

# HOW TO FILE AN APPEARANCE

**NOTE:** If there are any words or terms used in these instructions that you do not understand, please visit Illinois Legal Aid Online at [ilao.info/glossary](http://ilao.info/glossary). For more information about going to court, including how to fill out and file forms, call or text Illinois Court Help at 833-411-1121 or go to [ilcourthelp.gov](http://ilcourthelp.gov).

## What is an Appearance?

- An *Appearance* is a form you file with the Appellate Court Clerk to tell the court and the other parties that you are participating in the court case.
- It also gives the court and other parties your name and address so they may contact you about the case and to send you important legal documents.

## When do I need to use the Appearance form?

- **For appellant:** You do **not** need to file an *Appearance* if you filed a *Docketing Statement* (the docketing statement serves as an appellant's appearance).
- **For appellee:** You must file an *Appearance*. If you do not file an *Appearance*, the appeal will go ahead without you, and you will not get orders from the court about what is happening in the appeal.

### For both parties:

- If you are not a lawyer, you can only file an *Appearance* for yourself, not for anyone else.
- If you had a lawyer in the appeal, but your lawyer stopped representing you, you need to file an *Appearance* if you are now going to represent yourself.

## Why does the Appearance form ask for my email address?

The email address (if you have one) and mailing address you put on the form are where important legal documents will be sent to you. You should use an email account that you check every day. If you do not check your email every day, you may miss important information and documents from other parties or from the court.

## When should the appellee file their Appearance?

You should file your *Appearance* after you are served with the *Notice of Appeal* or as soon as you become aware of the appeal, so the court knows you plan to participate in the case.

## Where can I find the forms I need?

You can find the forms at: [ilcourts.info/forms](http://ilcourts.info/forms).

## What costs will I need to pay to file an Appearance?

- There is a fee for filing an *Appearance* with the Appellate Court Clerk. Under Supreme Court Rule

[313](#), the appellee must pay a \$30 filing fee when they file an *Appearance*.

- If you cannot afford to pay the filing fee, you can ask the court to file for free or at a reduced cost by filing the *Application for Waiver of Court Fees*. This is a separate set of forms you can find at: [ilcourts.info/forms](http://ilcourts.info/forms).

## What do I do after I fill out the Appearance form?

### Step 1: Send your Appearance to all other parties.

- You must send your *Appearance* to the other parties in the case. If any party has a lawyer, you must send your *Appearance* to the lawyer.
- If you and the person you're sending the *Appearance* to have an email address, you must send it by email or through the e-filing system. If you or the person you're sending the *Appearance* to does not have an email address, you may give it to the other person by personal hand delivery, mail, or third-party commercial carrier (for example, FedEx or UPS).
- Complete the *Proof of Delivery* with information to show how you sent your *Appearance* to each party. The *Proof of Delivery* has room for 3 parties. If you are sending your *Appearance* to more than 3 parties, fill out and insert one or more *Additional Proof of Delivery* forms into the *Appearance* form.

### Step 2: File the Appearance with the Appellate Court Clerk in the district where your court case is filed.

- You must file the *Appearance* with the appellate court.

### E-filing:

- Court forms are filed by electronic filing, called "e-filing." You do not have to e-file if:
  - you qualify for an exemption (see Not E-filing below) or
  - your case involves a criminal matter.
- Most people e-file their forms using Odyssey eFileLL at [ilcourts.info/efile](http://ilcourts.info/efile).
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at [ilcourts.info/efile-info](http://ilcourts.info/efile-info).
- E-filing may not work on a cell phone or tablet. You may need to use a computer to e-file.
- If you do not have access to a computer or if you need help e-filing, take your completed forms to a public library or a Circuit Clerk, Appellate Clerk, or Supreme Court Clerk's office. These places offer public computers where you can e-file your forms.
  - Depending on your courthouse, you can bring your forms on paper and there may be public computers with a scanner where you can turn your paper forms into electronic files.

- Librarians and courthouse staff may be able to help you e-file, but they cannot provide legal advice.

#### **Not E-filing:**

- Some people are exempt from e-filing, which means they can file paper forms at the courthouse or by mail. People who do not have to e-file are:
  - Inmates in prison or jail who do not have a lawyer.
  - People with a disability that keeps them from e-filing.
- You may also qualify for an exemption from e-filing if:
  - You do not have Internet or computer access in your home, and it is hard for you to travel.
  - You have trouble reading, writing, or speaking English.
  - You are filing documents in a sensitive case, such as an order of protection.
  - You tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
- To get an exemption from e-filing, use the form at [ilcourts.info/appl-exempt](http://ilcourts.info/appl-exempt). If you can't print this form, then ask for it at your local courthouse.
  - File your *Certification for Exemption from E-Filing* form with your other court forms at the Appellate Court Clerk's office or by mail.
  - Bring your signed court forms and at least two copies of your forms to the Appellate Court Clerk's office. **NOTE:** Your appellate district's local rules may require a different number of paper copies. Check the local rules for your district at [ilcourts.info/appl-local-rules](http://ilcourts.info/appl-local-rules) or call the clerk's office for further instructions.
  - If you need to make copies of your forms, you can do that at the Appellate Court Clerk's office. They may charge you to make copies.