This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Appellate Courts.

Instructions ▼	
Make this cover page light blue.	
Check the box to the right if your case involves custody, visitation, or removal of a child.	☐ THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).
Enter the Appellate Court case number.	Appellate Case No.: _____
Just below "In the Appellate Court of Illinois," enter the number of the appellate district where the appeal was filed.	**IN THE APPELLATE COURT OF ILLINOIS** _____ District
If the case name in the trial court began with "In re" (e.g., "In re Marriage of Jones"), enter that name. Below that, enter the names of the parties in the trial court, and check the correct boxes to show which party filed the appeal ("appellant") and which party is responding to the appeal ("appellee").	In re _____ _____ Plaintiff/Petitioner *(First, middle, last names)* ☐ Appellant ☐ Appellee v. _____ Defendant/Respondent *(First, middle, last names)* ☐ Appellant ☐ Appellee
To the far right, enter the trial court county, trial court case number, and trial judge's name.	Appeal from the Circuit Court of _____ County Trial Court Case No.: _____ Honorable _____ Judge, Presiding

APPELLEE'S BRIEF

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

Your Information

Name: _____
First *Middle* *Last*

Address: _____
Street, Apt # *City* *State* *ZIP*

Phone: _____

Email: _____

Check "Requested" if you want oral argument OR check "Not Requested" if you do not want oral argument. See *How to File an Appellee's Brief* for a discussion of oral arguments.

Oral Argument

☐ Requested ☐ Not Requested

Enter the Case Number given by the Appellate Court Clerk: _____

You may have to complete the Argument section before completing the Points and Authorities section.

State the title of your 1st argument here and list the page where the argument starts later in the brief. Make the title responsive to the title of the 1st argument in the appellant's brief.

POINTS AND AUTHORITIES

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

Page of Brief

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

_____

_____

_____

_____

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

Authorities:

_____ _____

_____ _____

_____ _____

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_____ _____

Enter the Case Number given by the Appellate Court Clerk: _____

Page of Brief

You may have to complete the Argument section before completing the Points and Authorities section.

If the appellant makes a 2nd argument, state the title of your 2nd argument here and list the page where the argument starts later in the brief. Make the title responsive to the title of the appellant's 2nd argument. If the appellant doesn't make a 2nd argument, remove this page.

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

_____

_____

_____

_____

Authorities:

In the formats provided by Illinois Supreme Court Rule 6, list the authorities (cases, statutes (laws), etc.) that you refer to in your 2nd argument, in order of their importance, and the pages on which they will appear.

_____ _____

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Enter the Case Number given by the Appellate Court Clerk: _____

Page of Brief

You may have to complete the Argument section before completing the Points and Authorities section.

If the appellant makes a 3rd argument, state the title of your 3rd argument here and list the page where the argument starts later in the brief. Make the title responsive to the title of the appellant's 3rd argument. If the appellant doesn't make a 3rd argument, remove this page.

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

_____

_____

_____

_____

Authorities:

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

_____ _____

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

Enter the Case Number given by the Appellate Court Clerk: _____

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

NATURE OF THE CASE

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

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 automobile.").

This case was filed in the trial court to _____

_____

_____

Check boxes to designate:
(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 complaint or petition). If the judgment did find a problem, 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.)

Enter the Case Number given by the Appellate Court Clerk: _____

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

ISSUES PRESENTED FOR REVIEW

[Refer to Illinois Supreme Court Rule 341(h)(3)]

In **1**, state the title of your 1st argument as you wrote it in the Points and Authorities section above.

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

_____

_____

_____

_____

If you are making more than 1 argument, use **2** and **3** (if necessary) to state the titles of those arguments. If not, leave the rest of this section blank.

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

_____

_____

_____

_____

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

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_____

If the appellant is making more than 3 arguments, fill out and insert 1 or more *Additional Issues* 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, if any, under which the appellate court has jurisdiction, and explain why the trial court's judgment is appealable under that rule. If no rule applies, explain why not.

JURISDICTION

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

1. This court has jurisdiction under Illinois Supreme Court Rule

☐ 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)*. State 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
Enter Date(s)

(C _____).
Enter page(s) of record

4. On _____, the trial court ruled on the post-judgment
Enter Date(s)

motion(s) (C _____).
Enter page(s) of record

5. On _____, the *Notice of Appeal (Civil)* was filed (C _____).
Enter Date

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

Enter the Case Number given by the Appellate Court Clerk: _____

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

If the case involves the meaning or validity of a statute (law), constitutional provision, treaty, ordinance, or regulation, provide the language and the number (for example, 735 ILCS 5/2-615) for each.

If the case does not involve a statute (law) or other provision, leave this page blank.

STATUTES (LAWS) INVOLVED

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

If you need more room, fill out and insert 1 or more *Additional Statutes (Laws) Involved* forms after this page.

Enter the Case Number given by the Appellate Court Clerk: _____

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

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."

You should describe the following:

- what was said in the complaint or petition,
- 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.

Refer to the specific pages of the record where each fact appears.

Tell the story correctly and fairly. Do not make arguments or comments here.

STATEMENT OF FACTS

[Refer to Illinois Supreme Court Rule 341(h)(6)]

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

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 1st argument here as you wrote it in the Points and Authorities section above.

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

_____

_____

_____

_____

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 must give **no** deference to the trial court);

☐ The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);

☐ The trial court correctly conducted the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or

☐ other: _____

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 appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Explain your argument, using the law to demonstrate why, under the facts of your case, the appellant's argument is wrong. *(Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.)* _____

_____

_____

_____

_____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

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.

