

<p><b>Instructions</b> ▼</p> <p>Keep this cover page white.</p> <p>Check the 1st box if your case involves parental responsibility or parenting time (custody/visitation rights), or relocation of a child. Check the 2nd box if your case involves delinquent minor proceedings. Check the 3rd box if your case involves pretrial release.</p>	<p><input type="checkbox"/> <b>THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).</b></p> <p><input type="checkbox"/> <b>THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.</b></p> <p><input type="checkbox"/> <b>THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 604(h).</b></p> <p style="text-align: center;">Case No.: _____</p> <p style="text-align: center;"><b>IN THE SUPREME COURT OF ILLINOIS</b></p>	
<p>Enter the Supreme Court case number.</p> <p>If the case name in the trial/appellate court began with "In re" (for example, "In re Marriage of Jones"), enter that name. Otherwise, enter the names of the parties as they looked in the trial/appellate court documents. Below your name, check <b>Appellant</b>. Check <b>Appellee</b> under the other party's name (the party responding to the appeal).</p> <p>To the far right, enter the number of the appellate district, appellate court case number, trial court county, trial court case number, and trial judge's name.</p>	<p style="text-align: center;">In re _____</p> <hr/> <p style="text-align: center;"><b>Plaintiff/Petitioner</b> in the trial court (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> <b>Appellant</b>    <input type="checkbox"/> <b>Appellee</b></p> <p style="text-align: center;">v.</p> <hr/> <p style="text-align: center;"><b>Defendant/Respondent</b> in the trial court (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> <b>Appellant</b>    <input type="checkbox"/> <b>Appellee</b></p>	<p style="text-align: center;"><b>Appeal from the Appellate Court,</b> _____ <b>District</b> <b>No.</b> _____</p> <p style="text-align: center;"><b>Appeal from the Circuit Court</b> of _____ <b>County</b></p> <p style="text-align: center;"><b>Trial Court Case No.:</b> _____</p> <p style="text-align: center;"><b>Honorable</b> _____</p> <p style="text-align: center;"><b>Judge, Presiding</b></p>

### APPELLANT'S BRIEF

<p>Enter your complete address, telephone number, and email address if you have one.</p> <p>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 information on oral argument.</p>	<p><b>Your Information</b></p> <p>Name: _____ <span style="margin-left: 100px;"><i>First</i></span>                      <span style="margin-left: 100px;"><i>Middle</i></span>                      <span style="margin-left: 100px;"><i>Last</i></span></p> <p>Address: _____ <span style="margin-left: 100px;"><i>Street, Apt #</i></span>                      <span style="margin-left: 100px;"><i>City</i></span>                      <span style="margin-left: 100px;"><i>State</i></span>                      <span style="margin-left: 100px;"><i>ZIP</i></span></p> <p>Phone: _____                      Email: _____</p> <p>Firm Name (<i>if any</i>): _____                      Attorney # (<i>if any</i>): _____</p> <p><b>GETTING COURT DOCUMENTS BY EMAIL:</b> You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information or documents from other parties or from the court.</p>
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**Oral Argument**

Requested                       Not Requested

**TABLE OF CONTENTS AND  
POINTS AND AUTHORITIES**

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

Page of  
Brief

List the page number where each section of the brief begins, as required by Illinois Supreme Court Rule [341](#).

You may have to write the Argument section of your brief first, so you know what the page numbers are for the Points and Authorities section of the Table of Contents.

State the title of your 1st argument here as Point 1. Check the box to tell the Supreme Court who made the mistake and list the page where the argument starts in the brief below. For example, your title could be "The trial court made a mistake by ordering supervised parenting time."

**Nature of the Case**

**Issue(s) Presented for Review**

**Statement of Jurisdiction**

**Statutes or Rules Involved**

**Statement of Facts**

**Points and Authorities for Argument(s)**

Title of Point 1. The  trial court or  jury or  appellate court (*check one*)

made a mistake by: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Authorities for Point 1:

Page of  
Brief

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

\_\_\_\_\_  
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You may have to write the Argument section of your brief first, so you know what the page numbers are for the Points and Authorities section of the Table of Contents.

