

First Appellate District Pilot Project – Final Report

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Published: July 2020

ILLINOIS SUPREME COURT COMMISSION

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Executive Summary

The number of people coming to court without a lawyer is a well-documented issue concerning the justice gap in the United States. There are not enough *pro bono* or legal aid lawyers to meet the legal needs of all low-income litigants, and there are not enough resources available to address the full range of help self-represented litigants (SRLs) require in addressing their legal issues. As a general principle, there is no right to counsel in civil legal matters. For litigants without a lawyer in the appellate courts, the issue of representation becomes even more fraught due to a scarcity of resources and affordable representation options.

To address resource concerns at the appellate level, in 2017 the Administrative Office of the Illinois Courts (AOIC) launched its Appellate Resource Program. Since its inception, the program has implemented various measures to assist SRLs in civil appeals. This report outlines those initiatives in greater detail, such as appellate guides, overviews, comprehensive FAQs, appellate forms, and appellate videos. The program's goals align with key principles and initiatives outlined in the Illinois Supreme Court Commission on Access to Justice's (ATJ Commission) 2020-2023 Strategic Plan.

In March 2019, the AOIC, ATJ Commission, and the First District Appellate Clerk's Office collaborated to launch a 10-month pilot project to assist self-represented litigants in civil appeals. This project was created to assess and address the extensive issues SRLs encounter in the court system and to focus on the improvement of resources and programs to assist this population with accessing the courts. The pilot project involved 450 cases and resulted in the compilation of invaluable data concerning case types, dispositional outcomes, frequently asked questions from appellants, and the formulation of ideas for improvement. This report summarizes the findings and recommendations from the pilot project for review and analysis by court stakeholders.

This report would not have been possible without the advice and guidance of the Honorable Thomas D. Palella, Clerk, First District Appellate Court, Tina M. Schillaci, Chief Deputy Clerk, First District Appellate Court, the ATJ Commission's Appellate Committee, and the Appellate Court Administrative Committee. The AOIC and ATJ Commission are grateful for the opportunity to share the results of the pilot program and look forward to continued collaboration with court stakeholders to expand access to justice for people seeking help with the appellate process.

Background and Overview

To assist self-represented litigants (SRLs) in civil appeals, the AOIC and ATJ Commission, in partnership with the First District Appellate Clerk's Office, launched a 10-month pilot project spanning from March to December 2019 in the First Appellate District. The goals of the project were to provide resources and forms to SRLs at the beginning of their appeal, to better understand questions SRLs had about the civil appellate process, to more effectively recognize any barriers SRLs had in completing their appeal, and to obtain more specific data on outcomes and data points in the process.

The pilot project involved both the clerk's office and the AOIC proactively reaching out to SRL appellants upon filing of their Notice of Appeal. The steps of this program included:

- 1.) The First District Appellate Clerk's Office mailed or emailed a letter to the SRL notifying them of the pilot project. The letter provided resources for civil appeals and information on finding forms to assist with their appeal. Please see **Appendix 1** for a copy of the pilot project letter sent to SRLs in the pilot.
- 2.) The AOIC ran a "Pro Se Filings" report in C-Track, the case management system for the Appellate Court, on a weekly basis to track any new filings by an SRL. The AOIC then used the Clerk of the Circuit Court of Cook County's "Online Case Search" to determine the substantive area of law for the circuit court case that was the basis of the appeal. All case data, along with applicable deadlines and contact details, were added to a tracking spreadsheet. Please see **Appendix 2** for a complete list of data tracked.
- 3.) The AOIC then followed up with the SRL with a customized letter via mail or email to inform them of resources and to provide a phone number and email for the Appellate Resource Program should they wish to contact the office for further assistance. A copy of the letter sent by the clerk's office was again mailed or attached via email, and hyperlinks to specific resources and forms applicable to their appeal were sent to the SRL.
- 4.) The AOIC continued to reach out to each SRL about their appeal and served as a point of contact throughout their appeal should the litigant have any questions during the pendency of their case.

Two important developments relating to appellate data collection and SRL resources occurred during the pilot project. First, in April 2019, the AOIC mandated appellate clerks to include data in their quarterly statistical reports on Notice of Appeal filings by SRLs in civil appeals. As a result, for the first time in the program's history, the AOIC will now have data for SRL filings from all five appellate districts on an annual basis. Since this data is collected at the time of the filing of a Notice of Appeal, we recognize that it may not be reflective of those litigants who eventually retain counsel; however, the data provides the Court and AOIC with a more accurate assessment of self-represented litigants *attempting* the appellate process on their own.

Second, in June 2019, the Illinois Supreme Court Commission on Access to Justice's Appellate Forms Subcommittee released four additional statewide form suites for civil appeals, including: Docketing Statement; Request for Preparation of the Record on Appeal; Bystander's Report & Agreed Statement of Facts; and Request for Report of Proceedings (Transcripts). As a result, all the forms and instructions necessary for an SRL to complete a civil appeal are now available on the Court's website.

Summary of Data

During the 10-month pilot, SRLs filed 526 civil appeals and of those cases, 450 qualified for the program. The 76 cases that were disqualified from the program were largely due to counsel being retained (see table below for further breakdown). Appellants were contacted via email, if an email address was provided by the litigant, or otherwise sent printed materials (260 SRLs were emailed; 190 SRLs were mailed printed materials). Of those 190 mailings, a total of 19 letters were returned as being undeliverable.

A total of 68 appellants contacted the AOIC's Appellate Resource Program for further assistance, with 10 of those SRLs reaching out two times and 6 SRLs reaching out three times or more about their cases. There were 155 fee waivers granted and 4 denied, as well as 52 e-filing exemptions approved. Finally, of the 450 cases involving SRL appellants, 196 appellees had counsel in those cases.

