This form is approved by the Supreme Court of Illinois and is required to be accepted. Forms are free at <a href="illcourts.info/forms">illcourts.info/forms</a>.

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Instructions ▼ Keep this cover page	THIS APPEAL INVOLVUNDER RULE 311(a).	ES A MATTER SUBJECT TO	EXPEDITED DISPOSITION
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parental responsibility	_	ES A MATTER SUBJECT TO	EXPEDITED DISPOSITION
or parenting time	UNDER RULE 604(h).		
(custody/visitation			
rights), or relocation			
of a child. Check the	Case	No :	
2nd box if your case	Case	No.:	
involves delinquent			
minor proceedings.		IN THE	
Check the 3 <sup>rd</sup> box if	SI	JPREME COURT OF ILLIN	NOIS
your case involves	•		
pretrial release.			
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Court case number.			
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in the trial/appellate	Appellant App	pellee	of County
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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."

# TABLE OF CONTENTS AND POINTS AND AUTHORITIES

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.

Authorities for Point 1:	Brief

Page of

You may have to write the Argument section of your brief first, so you know what the page numbers are for the	Title of Point 2. The trial court or jury or appellate court <i>(check one)</i>	Page of Brief
Points and Authorities section of the Table of Contents.	made a mistake by:	
If you have a 2nd argument, state the title of your 2nd argument here as Point 2 and list the page where the argument starts later in the brief. If you don't have a 2nd argument, remove this page.		
In the formats provided	Authorities for Point 2:	Page of Brief
by Illinois Supreme Court Rule 6, list the authorities (cases, statutes (laws), etc.) that		
you refer to in your Point 2 argument, in order of their importance, and the		
pages on which they appear below.		
	<u> </u>	

	Enter the Case Number given by the Supreme Court Clerk:	
You may have to write the Argument section of your brief first, so you know what the page numbers are for the		Page of Brief
Points and Authorities section of the Table of Contents.	Title of Point 3. The  trial court or  jury or  appellate court <i>(check one)</i> made a mistake by:	
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.		
In the formats provided by Illinois Supreme	Authorities for Point 3:	Page of Brief
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.		
If you are making more than 3 arguments, fill out and insert 1 or more		
Additional Points and Authorities forms after this page.		
	-	

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 #

This case was filed in the trial court to

### **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.").

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;

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

for you.)

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

The trial court judgment was based on a jury verdict
☐ Yes ☐ No
The trial court entered a judgment in favor of
☐ Plaintiff/Petitioner ☐ Defendant/Respondent
The appellate court entered a judgment in favor of
☐ Plaintiff/Petitioner ☐ Defendant/Respondent
A question is raised on the pleadings
☐ Yes ☐ No
f a question is raised on the pleadings, describe it:

ISC-B 4302.1 Page 1 (08/24)

# **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	1. Whether  the trial court or  jury or  appellate court (check one) made a mistake by:
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."	
If you are making more	
If you are making more than 1 argument, use your other argument titles to state the questions you want the	2. Whether  the trial court or  jury or  appellate court (check one) made a mistake by:
Court to answer in 2 and 3. If not, leave the rest of this section	
blank.	
	3. Whether  the trial court or  jury or  appellate court (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.

ISC-B 4302.1 Page \_\_\_\_ (08/24)

Enter the Case Number given I	by the Supreme Court Clerk:	

<u>JURISDICTION</u>
[Refer to Illinois Supreme Court Rule 341(h)(4)(ii)]

State the Illinois
Supreme Court Rule
that gives the Supreme
Court jurisdiction to
decide your appeal. If
under Rule 315, check
the box and enter the
date the Supreme Court
allowed your Petition
for Leave to Appeal.
Check the box next to
Rule 317 "review as a
matter of right" only if
the appellate court
decision says a
constitutional question
is involved.

This court has jurisdiction under Illinois Supreme Court Rule (check one)
315, your Petition for Leave to Appeal was allowed on Date
317 (review as a matter of right – constitutional questions only), your <i>Petition for Appear</i>
as a Matter of Right was allowed on  Date

# **STATUTES (LAWS) INVOLVED**

[Refer to Illinois Supreme Court Rule 341(h)(5)]

If the case involves the meaning or validity of a statute (law), constitutional provision,	
treaty, ordinance, or regulation, quote them and provide citation numbers (for example, 735 ILCS 5/2-615).	
If the case does not involve a statute (law), etc., leave this page blank.	
orank.	
If you need more room, fill out and insert 1 or	
more Additional Statutes (Laws) Involved forms after this page.	

Page \_ ISC-B 4302.1 (08/24)

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." Then	
tell what happened in	
the appellate court.	
If you included pages	
from the record in your	
appendix, refer to both	
the record page and	
appendix page where	
the information appears.	
For example, "C [page];	
A [page]."	
You should describe the	
following:	
what the complaint	
or petition said,	
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,	
and	
what happened in	
the appellate court	
and how the	
appellate court ruled.	
Refer to the specific	
pages of the record where each fact appears.	
where each fact appears.	
Tell the story accurately	
and fairly. Do not make	
arguments or comments	
here.	

Page \_\_\_\_ ISC-B 4302.1 (08/24)

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If you need more room, fill out and insert 1 or	
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Statement of Facts forms after this page.	

