

<b>Instructions ▼</b>	<input type="checkbox"/> <b>THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).</b>	
Print this cover page on light blue paper.	<b>Appellate Case No.:</b> _____	
Check the box to the right if your case involves parental responsibility or parenting time (custody/visitation rights), or relocation of a child.	<b>IN THE APPELLATE COURT OF ILLINOIS</b>	
Enter the Appellate Court case number.	_____ <b>District</b>	
If the case name in the trial 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 court documents. Below your name, check <b>Appellee</b> . Check <b>Appellant</b> under the other party's name (the party who filed the appeal).	<b>In re</b> _____	<b>Appeal from the Circuit Court of _____ County</b>
	<b>Plaintiff/Petitioner</b> in the trial court ( <i>First, middle, last name</i> ) <input type="checkbox"/> <b>Appellant</b> <input type="checkbox"/> <b>Appellee</b>  v.  <b>Defendant/Respondent</b> in the trial court ( <i>First, middle, last name</i> ) <input type="checkbox"/> <b>Appellant</b> <input type="checkbox"/> <b>Appellee</b>	<b>Trial Court Case No.:</b> _____  <b>Honorable</b> _____  <b>Judge, Presiding</b>
To the far right, enter the trial court county, trial court case number, and trial judge's name.		

## APPELLEE'S BRIEF

Enter your complete name, address, telephone number, and email address if you have one.	<b>Your Information</b>
	<b>Name:</b> _____ <div style="display: flex; justify-content: space-between;"><span><i>First</i></span><span><i>Middle</i></span><span><i>Last</i></span></div> <b>Address:</b> _____ <div style="display: flex; justify-content: space-between;"><span><i>Street, Apt #</i></span><span><i>City</i></span><span><i>State</i></span><span><i>ZIP</i></span></div> <b>Phone:</b> _____ <b>Email:</b> _____ <b>Firm Name (if any):</b> _____ <b>Attorney # (if any):</b> _____
Check "Requested" if you want oral argument OR check "Not Requested" if you do not want oral argument. See <i>How to File an Appellee's Brief</i> for information on oral argument.	<b>GETTING COURT DOCUMENTS BY EMAIL:</b> Be sure to check your email every day so you do not miss important information or documents from other parties or from the court.
	<b>Oral Argument</b> <input type="checkbox"/> Requested <input type="checkbox"/> Not Requested



You may have to write the Argument section of your *Appellee's 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 2nd argument here as Point 2 and list the page where the argument starts in your *Appellee's Brief* below. Make sure your title says why the 2nd argument in the *Appellant's Brief* is wrong. If the appellant doesn't make a 2nd argument, remove this page.

In the formats provided 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 in your *Appellee's Brief*.

Page  
of Brief

Title of Point 2. The ☐ trial court or ☐ jury (*check one*) was right to:

\_\_\_\_\_

Authorities for Point 2:

Page  
of Brief

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

Page  
of Brief

Title of Point 3. The ☐ trial court or ☐ jury (check one) was right to:

State the title of your 3rd argument here as Point 3 and list the page where the argument starts in your *Appellee's Brief* below. Make sure your title says why the 3rd argument in the *Appellant's Brief* is wrong. If the appellant doesn't make a 3rd argument, remove this page.

### 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 in your *Appellee's Brief*.

If the appellant is 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 #

**NATURE OF THE CASE**

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

You do not need to include this section, but you may do so if you disagree with the appellant's version.

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 car.").

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

Check one box in each section to tell the appellate court:

(1) whether or not the judgment being appealed 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 court found a problem with the complaint or petition that started the case). If the judgment did find a problem in the pleadings, 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\(h\)\(3\)](#)]

You do not need to include this section, but you may do so if you disagree with the appellant's version.

1. Whether ☐ the trial court or ☐ the jury (*check one*) was right to

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In **1**, use the title of your 1<sup>st</sup> argument from your Points and Authorities section above to state the question that you want the appellate court to answer.

If you are making more than one argument, use **2** and **3** (if necessary) to state the other questions you think the appellate court should answer. If not, leave the rest of this section blank.

2. Whether ☐ the trial court or ☐ the jury (*check one*) was right to

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3. Whether ☐ the trial court or ☐ the jury (*check one*) was right to

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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.

You do not need to include this section, but you may do so if you disagree with the appellant's version.

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. Use the "None" box if you do not believe the court has jurisdiction and explain why.

### **JURISDICTION**

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

1. This court has jurisdiction under Illinois Supreme Court Rule (check one)

☐ [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: \_\_\_\_\_

☐ None: \_\_\_\_\_

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 whether 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)*.

Check whether the *Notice of Appeal (Civil)* was timely.

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 (C \_\_\_\_\_).  
Enter date(s) Enter page(s) of record

4. On \_\_\_\_\_, the trial court ruled on the post-judgment 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

☐ The *Notice of Appeal (Civil)* was timely. ☐ The *Notice of Appeal (Civil)* was untimely.







[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

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

**ARGUMENT**

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

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

Point 1. The ☐ trial court or ☐ jury (*check one*) was right to:

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Select the standard of review that applies to your 1st argument.