The breakdown of the data is below:

SRL Appellate Data Submitted by Appellate Clerks – 2019

District	Quarter 1	Quarter 2	Quarter 3	Quarter 4	TOTAL	Percentage of SRL filings by District
First	149	175	157	182	663	50%
Second	51	76	67	56	250	19%
Third	31	32	49	31	143	11%
Fourth	27	47	37	47	158	12%
Fifth	25	28	36	27	116	8%
TOTAL BY QUARTER	283	358	346	343	1330	

Overall Pilot Project Statistics

	Total	Percentage
SRL Cases in pilot	450	
Fee Waivers granted	155	34%
Fee Waivers denied	4	1%
E-filing Exemptions	52	12%
Other party had counsel (notice of appearance was filed)	196	44%
Number of SRLs communicated with AOIC (communication 2x with 10 SRLs; communication 3x+ with 6 SRLs)	68	15%
Cases excluded from program	76	17%

Case Type (Please see [Appendix 3](#) for a complete breakdown by case type)

	Total	Percentage
Administrative Appeals (Rule 335)	64	14%
Chancery (42 Foreclosure; 15 General; 13 Admin Review; etc.)	85	19%
County	8	1%
Domestic Relations (40 Dissolution of Marriage; 16 Parentage; etc.)	61	14%
Law Division (26 Unemployment Comp; 14 Intentional Tort; 12 Contract; 10 Personal Injury; etc.)	80	18%
Municipal (59 Eviction; 16 Contract; 12 Personal Injury; 8 General; etc.)	125	28%
Order of Protection	18	4%
Probate	9	2%
TOTAL	450	

<i>Dispositional Outcomes</i>	Total	Percentage
Case remains pending	287	64%
Dismissed	129	29%
Call of the docket submitted	26	6%
Rule 23	7	1%
Decision entered	1	<1%
TOTAL	450	

<i>Disqualified Cases</i>	Total	Percentage
Represented by counsel	52	68%
Motion to file late Notice of Appeal denied	7	9%
Criminal case	6	8%
Consolidated with another case	5	7%
LLC filing as SRL	3	4%
Case transferred to another appellate district	2	3%
Case withdrawn	1	1%
	76	

The largest number of appeals (100, 22%) were in foreclosure and eviction in the Chancery and Municipal Divisions. There were also a significant number of administrative appeals under Supreme Court Rule 335 and under Supreme Court Rule 303 within the Chancery Division (77, 17%). The next largest subgroups were Domestic Relations Division appeals (61, 14%), unemployment claim appeals with the Illinois Department of Employment Security (26, 6%), personal injury appeals in both the Law and Municipal Divisions (22, 5%), and order of protection appeals (18, 4%).

Questions and Issues Raised by SRLs

As previously indicated, 68 appellants contacted the AOIC's Appellate Resource Program as a result of our outreach efforts. Their questions and suggestions were recorded in the tracking spreadsheet after each email or telephone conversation. In sum, SRLs had a difficult time comprehending the steps involved in appeals and that they *proactively* needed to undertake each of those steps. Appellants also needed assistance navigating what steps were to be completed with the circuit court clerk versus the appellate court clerk. SRLs also commonly missed deadlines for their appeal, such as the due date for filing their Docketing Statement.

The content of the questions fielded centered on:

- Not understanding the difference between the circuit clerk and appellate clerk, and where their documents needed to be filed.
- Not having the forms necessary to complete their appeal & confusion over local versus statewide forms.
- Not understanding that they needed to file a docketing statement (i.e., thought the court would follow-up with them on next steps).
- Not understanding that the appellee did not have to respond.
- Unaware of deadlines and what to do to request more time.
- Unaware that they needed to file paper copies of their brief.
- Unaware that they needed to submit a fee waiver application to the appellate court.
- Unaware of what steps they could take following dismissal of their appeal.
- Unable to pay the cost of transcripts.
- Wanted someone to review their forms prior to submission.
- Wanted help writing their brief.
- Wanted sample forms to view as a template for all stages of an appeal.

- Needed assistance with filing their appeal due to a disability.

One appellant noted the following difficulties relating to his appeal:

While I believe that the Appellate Courts have taken to heart the concept of becoming more “user friendly,” (however, the electronic filing concept/website still needs a little work) the District Courts have kept the process of appealing as difficult, particularly Cook County (Kane, and other counties that do not have electronic recording). For the most part, no Record exists, making it very difficult to Appeal an improper ruling. And let’s not kid ourselves, where judges know there will be no Record, you’re less likely to get quality work from not only the judges, but also the lawyers.

I would also like to point out the Domestic Division, in particular, as rightfully deserving disdain of the public. It is not unusual for a litigant to hire a court reporter at costs they do not have, only to have the judge continue the case or going into chambers. And when there is a status/case management date (where litigants do not hire court reporters), the judge makes a ruling. To further make matters worse, it is rare for a judge to place their reasoning in a ruling (remember, there is no court reporter to create a Record), ensuring even less ability to appeal.

Bottom line, even with the best Appellate Court process, when the appeals process is faulty at the trial level, the entire appeals process only exists in theory.

Telephone calls and email inquiries continued to occur to the dedicated email address setup to assist SRLs with their appeals. Following the close of the pilot project, a total of 12 SRLs contacted the Appellate Resource Program for further assistance with their cases.

Current Resources

The AOIC’s Appellate Resource program was created in 2017 and a website with numerous resources to assist SRLs with civil appeals was subsequently launched.

Website: http://www.illinoiscourts.gov/CivilJustice/Resources/Self-Represented_Litigants/self-represented-civil-appeals.asp

Resources include (please see **Appendix 4**):

- AOIC Appellate Guide and links to other guides by the ALA and other institutions;
- One-page overview on appeals from final orders and motions;
- Comprehensive “Frequently Asked Questions” section by each stage of an appeal;
- General attorney referrals through bar associations;
- Where to find legal information and applicable rules;
- E-filing Guides; and
- Statewide appellate forms for all stages of a civil appeal

Many of these resources were sent, as applicable, to appellants during the pilot project. However, we were unable to collect specific feedback from litigants on AOIC materials during the pilot project. Based on the nature of the questions fielded, many litigants did not read the materials that were sent to them or they needed reassurance and wanted someone to explain the steps and forms necessary for their appeals.

Analysis

Due to the lengthy nature of appeals, the pilot project had a large percentage of cases that were still pending upon conclusion of the program. Thus, while the pilot did not capture significant data on dispositional outcomes, it provided crucial data on various issues SRLs encountered in litigating their appeal and information for the ATJ Commission and AOIC to consider when deciding where to devote its resources.

The pilot project began prior to the publication of the remaining statewide appellate forms, so for the first three months of the initiative, the full array of appellate forms were not yet available. While the First Appellate District had a template for the Docketing Statement they have historically used, that form did not include instructions and it was not posted on the Court's website. The Circuit Court of Cook County also has local forms they require (in lieu of statewide forms) for the Notice of Appeal and Requesting the Preparation of the Record on Appeal. The local versus statewide versions of the appellate forms were also a source of confusion for appellants, as they did not understand why the forms looked different and which forms they needed to use.