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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.

case; and • explain what you would like the Supreme Court to

do.

you wrote it in the Points and Authorities section above.	Point 1. The trial court or jury or appellate court <i>(check one)</i> made a mistake by:
Select the standard of review you want the Supreme Court to apply.	Standard of review (check all that apply to your 1st argument):
1 11 3	☐ The trial court or appellate court made a mistake in applying the law. (This is <b>de</b>
	<b>novo</b> review. The Supreme Court gives <b>no</b> respect to the trial court or appellate
	court);
	☐ The trial court or jury made a mistake in deciding the facts. (This is <b>manifest</b>
	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
State your authority for your standard of review.	to the trial court); and/or
For the argument section, you want to use the authorities	Other:
(laws, etc.) from your Points and Authorities section, and facts from your case (with	Authority for standard of review:
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;	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.
<ul> <li>how the law applies to your</li> </ul>	

Page \_ ISC-B 4302.1 (08/24)

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	Enter the Case Number given by the Supreme Court Clerk:
State the title of your 2nd argument here as you wrote it in the Points and Authorities section above.	Point 2. The trial court or jury or appellate court (check one) made a mistake by:
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review you want the Supreme Court to apply.	☐ The trial court or appellate court made a mistake in applying the law. (This is <b>de</b>
	<b>novo</b> review. The Supreme Court gives <b>no</b> respect to the trial court or appellate
	court);
	☐ The trial court or jury made a mistake in deciding the facts. (This is <b>manifest</b>
	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
State your authority for	Other:
your standard of review. Using the authorities	Authority for standard of review:
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	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.
the Supreme Court to apply; • the law that you	
want the Supreme Court to apply;	
<ul> <li>how the law applies to your case; and</li> </ul>	
<ul><li>explain what you would like the</li></ul>	
Supreme Court to do.	

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	Enter the Case Number given by the Supreme Court Clerk:
State the title of your 3rd argument here as you wrote it in the Points and Authorities section above.	Point 3. The trial court or jury or appellate court (check one) made a mistake by:
If you don't have a 3rd argument, remove this page and the following argument pages.	
Select the standard of review you want the	Standard of review (check all that apply to your 3rd argument):
Supreme Court to apply.	☐ The trial court or appellate court made a mistake in applying the law. (This is <b>de</b>
	<b>novo</b> review. The Supreme Court gives <b>no</b> respect to the trial court or appellate court);
	☐ The trial court or jury made a mistake in deciding the facts. (This is <b>manifest</b>
	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:
State your authority for your standard of review.	Authority for 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	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.
to apply;  • the law that you	
want the Supreme Court to apply;	
<ul> <li>how the law applies to your</li> </ul>	
• explain what you	
would like the Supreme Court to do.	

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<u>CONCLUSION</u> [Refer to Illinois Supreme Court Rule <u>341(h)(8)</u>]

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

Remember to go back and number all the

Appellant's Brief after you have finished all

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

pages of the

the sections.

your name.

Appellant	requests that this court:
	reverse the appellate court's decision <i>(change the decision in favor of the other party into a decision in your favor)</i> and $\square$ 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 $\square$ 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:
and	grant any other relief that the court finds appropriate.
	Respectfully submitted,
	/s/ Signature
	Print Name

ISC-B 4302.1 Page \_ (08/24) 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.

### **CERTIFICATE OF COMPLIANCE**

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

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)

Print Name

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# **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.

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

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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	Name of Prison or	<sup>r</sup> Jail
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time that you are sending the document.	Date:	Time:
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, 735 ILCS 5/1-109, making a statement on this form that you know to be false is	Additional Proof of Delivery form.  I certify under 735 ILCS 5/1-109 the have been informed or I believe it	to more than 3 people and have completed an lat everything in this document is true and correct, or I to be true and correct, and I understand that making lerjury and has penalties provided by law.
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	Firm Name (if any)	Attorney # (if any)

**GETTING COURT DOCUMENTS BY EMAIL:** 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.

# **APPENDIX**

[Refer to Illinois Supreme Court Rule 342]

This is a Table of
This is a Table of Contents for the
appendix.

- In addition to the documents listed, list any other documents from the record on appeal that are relevant to the appeal. Do **not** list documents that are not in the record.
- Add those documents 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.
- On this Table of Contents page, fill in the page numbers where each of the documents is found.

1.	List of contents in the record on appeal	A
2.	Trial court decision	A
3.	Appellate court decision	A
4.	Optional: List any other really important materials from the record	A

# LIST OF CONTENTS IN THE RECORD ON APPEAL

# Common Law Record ("C")

[Refer to Illinois Supreme Court Rule 321]

Document	Date of Filing	Page
<u>.                                      </u>		

If you need more room, fill out and insert 1 or more *Additional*Common Law Record forms after this page.

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 each hearing occurred, and the page of the transcript where	Proceeding	Date	Page
each hearing begins.			
If you need more room, fill out and insert 1 or more Additional Report of Proceedings forms			

A- \_\_\_\_

ISC-B 4302.1 (08/24)

after this page.

Direct

Cross

**Page Numbers** 

Redirect

**Recross** 

### **Index of Witnesses**

Witness (Called By)

If witness testimony was given at a trial or hearing, list the name of each witness who testified during the hearings; the party who called each witness to testify; and the pages of the transcript on which the questioning of each witness starts.

- The direct examination is when the witness was questioned by the party who called the witness.
- The **cross**examination is when
  the witness was
  questioned by the
  other party.
- The **redirect** is when the witness was questioned again by the party who called the witness.
- The **recross** is when the witness was questioned again by the other party.

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

Α- \_\_\_\_

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 b	by the Supreme Court Clerk:	
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[Appellate Court decision]

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

A- \_\_\_\_

Enter the Case Number div	iven by the Supreme Court Clerk:	
Enter the Case Namber gr	veri by the Supreme South Sient.	

[Optional documents]

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

A- \_\_\_\_