

Instructions ▼ Print this cover page on light blue paper. 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 3 rd box if your case involves pretrial release. Enter the Supreme Court case number. 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 Appellee . Check Appellant under the other party's name (the party who filed the appeal in the Supreme Court). 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.	<input type="checkbox"/> THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a). <input type="checkbox"/> THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT. <input type="checkbox"/> THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 604(h). Case No.: _____ IN THE SUPREME COURT OF ILLINOIS In re _____ _____ Plaintiff/Petitioner in the trial court (<i>First, middle, last names</i>) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee v. _____ Defendant/Respondent in the trial court (<i>First, middle, last names</i>) <input type="checkbox"/> Appellant <input type="checkbox"/> Appellee	Appeal from the Appellate Court, _____ District No. _____ Appeal from the Circuit Court of _____ County Trial Court Case No.: _____ Honorable _____ Judge, Presiding
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Only check the cross-relief box to the right if you want the Supreme Court to review part of the appellate court's decision that was not included in the <i>Appellant's Brief</i> . Enter your complete name, address, telephone number, and email address if you have one. 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.	APPELLEE'S BRIEF <input type="checkbox"/> Cross-Relief Requested Your Information Name: _____ <i>First</i> <i>Middle</i> <i>Last</i> Address: _____ <i>Street, Apt #</i> <i>City</i> <i>State</i> <i>ZIP</i> Phone: _____ Email: _____ 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. Oral Argument <input type="checkbox"/> Requested <input type="checkbox"/> Not Requested
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Enter the Case Number given by the Supreme Court Clerk: _____

TABLE OF CONTENTS AND POINTS AND AUTHORITIES

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

Page
of
Brief

List the page numbers for each section of the brief required by Illinois Supreme Court Rule [341](#) if different from the *Appellant's 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.

State the title of your 1st argument here as Point 1 and list the page where the argument starts in your *Appellee's Brief* below. Make sure your title says why the first argument in the *Appellant's Brief* is wrong.

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 *Appellee's Brief*.

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)

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

Authorities:

Page
of
Brief

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

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

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

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 second argument in the *Appellant's Brief* is wrong. If the appellant doesn't make a 2nd argument, remove this page.

Authorities:

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 2 argument, in order of their importance, and the pages on which they appear in your *Appellee's 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.

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

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

Page
of Brief

Authorities:

Page
of Brief

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

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

☐ Plaintiff/Petitioner ☐ Defendant/Respondent

(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.)

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

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.

If there is some part of the appellate court decision that you want changed, you must include those additional questions you want the Court to answer.

In **1**, state the question that you think the Court should answer.

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

If you believe there is more than one issue, use **2** and **3** (if necessary) to state the other questions you think the Court should answer. If not, leave the rest of this section blank.

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

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

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

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

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 Supreme Court has jurisdiction. If under Rule [315](#), check the box and enter the date the Court allowed the appellant's *Petition for Leave to Appeal*.

JURISDICTION

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

1. This court has jurisdiction under Illinois Supreme Court Rule ☐ [315](#), because the appellant's Petition for Leave to Appeal was allowed on

date

- ☐ Other: _____

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, quote them and provide citation number (for example, 735 ILCS 5/2-615) for each.

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

STATUTES (LAWS) INVOLVED

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

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

STATEMENT OF FACTS

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

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." Then say what happened before the appellate court.

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.
- what happened in the appellate court and how the appellate court ruled.

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.

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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 or ☐ appellate court (*check one*) was right to:

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

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

☐ other: _____

Authority for standard of review: _____

Using the authorities (laws, etc.) from your Points and Authorities section, and with references to the pages of the record on appeal for facts you use in your argument, explain:

- the standard of review you want the Supreme Court to apply;
- the law(s) that you want the Supreme Court to apply;
- how the law applies to your case; and
- the relief you want from the Supreme Court.

State your 1st argument on this page. Include your authorities (cases and statutes/laws) to explain why the appellant's argument is wrong based on the facts of your case. Use as many pages as you need.

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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.

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

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

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

Authority for standard of review: _____

State your 2nd argument on this page. Include your authorities (cases and statutes/laws) to explain why the appellant's argument is wrong based on the facts of your case. Use as many pages as you need.

Using the authorities (laws, etc.) from your Points and Authorities section, and with references to the pages of the record on appeal for facts you use in your argument, explain:

- the standard of review you want the Supreme Court to apply;
- the law(s) that you want the Supreme Court to apply;
- how the law applies to your case; and
- the relief you want from the Supreme Court.

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DRAFT

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

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DRAFT

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 or ☐ appellate court (*check one*) was right to:

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

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

☐ other: _____

Authority for standard of review: _____

Using the authorities (laws, etc.) from your Points and Authorities section, and with references to the pages of the record on appeal for facts you use in your argument, explain:

- the standard of review you want the Supreme Court to apply;
- the law(s) that you want the Supreme Court to apply;
- how the law applies to your case; and
- the relief you want from the Supreme Court.

State your 3rd argument on this page. Include your authorities (cases and statutes/laws) to explain why the appellant's argument is wrong based on the facts of your case. Use as many pages as you need.

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

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

CONCLUSION

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

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

The appellee respectfully requests that this court:

☐ affirm the appellate court's decision;

☐ 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 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 your brief is over the page or word limit, you must shorten it.

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*)

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:

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:

Month, Day, Year

Time:

Include AM or PM

In **B**, if you are **not** sending it to a 2nd 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:

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 3rd 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:

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 Case Number given by the Supreme Court Clerk: _____

☐ 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.

This document will be sent on:

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

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.

☐ I am sending the *Appellee's Brief* to more than 3 people and have completed an *Additional Proof of Delivery* 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 certify that everything in the Proof of Delivery 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](#).

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.

/s/ *Your Signature* *Street Address*

Print Your Name *City, State, ZIP*

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

Telephone *Email*

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, notice of court dates, or documents from other parties.

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

APPENDIX

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

You do not need to include this section, but you may do so if you disagree with the appellant’s version or if you think there are really 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*.
- Insert the documents after this page.
- Do not list materials that are not in the record on appeal.
- 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 really important documents from the record on appeal and the pages in your Appendix where they appear.

1. A- _____

2. A- _____

3. A- _____

A- _____