The pilot emphasized the need to create additional self-help materials in the areas of law in which most appeals are filed (e.g., Housing, Administrative Agencies, and Domestic Relations). For example, the AOIC does not currently have any self-help materials or statewide forms for administrative appeals. The only self-help resource currently available for such appeals is a three-page section of the Appellate Lawyers Association's "A Guide to Illinois Civil Appellate Procedure," which provides an overview of the required steps. Directing SRLs to resources that are specific to the nature of their appeal would provide the litigant with more detailed instruction and a focused approach toward completing their case.

It also highlighted the severe time constraints under which some appeals are filed, especially for housing-related cases, where the litigant may be in the process of being evicted from their residence. These litigants may be transient and therefore difficult to contact via printed mailings. In these housing appeals, many appellants filed a motion for a stay of the circuit court order. Therefore, creating concise resources to explain a stay of a judgment pending appeal and creating a specific motion template with instructions for such cases may be helpful (currently only a *general* motion form and instructions exist to be used for all instances in which a litigant might need to file a motion in the appellate court).

Communication with appellants underscored the need to break down the steps of an appeal in simpler terms and use different formats to present information to SRLs, such as via videos and graphical materials. The text-based information that was sent to SRLs in the program were often not read or understood and the litigant wanted further assistance or reassurance from a person. Many appellants were also under the impression that the court would *proactively* reach out to them about the next steps in their appeals and were awaiting contact from the clerk's office rather than proceeding on their own with the next steps (e.g., filing their Docketing Statement).

The pilot project further affirmed the need to create opportunities for SRLs to obtain information and legal assistance for their appeals. The AOIC and clerk's office are covered by the Illinois Supreme Court's Policy on Assistance to Cover Patrons by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers ("Safe Harbor Policy" – please see [Appendix 5](#)), which permits staff to provide legal information to court patrons. While the appellate clerk's office is often the first point of contact for SRLs, due to workload obligations staff may be unable to spend significant amounts of time with individual patrons. The addition of a dedicated telephone line at the AOIC provided another layer of help for those litigants, where staff were able to devote more time to singular questions. However, many appellants wanted additional assistance from an attorney to review their forms and to give advice about their appeals. During the pilot project, no appellate-specific legal advice clinic was available in which to direct SRLs for their legal questions. While not specific to appeals, litigants were directed to the Chicago Bar Association's once monthly "Call-A-Lawyer" clinic that provided an opportunity to ask questions and get free legal information via phone. Developing opportunities for litigants to communicate with experienced pro bono appellate attorneys is imperative for the AOIC to offer holistic assistance to SRLs.

Finally, the pilot project focused on the necessity to reexamine rules and statutes that disparately impact SRLs and low-income litigants. For example, transcript costs, which are paid directly to court reporters, are currently not covered under fee waivers granted to SRLs (see [735 ILCS 5/5-105](#) and [735 ILCS 5/5-105.5\(b\)](#), which outline fee waivers for civil actions). However, under the statute transcripts are covered for civil legal service providers, so if an indigent person has representation, which is difficult to obtain for a civil appeal, then the fees are waived. Further confusing the matter is that Illinois Supreme Court [Rule 321](#) defines the Record on Appeal as consisting of the judgment appealed, the notice of appeal, the entire original common law record, and any report of proceedings

(transcripts). SRLs are frequently confused because the common law portion of the Record on Appeal is covered by the fee waiver. Since transcripts are essential to the likelihood of a successful appeal, indigent SRLs are placed at a distinct disadvantage by not having transcripts covered by a fee waiver.

Recommendations

Communication and Information for SRLs

- SRLs need information about self-help resources for appeals at the time they file their Notice of Appeal. The AOIC should work with clerks, the Appellate Lawyers Association, and other bar associations to develop a packet of materials (print and electronic) that can be provided by circuit clerks at the time the Notice of Appeal is filed. The packet should include a letter outlining available resources, an overview of required steps, and the first few forms they will need to initiate their appeal. The AOIC will need to develop a plan to request the assistance of circuit clerks, without having any authority to mandate such help, since Illinois is a non-unified court system. Meetings should occur with the following stakeholders:
 - Appellate Clerks to obtain their feedback and ideas.
 - Appellate Lawyers Association to obtain their feedback and ideas.
 - Civil Appeals Division of the Circuit Court of Cook County to discuss what steps can be implemented in the First Appellate District Clerk's office.
 - Association of Circuit Court Clerks to disseminate information to clerks statewide and on a regional basis for other appellate districts.
- The AOIC should work with appellate clerks to automate the distribution of a letter that can be sent to an SRL at the time the Notice of Appeal is transferred to their office and an appellate case number is issued. This letter should be customized for each appellate district and outline available statewide forms, local appellate rules, and self-help resources available to assist them in their appeal (the pilot project letter may serve as a model, please see [Appendix 1](#)).
- SRLs need information about what steps they can take following the dismissal of their appeal for want of prosecution. The dismissal order issued by appellate clerks could be made more helpful by including standardized language about deadlines for filing a Petition for Rehearing (per Supreme Court [Rule 367](#)). In the First Appellate District, dismissal orders have included such language as, "IT IS HEREBY ORDERED that this case is DISMISSED FOR WANT OF PROSECUTION. Any request to reconsider this Order must be filed as a Petition for Rehearing within 21 days, as provided by Illinois Supreme Court Rule 367(a)." This practice could serve as a template for statewide implementation.
- The AOIC should establish a dedicated phone number and utilize the existing email address for "Appellate Self-Help" to serve as a hotline for SRLs to contact the program for general questions (not legal advice) about their appeal. The service would operate in addition to highlighting contact information for the clerks' offices, as those offices are the first point of contact for all litigants.
- The AOIC should encourage use of the statewide standardized court forms for all appeals filed by SRLs by modifying Supreme Court Rule [10-101](#).

Material Development

All materials produced by the Appellate Resource Program are developed by the AOIC and then undergo a review and approval process consisting of input from appellate clerks, the ATJ Commission's Appellate Committee, and the Illinois Supreme Court's Appellate Court Administrative Committee (ACAC). Materials are then posted on the Illinois Court's website under a dedicated self-help page for civil appeals.

- The AOIC should continue to create materials to assist SRLs in topics related to their appeal (e.g., foreclosure, domestic relations, administrative agency decisions, etc.), such as:
 - Modify the current checklist within the AOIC's Guide for Appeals or create a new fillable checklist for a civil appeal (per the applicable Supreme Court Rule), which outlines all of the required documents and has space to write-in respective due dates.