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

_____

_____

_____

_____

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

must give **no** deference to the trial court);

☐ The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);

☐ The trial court correctly conducted the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or

☐ other: _____

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 appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Explain your argument, using the law to demonstrate why, under the facts of your case, the appellant's argument is wrong. *(Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.)* _____

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Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

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.

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

_____

_____

_____

_____

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 must give **no** deference to the trial court);

☐ The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);

☐ The trial court correctly conducted the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or

☐ other: _____

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 appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Explain your argument, using the law to demonstrate why, under the facts of your case, the appellant's argument is wrong. *(Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.)* _____

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Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

Enter the Case Number given by the Appellate Court Clerk: _____

If the appellant is 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 court to do. You may check as many as apply.

The appellee respectfully requests that this court:

☐ affirm the trial court's judgment;

☐ other: _____

_____

_____

_____

_____

_____

_____

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 by hand and print your name.

Respectfully submitted,

/s/
Signature

_____
Print Name

Enter the Case Number given by the Appellate Court Clerk: _____

Rule 341(a) governs the form of briefs, and Rule 341(b) governs the length. Unless a motion to file a longer *Brief* is granted, the *Appellee's Brief* (not counting the pages listed) must contain no more than 50 pages OR no more than 15,000 words.

If your *Brief* is within the page limit, add the number of pages in your *Brief* (not counting the pages listed).

If your *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).

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.

CERTIFICATE OF COMPLIANCE

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

I certify that this *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) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is _____ pages or words.

/s/
Signature

_____
Print Name

Enter the Case Number given by the Appellate Court Clerk: _____

PROOF OF SERVICE *(You must serve the other party and complete this section)*

In **1a**, enter the name, mailing address, and email address of the party or lawyer to whom you sent the document.

In **1b**, check the box to show how you sent the document, and fill in any other information required on the blank lines.

In **1b**, check the box to show how you are sending the document.

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

1. I sent this document:
   a. To:
      Name: _____
      First *Middle* *Last*
      Address: _____
      Street, Apt # *City* *State* *ZIP*
      Email address: _____

   b. By:
      ☐ An approved electronic filing service provider (EFSP)
      ☐ Email *(not through an EFSP)*
      Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.
      ☐ Personal hand delivery to:
         ☐ The party
         ☐ The party's family member who is 13 or older, at the party's residence
         ☐ The party's lawyer
         ☐ The party's lawyer's office
      ☐ Mail or third-party carrier

In **c**, fill in the date and time that you sent the document.

   c. On: _____
      Date
      At: _____ ☐ a.m. ☐ p.m.
      Time

In **2**, if you sent the document to more than 1 party or lawyer, fill in **a**, **b**, and **c**. Otherwise leave **2** blank.

2. I sent this document:
   a. To:
      Name: _____
      First *Middle* *Last*
      Address: _____
      Street, Apt # *City* *State* *ZIP*
      Email address: _____

   b. By:
      ☐ An approved electronic filing service provider (EFSP)
      ☐ Email *(not through an EFSP)*
      Only use one of the methods below if you do not have an email address, or the person you are sending the document to does not have an email address.
      ☐ Personal hand delivery to:
         ☐ The party
         ☐ The party's family member who is 13 or older, at the party's residence
         ☐ The party's lawyer
         ☐ The party's lawyer's office
      ☐ Mail or third-party carrier

   c. On: _____
      Date
      At: _____ ☐ a.m. ☐ p.m.
      Time

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.

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.

I certify that everything in the Proof of Service is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/
Your Signature

Print Your Name

Enter the Case Number given by the Appellate Court Clerk: _____

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

This is a Table of Contents for the Appendix.

- In addition to the materials listed, list any other materials from the record that are relevant to the appeal. Do not list materials that are not in the record.
- Add those materials 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.
- Fill in the appropriate page numbers on the Table of Contents.

APPENDIX

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

1. Index to the record A- ____
2. Complaint or Petition A- ____
3. Judgment A- ____
4. *Notice of Appeal (Civil)* A- ____

Enter the Case Number given by the Appellate Court Clerk: _____

INDEX TO THE RECORD

Common Law Record ("C")

[Refer to Illinois Supreme Court Rule 321]

Rule 321 discusses the common law record. List the title of each document in the common law record (the documents filed in the trial court), the date on which each document was filed, and the page of the record on which each document begins.

Document	Date of Filing	Page

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

Enter the Case Number given by the Appellate 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 on which each hearing occurred, and the page of the transcript on which the report of each hearing begins.

Proceeding	Date	Page

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

Enter the Case Number given by the Appellate Court Clerk: _____

Index of Witnesses

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 examinations of each witness begin.

- 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.

Witness (Called By)	Direct [←	Cross	Redirect	Recross →]
		Page Numbers		

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

A- _____

Enter the Case Number given by the Appellate Court Clerk: _____

[Complaint or Petition]

After this page, insert the complaint or petition that was filed in the trial court.

A- _____

Enter the Case Number given by the Appellate Court Clerk: _____

After this page, insert the trial court's written judgment that the appellant is saying was wrong (including any opinion, memorandum, or findings of fact).

[Judgment]

Enter the Case Number given by the Appellate Court Clerk: _____

After this page, insert the *Notice of Appeal (Civil)*.
Add any other materials from the record that are relevant to the appeal. Number those pages. List the additional materials and page numbers in the Table of Contents for the Appendix, in the order in which you attach them.

[*Notice of Appeal (Civil)*]

Print Form Save Form Reset Form