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

Page of Brief

Title of Point 3. The  trial court or  jury or  appellate court (*check one*) \_\_\_\_\_

made a mistake by: \_\_\_\_\_

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Authorities for Point 3:

Page of Brief

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

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

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Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

List the page number  
for the Conclusion  
section of your brief as  
required by Illinois  
Supreme Court Rule  
[341](#).

**Conclusion**  
**Certificate of Compliance**  
**Certificate of Service/Proof of Delivery**

\_\_\_\_\_  
No page #  
No 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 and why it was filed (for example, "This case was filed in the trial court to recover damages caused by the alleged negligence of the defendant in driving his car.").

This case was filed in the trial court to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check one box in each section to tell the Court:

(1) whether or not the trial court judgment was based on a jury's verdict;

(1) The trial court judgment was based on a jury verdict

Yes  No

(2) whether the trial court judgment was in favor of the plaintiff/petitioner or the defendant/respondent;

(2) The trial court entered a judgment in favor of

Plaintiff/Petitioner  Defendant/Respondent

(3) whether the appellate court judgment was in favor of the plaintiff/petitioner or the defendant/respondent; and

(3) The appellate court entered a judgment in favor of

Plaintiff/Petitioner  Defendant/Respondent

(4) whether or not the trial court or appellate court judgment said there was a problem in the pleadings (meaning the court found a problem with the complaint or petition that started the case). If the judgment did find a problem, describe the problem on the lines to the right.

(4) 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**, use the title of your 1st argument from your Points and Authorities section above to state the question that you want the Court to answer.

For example, “whether the trial court made a mistake by finding the car accident was the defendant’s fault.”

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

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If you are making more than 1 argument, use your other argument titles to state the questions you want the Court to answer in **2** and **3**. If not, leave the rest of this section blank.

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

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

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















**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.

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

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Select the standard of review you want the Supreme Court to apply.

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

The trial court or appellate court made a mistake in applying the law. (This is **de novo** review. The Supreme Court gives **no** respect to the trial court or appellate court);

The trial court or jury made a mistake in deciding the facts. (This is **manifest weight of the evidence** review. The Supreme Court gives **great** respect to the trial court or jury);

The trial court made a ruling that no reasonable person could have made. (This is **abuse of discretion** review. The Supreme Court gives **extreme** respect to the trial court); and/or

Other: \_\_\_\_\_

Authority for standard of review: \_\_\_\_\_

State your authority for your standard of review.

For the argument section, you want to use the authorities (laws, etc.) from your Points and Authorities section, and facts from your case (with references to the pages of the record on appeal where those facts appear) to explain:

- the law that you want the Supreme Court to apply;
- how the law applies to your case; and
- explain what you would like the Supreme Court to do.

State your 1<sup>st</sup> argument using the law to explain how the outcome should have been different under the facts of your case. Use the important facts of your case and any appropriate authorities (cases and statutes/laws) to help you do this. Use as many pages as you need.

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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.

Select the standard of review you want the Supreme Court to apply.

State your authority for your standard of review.

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 Supreme Court to apply;
- the law that you want the Supreme Court to apply;
- how the law applies to your case; and
- explain what you would like the Supreme Court to do.

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

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

- The trial court or appellate court made a mistake in applying the law. (This is **de novo** review. The Supreme Court gives **no** respect to the trial court or appellate court);
- The trial court or jury made a mistake in deciding the facts. (This is **manifest weight of the evidence** review. The Supreme Court gives **great** respect to the trial court or jury);
- The trial court made a ruling that no reasonable person could have made. (This is **abuse of discretion** review. The Supreme Court gives **extreme** respect to the trial court); and/or
- Other: \_\_\_\_\_

Authority for standard of review: \_\_\_\_\_

State your 2<sup>nd</sup> argument using the law to explain how the outcome should have been different under the facts of your case. Use the important facts of your case and any appropriate authorities (cases and statutes/laws) to help you do this. Use as many pages as you need.

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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.

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

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Select the standard of review you want the Supreme Court to apply.