- Create a one-page overview of the steps and deadlines for administrative appeals. *In progress*
- Create a one-page overview of motions on how to request more time to file documents in an appeal. *Finalized March 2020.*
- Create graphical overviews and explanations for the steps involved in an appeal and to explain appeals governed by Supreme Court Rules [301-308](#).
- Create an appellate video series to explain the steps involved in an appeal. *In progress, initial four videos launched March 2020.*
- Collaborate with the Illinois Supreme Court Library to create research guides in substantive areas of law with high appellate frequency to help SRLs conduct research for their appellate briefs. *Finalized February 2020* (Please see [Appendix 6](#))
- Consult the ATJ Commission’s Appellate Forms Subcommittee on creating a Petition for Administrative Review for administrative appeals (Supreme Court Rule [335](#)), as no statewide forms currently exist, and litigants are currently modifying existing forms to meet their needs.
- Collaborate with clerks and appellate attorneys to create samples for all appellate forms and briefs on the approved statewide forms.

Legal Assistance and Disability Training

- The AOIC should collaborate with justice partners to create programs to connect SRLs with attorneys who can give legal advice.
 - Virtual help desk – An Advisory Committee was created in partnership with the Public Interest Law Initiative (PILI) to launch a virtual help desk with an expected launch date of September 2020. The program will utilize pro bono attorneys and expand on the American Bar Association’s “Free Legal Answers” platform to incorporate a civil appeals option. The help desk will permit SRLs to submit questions and send attachments via the portal, and to have those questions answered by an attorney with appellate experience via email. (Please see [Appendix 7](#))
 - Pro bono representation – In February 2020, the Illinois Supreme Court launched a Volunteer *Pro Bono* Program in Criminal Appeals to assist the Office of the State Appellate Defender with their backlog of appeals. Following the program’s progress and evaluation, the criminal appeals initiative may serve as a model for instituting a similar pro bono program for civil appeals in Illinois. The AOIC should follow the development of the program to assess how assistance can be provided to self-represented litigants in civil appeals.
- The AOIC should continue to provide training to appellate clerks on disability accommodation under the Americans with Disabilities Act and the Illinois Supreme Court’s Safe Harbor Policy. In March 2020, the AOIC provided this training to appellate clerks and was open to all staff in the reviewing courts who assist self-represented litigants. The presentation and follow-up materials were sent to the clerks for distribution to their staff. *Finalized March 2020.*

Program Publicity and Outreach

- The AOIC and ATJ Commission will continue to promote the Appellate Resource Program in print and electronic media to make the public and other stakeholders aware of the program’s existence, including:
 - Create a postcard that includes the contact information and website for the AOIC’s Appellate Resource Program and highlights the resources available to help SRLs navigate the civil appellate process.
 - Maintain self-help information in an easy to find format for appeals on the soon-to-be launched Access to Justice Commission’s website.
 - Illinois Legal Aid Online (ILAO) and PILI will be regularly contacted to ensure their organizations have up-to-date information on appellate resources and that they are highlighting self-help materials on their website and with their volunteer attorney base.

- Utilize social media to highlight resources for civil appeals.
- Update the self-help website to make it more user-friendly and so that information for each discrete step of an appeal is easier to locate.

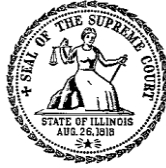
Modifications to Supreme Court Rules, Statutes, and Policies

- Based on the findings of the pilot project, the Appellate Resource Program should consult with appellate clerks, court stakeholders, and the ATJ Commission’s Rules and Policy Review Committee to consider proposing changes to rules, legislative statutes, and policies in order to reduce barriers SRLs face with the civil appellate process.
 - ***Notice of Filing - Rule 303(c)*** – In light of mandatory e-filing, Supreme Court [Rule 303\(c\)](#), which requires that “the party filing the notice of appeal or an amendment as of right, shall, within 7 days, file a Notice of Filing with the reviewing court” may be redundant. Due to the e-filing mandate, the Notice of Appeal is electronically transmitted from the circuit clerk to the appellate clerk’s office in accordance with [Rule 303\(a\)\(4\)](#) (within five days after the filing). Thus, the appellate court already receives notice directly from the clerk of the circuit court that the Notice of Appeal has been filed.
 - ***Transcript Costs and Fee Waiver*** – Fee waivers for indigent SRLs are not currently accepted to cover the costs of transcripts, which are assessed by court reporters and are set forth in the [Administrative Regulations for Court Reporting Services in the Illinois Courts](#). Alignment of Illinois Supreme Court [Rule 321](#), [735 ILCS 5/5-105](#), and [735 ILCS 5/5-105.5\(b\)](#) to explicitly outline what records are considered “mandatory processes and procedures necessary to litigate the action” would provide much needed clarity and relief to litigant and all court stakeholders.
 - ***Record on Appeal – Responsibility for photocopying and providing a copy to appellant who qualifies for an e-filing exemption*** – As a result of the increased number of SRLs receiving e-filing exemptions more clarity is needed about who is responsible for providing a paper copy of Record on Appeal should the litigant not be able to access it electronically. Typically, when a litigant e-files, the Record on Appeal is transmitted from the circuit clerk to the appellate clerk via the e-filing system. The appellant then receives the electronic Record on Appeal from the appellate clerk via email with a downloadable link. Illinois Supreme Court [Rule 324](#) and Court’s [Standards and Requirements for Electronic Filing the Record on Appeal](#) (under which preparation of the electronic Record on Appeal must comply) do not currently envision scenarios involving the e-filing exemption and how procedures would need to be adjusted should a paper record need to be produced.
 - ***Color Requirements for Appellate Brief Cover Pages*** – With e-filing mandated since 2017, discussions should take place with stakeholders to review the necessity for brief cover page requirements under [Rule 341](#). If necessary, the program should post simple instructions on the Illinois Court’s website for SRLs on how to add color to an electronic cover page in order to avoid rejection of briefs due to non-compliance with the Rule.

Appendices

- Appendix 1: Pilot Project Letter to SRLs**
- Appendix 2: Complete List of Data Tracked in Pilot Project**
- Appendix 3: Complete Breakdown of Case Types in Pilot Project Resources**
- Appendix 4: Available on Illinois Courts' Website for Civil Appeals Illinois**
- Appendix 5: Supreme Court Safe Harbor Policy**
- Appendix 6: Illinois Supreme Court Library's Civil Appeals Research Guides**
- Appendix 7: Illinois Appellate Free Legal Answers Informational Sheet**

APPENDIX 1



Supreme Court of Illinois

ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS

Dear Appellant,

The Notice of Appeal that you filed with the Illinois Appellate Court, First District indicates that you are representing yourself. People who do not have a lawyer are called self-represented litigants ("SRLs"). The AOIC has an Appellate Resource Program that provides information about the civil appeals process to SRLs. The details below are provided for informational purposes only, because we are not allowed to give you legal advice. If you need legal advice, you must speak with a lawyer.

