be strictly followed. See the "Forms & Rules" section above for more information.
- You must provide 13 paper copies of the PLA to the Clerk of the Supreme Court in Springfield. The copies must be printed on one side and securely bound on the left side in a way that does not obstruct the text.



#### Answering the PLA

- An Answer to the PLA is not required from the respondent (the party who won the appeal in the Appellate Court), but they may file one if they want to tell the Supreme Court why the Appellate Court's decision was correct and why the PLA should be denied.
- If the respondent wishes to file an Answer, it is due 21 days after the due date for the PLA and it must not be more than 20 pages in length or 6,000 words.



#### Court's Order

- The Supreme Court will either allow or deny the PLA.
- **If allowed:** the appeal will move ahead, and all future deadlines are based off of the date the Supreme Court allows the PLA. The party that filed the PLA (now called the appellant) must file a Notice of Election within 14 days after the PLA is allowed to tell the Court if the PLA will be used as their brief or if they will file an additional brief.
- **If denied:** the case will not move ahead, and the mandate will issue 35 days after the date the PLA is denied. If you want the Court to reconsider its decision, you must file with the Clerk of the Supreme Court both a (1) Motion for Leave to file a Motion for Reconsideration and (2) Motion for Reconsideration.

### Briefs & Decision



#### Appellant

- If you choose to file a new brief, it must be filed within 35 days after the PLA is allowed. See Supreme Court Rules [341](#), [342](#), and [343](#) for how to prepare your Appellant's Brief. However, if you choose to use the PLA as your brief, additional steps must be taken – see Rules [315\(h\)](#), [341\(h\)\(3\)](#), and [342](#).



#### Appellee

- If the respondent, now called the appellee, filed an Answer to the PLA, a Notice of Election must be filed within 14 days of the date the Appellant's Brief is due, telling the Court whether they choose to file an additional brief or stand on their Answer to the PLA. If they choose to file a new Appellee's Brief, it must be filed within 35 days from the date the Appellant's Brief is due. See Supreme Court Rules [341](#), [342](#), and [343](#) for more information.



#### Court's Decision

- The Court will hear the case at its discretion.
- There is not a specific time frame for issuing a decision.
- The Court may enter a decision to affirm, reverse, deny, vacate, or any other order the Court deems necessary.
- If you don't agree with the Court's decision, a [Petition for Rehearing](#) must be filed with the Clerk of the Supreme Court within 21 days after the opinion is filed.