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

- The trial court or appellate court made a mistake in applying the law. (This is **de novo** review. The Supreme Court gives **no** respect to the trial court or appellate court);
- The trial court or jury made a mistake in deciding the facts. (This is **manifest weight of the evidence** review. The Supreme Court gives **great** respect to the trial court or jury);
- The trial court made a ruling that no reasonable person could have made. (This is **abuse of discretion** review. The Supreme Court gives **extreme** respect to the trial court); and/or

Other: \_\_\_\_\_

Authority for standard of review: \_\_\_\_\_

State your authority for your standard of review.

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 Supreme Court to apply;
- the law that you want the Supreme Court to apply;
- how the law applies to your case; and
- explain what you would like the Supreme Court to do.

State your 3rd argument using the law to explain how the outcome should have been different under the facts of your case. Use the important facts of your case and any appropriate authorities (cases and statutes/laws) to help you do this. Use as many pages as you need.

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Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

**CONCLUSION**

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

Check the box(es) to tell the Supreme Court what you want them to do. You may check as many as apply.

Appellant requests that this court:

reverse the appellate court's decision (*change the decision in favor of the other party into a decision 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 or appellate court to: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Remember to go back and number all the pages of the *Appellant's Brief* after you have finished all the sections.

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 and print your name.

Respectfully submitted,

/s/  
*Signature*

\_\_\_\_\_  
*Print Name*

**CERTIFICATE OF COMPLIANCE**

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

Rule [341\(a\)](#) explains the form of briefs, and Rule [341\(b\)](#) explains the length. Unless a motion to file a longer brief is granted, the *Appellant's Brief* must contain no more than 50 pages OR no more than 15,000 words. Don't count these pages:

- Cover Page
- Table of Contents
- Points and Authorities
- Certificate of Compliance
- Certificate of Service/Proof of Delivery
- Appendix

If your *Appellant's Brief* is within the page limit, add the number of pages in your brief (not counting the pages listed). Check the box for "pages."

If your *Appellant's 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). Check the box for "words."

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

I certify that this *Appellant's 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\(h\)\(1\)](#) table of contents and statement of points and authorities, the Rule [341\(c\)](#) certificate of compliance, the certificate of service/proof of delivery, and those matters to be appended to the brief under Rule [342](#), is \_\_\_\_\_ .

pages or  words (*check one*)

\_\_\_\_\_  
/s/  
Signature

\_\_\_\_\_  
Print Name

### PROOF OF DELIVERY

In **A**, enter the name, mailing address, and email address of the person you are sending the document to. If they have a lawyer, you **must** enter the lawyer's information.

Then, check the box to show how you are sending the document.

#### A. I am sending the *Appellant's Brief*

To:

Name: \_\_\_\_\_  
*First Middle Last*

Address: \_\_\_\_\_  
*Street, Apt # City State ZIP*

Email address: \_\_\_\_\_

- By:  Electronically to the email address in **A**:
- Email (*not through an EFSP*).
  - Using an approved electronic filing service provider (EFSP).

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

- I or the person I am sending the document to do **not** have an email address. I am sending the document by (*choose one*):

- Mail or third-party carrier to the address in **A**, with postage or delivery charge prepaid. Location of the mailbox or third-party carrier:

\_\_\_\_\_  
*Address or Intersection City State*

- Personal hand delivery at this address:  
(*Note: You can only deliver it to the party, the party's family member over 13 at the party's residence, the party's lawyer, or the party's lawyer's office.*)

\_\_\_\_\_  
*Address – Street, Apt #, City, State, and Zip Code*

- Mail to the address in **A**, from a prison or jail at:

\_\_\_\_\_  
*Name of Prison or Jail*

#### This document will be sent on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
*Month, Day, Year Include AM or PM*

Fill in the date and time that you are sending the document.

- B.  I am **not** sending this *Appellant's Brief* to another person or lawyer.
- I **am** sending this *Appellant's Brief* to an additional person or lawyer, not listed in **A**:

To:

Name: \_\_\_\_\_  
*First Middle Last*

Address: \_\_\_\_\_  
*Street, Apt # City State ZIP*

Email address: \_\_\_\_\_

- By:  Electronically to the email address in **B**:
- Email (*not through an EFSP*).
  - Using an approved electronic filing service provider (EFSP).