Getting Started

- Appeals can be difficult, time-consuming, and are complicated. Although you have the right to appeal your case without a lawyer, please be aware that as an SRL, you have to follow court rules and procedures just as you would if you were an attorney. Therefore, a lawyer with experience in filing appeals can help you with this process and give you legal advice. If you are interested in finding a lawyer who specializes in appeals, contact the [Chicago Bar Association Lawyer Referral Service](#).
- Appeals like yours are governed by [Illinois Supreme Court Rules](#) (Rules 301-384). If you don't follow these rules, procedures, and deadlines you risk having your appeal dismissed. In addition, the Illinois Appellate Court, First District has its own rules, which you must follow. You can find those rules [here](#).

Forms

- You will need to file a lot of documents for your appeal. You can find many of the forms you will need on the Illinois Courts' [website](#). Each form has a "Getting Started" guide and instructions, which you should follow.
- **IMPORTANT:** If you need additional time to file any documents for your case (such as your Docketing Statement or Brief), you must request an extension of time from the appellate court. This is done by filing a motion. You will need to explain the reason why you cannot meet the deadline and ask the court for more time to file the document. A general motion form and instructions are available [here](#).

Helpful Resources

As you are working on your appeal, you may have questions. Listed below are some guides that may be helpful to you:

- The Illinois Courts' "[Resources for SRLs in Civil Appeals](#)" web page has the following materials posted:
 - Guide for Appeals to the Illinois Appellate Court for Self-Represented Litigants;
 - One-page overview for appeals from a final judgment or order;
 - Frequently Asked Questions; and
 - Information on E-Filing – you must e-file all documents for your appeal. If you don't have access to a computer, the appellate clerk's office has a computer terminal for you to e-file your documents. There are limited exceptions to the e-filing mandate; please see the [Exemption from E-filing Certificate](#) for further information.
- [A Guide to Illinois Civil Appellate Procedure](#) is published by the Appellate Lawyers Association. The guide has detailed instructions, timelines, and sample forms.
- The First District's Appellate Clerk's Office is located at 160 N. LaSalle Street, Chicago, IL 60601. The office is open Monday-Friday from 8:30 am to 4:30 pm and their telephone is 312-793-5484.

We are here to answer any questions you have about the information listed above - please email the Appellate Resource Program at (AppellateSelfHelp@illinoiscourts.gov) or call 312-793-6153. Our office wants to gather information about your experience with the appellate process and how we can improve it.

We will be following up with you to get your feedback.

APPENDIX 2

Data points collected and tracked in SRL pilot project

1. Case Name
2. Supreme Court Rule under which the appeal was filed
3. Substantive area of law
4. Date of filing for Notice of Appeal
5. Due date for Docketing Statement
6. Due date for Record on Appeal
7. Due date for Brief (updated as relevant, upon filing of the Record on Appeal)
8. Submission of fee waiver applications
9. Submission of E-filing exemptions
10. Dates of contact by the AOIC
11. Communication notes from contact with SRL
12. If the other party had counsel (yes/no)
13. Dispositional outcome
14. If the appeal was completed
15. If yes, disposition date
16. If not, the stage appeal was abandoned and, if known, reason
17. If case was dismissed on a technical basis, list reason
18. Status
19. Contact information for appellant & notes field

APPENDIX 3

SRL Pilot Project - Substantive Area of Law

Pilot project total cases - 450

Case Type	Total	Percentage
Administrative Appeals (Rule 335)	64	14%
Chancery Division	85	19%
Foreclosure (42)		
General (15)		
Administrative Review (13)		
Injunction (8)		
Declaratory Judgment (5)		
Mechanical Lien (2)		
County Division	8	1%
Domestic Relations Division	61	14%
Dissolution of Marriage (40)		
Parentage (16)		
Child Support (2)		
Allocation of Parental Responsibilities (2)		
General Subpoena (1)		
Law Division	80	18%
Unemployment Compensation -IDES (26)		
Intentional Tort (14)		
Contract (12)		
Personal Injury (10)		
Legal Malpractice (4)		
Administrative Review Action (3)		
Misc. Statutory Action (2)		
Premises Liability (2)		
Commercial Litigation (1)		
Fraud (1)		
Libel/Slander (1)		
Other Extra Ordinary Remedies (1)		
Petition for Discovery (1)		
Retaliatory Discharge (1)		
Statutory Action (1)		

Case Type	Total	Percentage
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Municipal Division	125	28%
Eviction (59)		
Contract (16)		
Personal Injury (12)		
General (8)		
Housing (5)		
Fraud (5)		
Administrative Review Action - Parking Violation (4)		
Tort, Non-Personal Injury (4)		
Administrative Review Action - Ordinance Violation (3)		
Replevin (3)		
Consumer Fraud (2)		
Property Damage (2)		
Statutory Action (2)		

Order of Protection	18	4%
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Probate	9	2%
Petition for Probate of Decedent's Estate (6)		
Petition for Guardianship (3)		

APPENDIX 4



[Illinois Court Home Page](#) > [Access to Justice](#) > Resources for Self-Represented Litigants in Civil Appeals

Resources for Self-Represented Litigants in Civil Appeals

PLEASE NOTE: Many Illinois courts are open for emergencies only. Additionally, the Illinois Supreme Court has issued extensions for deadlines in the Appellate Court and Supreme Court. Please see the [Illinois Courts website](#) for information about your local courthouse or contact the clerk in your county or appellate district.

NOTA IMPORTANTE: Muchos tribunales de Illinois están abiertos solamente para emergencias. Asimismo, la Corte Suprema de Illinois ha concedido extensiones de tiempo para los trámites en el Tribunal de Apelaciones y la Corte Suprema. Sírvase visitar al [sitio de Internet de Illinois](#) para información acerca del juzgado de su localidad o comuníquese con el actuario de su condado o distrito de apelaciones.

Case Information

There are five appellate districts in Illinois. If you do not know the appellate district you are in, you can locate that information on this [map](#).

For information about a pending court case, please contact your district's [Appellate Court Clerk's Office](#).

Legal Information

For Illinois court forms and instructions for civil appeals, please visit the [Illinois Supreme Court Standardized Forms](#).

For more information about Illinois laws and legal procedure, please see the [Illinois Compiled Statutes](#) and the [Illinois Supreme Court Rules](#). Civil appeals are governed by Illinois Supreme Court Rules [301-384](#).