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

- ☐ The trial court correctly applied the law. (This is **de novo** review. The appellate court gives **no** weight to the trial court's decision);
- ☐ The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court gives **great** weight to the trial court or jury's decision);
- ☐ The trial court made a discretionary ruling (on a matter of procedure, evidence, or equity) that a reasonable person could have made. This is **abuse of discretion** review. The appellate court gives **extreme** weight to the trial court's decision; and/or

☐ Other: \_\_\_\_\_

Case for standard of review: \_\_\_\_\_

Cite a case that shows which standard of review applies.

Use the authorities (cases, statutes (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(s) that you want the appellate court to apply;
- how the law applies to your case; and
- what you would like the appellate court to do.

Make your 1<sup>st</sup> argument, using the important facts of your case and any appropriate authorities (cases, statutes (laws), etc.) to help you explain why the appellant's argument is wrong. Use as many pages as you need.

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Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

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

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

Select the standard of review you want the appellate court to apply to your second argument.

Point 2. The ☐ trial court or ☐ jury (*check one*) was right to:

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

- ☐ The trial court correctly applied the law. (This is **de novo** review. The appellate court gives **no** weight to the trial court's decision);
- ☐ The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court gives **great** weight to the trial court or jury's decision);
- ☐ The trial court made a discretionary ruling (on a matter of procedure, evidence, or equity) that a reasonable person could have made. This is **abuse of discretion** review. The appellate court gives **extreme** weight to the trial court's decision; and/or
- ☐ Other: \_\_\_\_\_

Cite a case that shows which standard of review applies.

Case for standard of review:

Use the authorities (cases, statutes (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:

Make your 2<sup>nd</sup> argument on this page, using the important facts of your case and any appropriate authorities (cases, statutes (laws), etc.) to help you explain why the appellant's argument is wrong. Use as many pages as you need.

- the law(s) that you want the appellate court to apply;
- how the law applies to your case; and
- what you would like the appellate court to do.

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Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]



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

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

Point 3. The ☐ trial court or ☐ jury (*check one*) was right to:

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Select the standard of review you want the appellate court to apply to your third argument.

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

- ☐ The trial court correctly applied the law. (This is **de novo** review. The appellate court gives **no** weight to the trial court's decision);
- ☐ The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court gives **great** weight to the trial court or jury's decision);
- ☐ The trial court made a discretionary ruling (on a matter of procedure, evidence, or equity) that a reasonable person could have made. This is **abuse of discretion** review. The appellate court gives **extreme** weight to the trial court's decision; and/or
- ☐ Other: \_\_\_\_\_

Cite a case that shows which standard of review applies.

Case for standard of review: \_\_\_\_\_

Use the authorities (cases, statutes (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(s) that you want the appellate court to apply;
- how the law applies to your case; and
- what you would like the appellate court to do.

Make your 3<sup>rd</sup> argument on this page, using the important facts of your case and any appropriate authorities (cases, statutes (laws), etc.) to help you explain why the appellant's argument is wrong. Use as many pages as you need.

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[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

Enter the Appellate Court Case Number: \_\_\_\_\_

[illegible]

[illegible]

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

**CONCLUSION**

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

State what you want the appellate court to do. You may check as many as apply. If you check "other," tell the court what you are asking them to do.

Appellee requests that this court:

☐ affirm the trial court's judgment;

☐ other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

and grant any other relief that the court finds appropriate.

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

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\(a\)](#) governs the form of briefs, and Rule [341\(b\)](#) governs the length. The

*Appellee'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 any)

If your *Appellee'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 *Appellee'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 *Appellee'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 *Appellee'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*

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 **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.

- B.** ☐ I am **not** sending this *Appellee's Brief* to another person or lawyer.  
☐ I **am** sending this *Appellee'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).



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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 *Appellee's Brief* to another person or lawyer.  
☐ I **am** sending this *Appellee'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*

☐ 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*

Enter the Appellate Court Case Number: \_\_\_\_\_

☐ Mail to the address in **C**, 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.

If you are sending your document to more than 3 people or lawyers, check the box and file the *Additional Proof of Delivery* 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 perjury, a Class 3 Felony.

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

**Under [735 ILCS 5/1-109](#), my signature means:**

**1) Everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and 2) I understand that making a false statement on this form is perjury and has penalties provided by law.**

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

/s/ \_\_\_\_\_  
*Your Signature* *Print Name*

☐ I am completing this form for myself.

\_\_\_\_\_  
*Phone Number* *Email (if you have one)*

\_\_\_\_\_  
*Street Address* *City, State, ZIP*

**GETTING COURT DOCUMENTS BY EMAIL:** Be sure to check your email every day so you do not miss important information or documents from other parties or from the court.

☐ I am a lawyer completing this form on behalf of a client.

(Client name): \_\_\_\_\_

Enter your complete address, telephone number, and email address, if you have one.

Only complete this section if you are a licensed attorney completing the form.

\_\_\_\_\_  
*Lawyer Name* *Attorney Number*

\_\_\_\_\_  
*Lawyer Phone Number* *Law Firm*

\_\_\_\_\_  
*Lawyer Email* *Lawyer Address*

## **APPENDIX**

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

You do not need to include this section, but you may do so if you think there are important documents from the record on appeal the court should review.

This is a Table of Contents for the Appendix.

- List any documents from the record on appeal that you think are important for the court to have with your *Appellee's Brief*.
- Do **not** list materials that are **not** in the record on appeal.
- Insert the documents after this page, 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 appropriate page numbers where each of the documents is found.

Optional: List any important documents from the record on appeal and the pages in your Appendix where they appear.

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