In **B**, if you are **not** sending it to a 2<sup>nd</sup> person or lawyer, check the box and leave the rest of **B** blank. If you **are** sending it to more than 1 person, check the second box and enter their name, mailing address, and email address. If the other person has a lawyer, you **must** enter the lawyer's information.

Then, check the box to show how you are sending the document.

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I or the person I am sending the document to do **not** have an email address. I am sending the document by (*choose one*):

Mail or third-party carrier to the address in **B**, with postage or delivery charge prepaid. Location of the mailbox or third-party carrier:

\_\_\_\_\_  
*Address or Intersection* *City* *State*

Personal hand delivery at this address:  
(*Note: You can only deliver it to the party, the party's family member over 13 at the party's residence, the party's lawyer, or the party's lawyer's office.*)

\_\_\_\_\_  
*Address – Street, Apt #, City, State, and Zip Code*

Mail to the address in **B**, from a prison or jail at:

\_\_\_\_\_  
*Name of Prison or Jail*

Fill in the date and time that you are sending the document.

**This document will be sent on:**

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
*Month, Day, Year* *Include AM or PM*

In **C**, if you are **not** sending it to a 3<sup>rd</sup> person or lawyer, check the box and leave the rest of **C** blank. If you **are** sending it to another person, check the second box and enter their name, mailing address, and email address. If the other person has a lawyer, you **must** enter the lawyer's information.

Then, check the box to show how you are sending the document.

**C.**  I am **not** sending this *Appellant's Brief* to another person or lawyer.  
 I **am** sending this *Appellant's Brief* to an additional person or lawyer, not listed in **A** or **B**:

**To:**

Name: \_\_\_\_\_  
*First* *Middle* *Last*

Address: \_\_\_\_\_  
*Street, Apt #* *City* *State* *ZIP*

Email address: \_\_\_\_\_

**By:**  Electronically to the email address in **C**:

Email (*not through an EFSP*).

Using an approved electronic filing service provider (EFSP).

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

I or the person I am sending the document to do **not** have an email address. I am sending the document by (*choose one*):

Mail or third-party carrier to the address in **C**, with postage or delivery charge prepaid. Location of the mailbox or third-party carrier:

\_\_\_\_\_  
*Address or Intersection* *City* *State*



Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

- Personal hand delivery at this address:  
(Note: You can only deliver it to the party, the party's family member over 13 at the party's residence, the party's lawyer, or the party's lawyer's office.)

\_\_\_\_\_  
Address – Street, Apt #, City, State, and Zip Code

- Mail to the address in **C**, from a prison or jail at:

\_\_\_\_\_  
Name of Prison or Jail

Fill in the date and time that you are sending the document.
If you are sending your document to more than 3 people or lawyers, check the box and file the <i>Additional Proof of Delivery</i> with this form.
Under the Code of Civil Procedure, <a href="#">735 ILCS 5/1-109</a> , 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.
Enter your complete address, telephone number, and email address, if you have one.

**This document will be sent on:**

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Month, Day, Year Include AM or PM

- I am sending the *Appellant's Brief* to more than 3 people and have completed an *Additional Proof of Delivery* form.

**I certify under [735 ILCS 5/1-109](#) that everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and I understand that making a false statement on this form is perjury and has penalties provided by law.**

\_\_\_\_\_  
*/s/*  
Your Signature

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Print Your Name

\_\_\_\_\_  
City, State, ZIP

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\_\_\_\_\_  
Attorney # (if any)

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Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

### **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 each hearing occurred, and the page of the transcript where each hearing begins.

<b>Proceeding</b>	<b>Date</b>	<b>Page</b>

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

**A-** \_\_\_\_\_



Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

[Trial court decision]

After this page, insert  
the trial court decision  
that was appealed.

A- \_\_\_\_\_

Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

[Appellate Court decision]

After this page, insert  
the appellate court  
decision that you are  
appealing.

A- \_\_\_\_\_

Enter the Case Number given by the Supreme Court Clerk: \_\_\_\_\_

[Optional documents]

Optional: Attach any other really important documents from the record. Do **not** include documents that are not in the record.

A- \_\_\_\_\_