Each appellate district has local rules that must be followed. You can find rules for each appellate district under the "Local Rules" section on the Illinois Courts' [website](#).

For free legal information, please visit [Illinois Legal Aid Online](#).

Guides and General Overviews

The AOIC's [Guide for Appeals to the Illinois Appellate Court for Self-Represented Litigants](#) provides detailed information about civil appeals. The guide provides a detailed overview of the civil appeals process, including rules, deadlines, frequently asked questions, and a checklist for filing in the appellate courts.

The AOIC publishes a [one-page overview](#) of a civil appeal from a final order or judgment.

The Illinois Fourth District Appellate Court publishes a [Guide to Bringing an Appeal](#), which highlights the steps necessary to file an appeal.

The Appellate Lawyers Association publishes [A Guide to Illinois Civil Appellate Procedure](#), which provides a comprehensive overview of civil appeals. The guide includes timelines, tips on conducting research to write briefs, and sample forms.

The Clerk of the Circuit Court of Cook County, Civil Appeals Division's [website](#) has an FAQ section and forms available for use (for appeals within the First Appellate District only).

The Illinois Supreme Court Library publishes [research guides](#) that provide a starting point for conducting research in certain areas of law for civil appeals. The guides provide general definitions of terms you may encounter and references specific books and websites that you may wish to consult when writing an appellate brief.

The University of Illinois Law Library publishes a [Self-Representation Guide](#) intended to assist self-represented litigants with conducting basic legal research. It provides an overview of available legal resources and materials for conducting legal research in federal and state courts.

The Chicago Association of Law Libraries publishes [Finding Illinois Law: A Librarian's Guide for Non-Lawyers](#), which is a guide aimed at assisting non-lawyers with understanding the legal system, conducting legal research, and locating resources.

If you are a self-represented litigant seeking help with a federal case, please see the United States District Court for the Northern District of Illinois' [Information for People without Lawyers \(Pro Se\)](#) page. Appeals from the Northern District of Illinois are filed with the [United States Court of Appeals for the Seventh Circuit](#). The Seventh Circuit Bar Association publishes [videos](#) that provide an overview of the steps involved in the federal appellate process.

Frequently Asked Questions about Civil Appeals

The AOIC provides a guide of frequently asked questions relating to civil appeals in the Illinois Appellate Court (it does not cover criminal appeals). It is intended to assist self-represented litigants with understanding the steps necessary to file a civil appeal by addressing commonly asked questions about the process.

You may view individual sections below

- Section 1: [The Basics of an Appeal](#)
- Section 2: [Overview of Steps and Forms](#)
- Section 3: [Information for the Appellee](#)
- Section 4: [Notice of Appeal](#)
- Section 5: [Request for Preparation of Record on Appeal](#)
- Section 6: [Request for Report of Proceedings, Bystander's Report, or Agreed Statement of Facts](#)
- Section 7: [Docketing Statement](#)
- Section 8: [Appellate Briefs](#)
- Section 9: [Oral Argument](#)
- Section 10: [The Appellate Court's Decision](#)
- Section 11: [Other Resources](#)

How-To Videos on Civil Appeals

The AOIC maintains a video series on civil appeals for self-represented litigants. These how-to videos are aimed at explaining each step involved in a civil appeal. More videos in this series will be published in the near future.

- [Video One – Civil Appeals Overview](#)
- [Video Two – Forms and E-filing](#)
- [Video Three – Notice of Appeal](#)
- [Video Four – Motions](#)

Attorney Referral Information

For help finding an attorney who specializes in appeals, please contact the [Chicago Bar Association Lawyer Referral Service](#) (in Chicago) or the [Illinois State Bar Association LawyerFinder](#) (outside Chicago).

If you are looking for an attorney outside of Illinois, please visit the [American Bar Association's Find Legal Help](#).

E-filing Information

You must electronically file (e-file) all court documents in civil cases in Illinois unless (1) you are an inmate in a prison or jail and you do not have a lawyer; (2) you are filing a will; (3) you are filing into a juvenile court case; (4) you have a disability that prevents you from e-filing; or (5) for good cause. The first four exemptions are automatic and you do not need to submit additional paperwork.

The fifth exemption (good cause) requires you to fill out and file a *Certification for Exemption from E-Filing* (found here: www.illinoiscourts.gov/Forms/approved/default.asp), and to check off one of the following reasons to be exempt from e-filing:

- (a) I am representing myself and do not have the Internet or a computer in my home. My only access is through a public terminal at a courthouse, library, or other location. This poses a financial or other hardship.
- (b) I am representing myself and have trouble reading, writing, or speaking in English.
- (c) I am filing a document in a sensitive case, such as a petition for an order of protection or a civil no contact/stalking order.

Todos los sistemas de presentación electrónica de Illinois están solo en inglés. Si tiene dificultades para leer, escribir o hablar en inglés, podría estar exento de hacer presentaciones electrónicas. Puede ver la Certificación de exención de presentación electrónica en http://illinoiscourts.gov/Forms/approved/efiling_exemption/Efiling_Exemption_Certification_Approved.pdf.

For a general overview of e-filing, please review this [flyer](#). El cartel de información para presentación electrónica de Illinois está disponible en [Español](#). For information about how to successfully e-file in Odyssey eFileIL, please see the following step-by-step guides (more guides will be added in the near future).

1. [Prepare Your Documents \(Appeals\)](#)
2. [Register to E-File \(Appeals\)](#)
3. [Sign-In to Your Account \(Appeals\)](#)
4. [Create a New Password if You Forgot It \(Appeals\)](#)
5. [Add a Payment Account \(Appeals\)](#)
6. [Enter Case Information \(Appeals\)](#)
7. [Upload Your Documents in the Filings Section \(Appeals\)](#)
8. [Add Service Contacts \(Appeals\)](#)
9. [Pay Fees \(Appeals\)](#)
10. [Review the Summary & Submit Your E-filing \(Appeals\)](#)

The Second Appellate District also publishes guides to assist litigants with e-filing - [Guide for Filers Filing Documents on EFileIL](#) and [How to Receive Records via Odyssey EfileIL](#).

If you are filing an appeal with the Illinois Supreme Court, the Court publishes an [Electronic Filing Procedures and User Manual for the Supreme Court of Illinois](#).

Contact Details

For general questions about civil appeals, please email:
AppellateSelfHelp@illinoiscourts.gov

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Disclaimer: Information and resources presented on this website do not constitute legal advice and are not a substitute for legal counsel. If you are in need of legal advice, you must speak with a lawyer. The resources provided herein are provided for informational purposes only and are neither legal authority nor a substitute for the requirements found in the Illinois Supreme Court Rules.

[State of Illinois](#) | [Privacy Notice](#) | [Endorsement Notice](#) | [Webmaster](#)

Acknowledgements

The Illinois Supreme Court Commission on Access to Justice expresses its deepest gratitude to the following individuals for their dedicated efforts in revising this guide:

- Megan Stride, Mayer Brown LLP
- Frank Dickerson, Mayer Brown LLP
- Hon. Thomas Palella, Clerk, First District Appellate Court
- Tina Schillaci, Chief Deputy Clerk, First District Appellate Court
- Hon. Robert Mangan, Clerk, Second District Appellate Court
- Hon. Barbara Trumbo, Clerk, Third District Appellate Court
- Sharon Levy, Deputy Clerk, Third District Appellate Court
- Hon. Carla Bender, Clerk, Fourth District Appellate Court
- Hon. Jack Flood, Clerk, Fifth District Appellate Court

This Guide was initially published in 2015 and was updated in August 2018.

Guide for Appeals to the Illinois Appellate Court For Self-Represented Litigants

This guide has information on how to file an appeal from a judgment made by a circuit court in Illinois. It includes a timeline of the process, frequently asked questions, and a checklist to consult when preparing the documents you need.

The party filing an appeal is called the “appellant.” The party responding to an appeal is called the “appellee.”

The number of steps to the appeals process varies, and may include:

1. File a notice of appeal with the clerk of the circuit court.
2. Contact the circuit court clerk to request preparation of the record on appeal, and to confirm and pay any related fees. Submit written requests to the circuit court reporters for them to prepare transcripts of the hearings held in your case, and pay the reporters’ fees for that preparation.
3. File a notice of filing with the clerk of the appellate court. Include proof of service that says you have sent copies of that document to the other parties.
4. Pay the \$50 filing fee and file the docketing statement with the appellate court, together with copies of your requests to the circuit court and the court reporters for preparation of the record on appeal and the transcripts. The circuit court clerk will file the record on appeal with the appellate court.¹
5. File your brief.
6. Other side (the appellee) files its answering brief, if it chooses to do so.
7. File your reply brief. (optional)
8. The appellate court issues its decision.
9. File a Petition for Rehearing if you believe the appellate court decision should be reconsidered by the court. (optional)
10. File a Petition for Leave to Appeal to the Illinois Supreme Court. (optional)

¹ Please note that [Rule 323\(b\)](#) provides that court reporting personnel must file the transcripts directly with the circuit court, rather than provide them to the appellant. [Rule 325](#) provides that in general, the circuit court clerk, and not the appellant, must file the record on appeal with the appellate court.

IMPORTANT NOTICE

This resource lists the steps involved in an appeal in the Illinois state courts. It is a guide for self-represented litigants.

The guide refers you to the Illinois Supreme Court Rules (the “Rules”) for further information about the various steps in an appeal. The timeline, checklist, and FAQs are not legal advice. This resource is neither legal authority nor a substitute for the requirements found in the Rules.

You are strongly advised to speak to an attorney about your appeal. The appeals process can be lengthy and difficult. Should you decide to appeal your case without an attorney, you will need to follow the Rules just like those parties who have an attorney.

As of July 1, 2017, all documents filed in the Illinois Appellate Court and Illinois Supreme Court must be [filed electronically](#) (“e-filed”). If you need assistance, you may take your documents to the appellate court clerk’s office, where you can use a public terminal to e-file your documents. You can bring your documents on a flash drive or on paper. The terminal will have a scanner where you can scan, save, and then use the computer to e-file your documents.

In limited circumstances, Illinois Supreme Court Rule 9(c)(4) allows for an exemption from e-filing for good cause. You may be excused from e-filing if you 1) do not have internet or computer access at home, 2) have a disability that keeps you from e-filing, or 3) have trouble reading or speaking in English. To file paper documents instead of e-filing, complete a [Certification for Exemption From E-Filing](#) and file it with the appellate court. If you have any questions about the exemption, please contact your local appellate clerk’s office.

Timeline of Events in an Appeal to the Illinois Appellate Court

Filing Event and Relevant Supreme Court Rules	Description	Deadline ²
<p>File a Notice of Appeal</p> <p>Rules 9, 10, 11, 12, 303, 303A, 306, 307, 308, and 311</p>	<p>Step 1: You must file your notice of appeal with the Circuit Court Clerk within 30 days after a final order is entered by the circuit court. The Illinois Courts of Appeal and Supreme Court require electronic filing of documents in all civil appeals with limited exceptions. Exceptions include documents filed by incarcerated, self-represented litigants; wills; documents filed under the Juvenile Court Act of 1987; and documents in cases where the court has allowed paper filing by a court order. See Rules 9 and 10 for requirements that apply when filing electronic or paper documents in the Illinois courts. More information on electronic filing is available at http://efile.illinoiscourts.gov/.</p> <p>You must serve the notice of appeal on any other parties in your case. If any other party is represented by an attorney, then you must serve the notice of appeal on the attorney. See Rule 11 for the methods of serving documents and Rule 12 for the ways to obtain proof of that service.</p> <p>You might have a shorter deadline for filing your notice of appeal if your appeal involves one of the following:</p> <ul style="list-style-type: none"> • Certain orders made during the course of the case before the case is finally resolved, including orders involving custody or care of children (14 days). These appeals require a petition for leave to appeal with certain special requirements. See Rule 306(b) for petitions of orders regarding custody or care of children, the allocation of parental responsibilities for unemancipated minors, or the relocation of unemancipated minors. See Rule 306(c) for petitions of other orders. [Rule 306] • Temporary restraining orders (TROs) (2 days) [Rule 307] • Waiver of parental notice of abortion (2 days) [Rule 303A] 	<p>Entry of Final Order + 30 days</p>

² You should consult the Rules, and your district's local rules, to determine whether and how you may request an extension of a particular deadline. See the questions below for more information. This chart is current as of July 10, 2018.

	<p><u>Step 2:</u> Within 7 days of filing the notice of appeal, you must (1) serve the notice of appeal on any other parties, and (2) file a notice of filing with the clerk of the appellate court and include proof of service that says you have sent copies of the document you are filing to the other parties, or their attorneys if they are represented by counsel, in that notice of filing.</p> <p>If you do not file your notice of appeal before the expiration of this deadline, the appellate court cannot hear your appeal.</p>	
<p>Docketing Statement Rules 9, 10, 11, 12, 46, 298, 312, and 313.</p>	<p>Within 14 days of filing your notice of appeal you must file a docketing statement with the appellate court. At the time you file the docketing statement, you must also pay the appellate court filing fee. This fee is in addition to any fees you paid in the circuit court.</p> <p>You must pay the fee and file a docketing statement at the time you file your petition for leave to appeal or application if your appeal involves one of the following:</p> <ul style="list-style-type: none"> • A petition for leave to appeal a non-final order regarding the custody or care of children, the allocation of parental responsibilities for unemancipated minors, or the relocation of unemancipated minors [Rule 306]. • An application for leave to appeal a non-final order that involves a new question of law [Rule 308]. <p>You must pay the fee and file a docketing statement within 7 days of filing your notice of appeal if your appeal involves one of the following:</p> <ul style="list-style-type: none"> • An order granting, modifying, refusing, dissolving, or refusing to dissolve or modify an injunction [Rule 307]. • An order appointing or refusing to appoint a receiver or sequestrator [Rule 307]. • An order giving or refusing to give other or further powers or property to a receiver or sequestrator already appointed [Rule 307]. • An order placing a mortgage lender in possession of a mortgaged property [Rule 307]. • An order terminating parental rights or granting, denying, or revoking temporary 	<p>Notice of Appeal + 14 days</p>

commitment in certain adoption proceedings [[Rule 307](#)].

The docketing statement is a snapshot of the case you are appealing.

Step 1: Send written requests to the circuit court clerk and court reporter asking them to prepare their sections of the record on appeal (see Record on Appeal, below). Check with your circuit court clerk to see if they have a certain process that you must follow to order the record.

As the appellant, you are responsible for the costs involved in preparing the record on appeal (unless the circuit court waives the costs because you cannot afford them).

- Each district of the appellate court has [local rules](#) about fee waivers. Please note that getting a fee waiver from the circuit court for the preparation of the record on appeal does not mean your filing fee is waived in the appellate court. In addition, getting a fee waiver from the appellate court does not mean that the costs involved in preparing the record on appeal are waived. See [Rule 298](#) for more information on applying for a waiver of court fees in the circuit court.

Step 2: Prepare the docketing statement in the form specified by [Rule 312](#) and in the [Article III Forms Appendix](#).

Step 3: You must serve a copy of the docketing statement on each of the other parties in your case.

Step 4: Pay \$50.00 filing fee and file the docketing statement, together with copies of your requests to the circuit court and the court reporters for preparation of the record on appeal and the transcripts, with the appellate court clerk. Include a proof of service that states the address information, manner of service, and any other information required by [Rule 12](#).

If you are unable to pay the \$50.00 filing fee, you may file a request for a fee waiver in the appellate court using the “[Application for Waiver of Court Fees \(Appellate Court\)](#)”

	<p>available in the Article III Forms Appendix. You may find additional instructions regarding appellate fee waivers on the Illinois Supreme Court website. [Rule 313]</p>	
<p>Record on Appeal</p> <p>Rules 9, 10, 11, 12, 312, 321, 323, and 325-329</p>	<p>Once you have requested the record on appeal, the clerk of the circuit court will then prepare the record on appeal and transmit it to the appellate court. If there was no court reporter at your case in the circuit court, you may prepare a bystander’s report or an agreed statement of facts (discussed below).</p> <p><u>What it is:</u> The record on appeal includes the common law record, the exhibits and the report of proceedings. The <i>common law record</i> includes all of the written documents created or considered by the circuit court during your case. The <i>report of proceedings</i> is a record of what was said at any hearings held at the circuit court during your case. Together, the common law record, exhibits and report of proceedings are the source of all the facts the appellate court can look at when deciding your appeal. The record on appeal must include everything that was before the circuit court when the decision you are appealing was made. This may include transcripts prepared by a court reporter or a report certified by the circuit court of what was said at any important hearings.</p>	<p>You must request the Record on Appeal immediately after you file your Notice of Appeal, and include copies of your requests with the Docketing Statement you file with the appellate court clerk.</p>
	<p><u>Who prepares the record:</u> The clerk of the circuit court will prepare the record on appeal after you make a written request and pay the preparation fee as described above (see Docketing Statement).</p> <p>If a court reporter or recording equipment was in the courtroom, then the court reporter will, upon payment, prepare transcripts for the report of proceedings. You must make a written request to the court reporter to prepare the transcripts (see Docketing Statement). These transcripts will be filed by the court reporter with the circuit court. The circuit court clerk will then file the entire record on appeal with the clerk of the appellate court.</p> <p>If no court reporter was present, you have the option of preparing either a <i>bystander’s report</i> [Rule 323(c)] or an <i>agreed statement of facts</i> [Rule 323(d)].</p> <ul style="list-style-type: none"> • The <i>bystander’s report</i> is a written report that describes what was said in the circuit court. This report must be made by someone who was at the hearings. You will need 	<p>The circuit court must then provide the Record on Appeal to the appellate court within 63 days of the Notice of Appeal.</p>

to serve this report on all parties within **28 days** of the filing of the notice of appeal. Other parties have until **14 days** after service of this report to serve proposed amendments or an alternative report. You will need to submit this report and the amendments or reports of other parties, if any, to the circuit court for certification within **7 days** of the receipt of any amendments (or within 49 days of the filing of the notice of appeal). The circuit court will need to certify the report in order for it be included in the record on appeal, unless all parties in the case agree that the report may be included without that certification.

- The *agreed statement of facts* is a statement of facts material to the case, agreed upon and signed by all of the parties. You do not need to submit it to the circuit court for certification.

Supplementing the record: The appellate court will not consider anything that is not in the record on appeal. If you think something is missing from the record, you must ask the clerk of the circuit court to prepare the additional material. You must also file a motion with the clerk of the appellate court asking permission to add things to the record after it has been filed in the appellate court. You cannot simply attach the extra material to your brief. Nothing can be included in the record or in your brief that was not part of your case in the circuit court.

Using the record to write your brief: The Rules require that you provide a citation to the record for every fact in your brief. After the circuit court clerk files the record on appeal in the appellate court, you will need to request the record from the appellate court so that you can provide these citations in your brief.

<p>Appellant's Brief Rules 9, 10, 11, 12, and 341-343</p>	<p>Your opening brief must be filed with the clerk of the appellate court no more than 35 days after the record on appeal is filed in the appellate court.</p> <p>Your brief must be no more than 50 pages (or alternatively, no more than 15,000 words), not including the appendix. It must be in the form specified in Rule 341(a), and must include a proof of service on the other party and a certificate of compliance with Rules 341(a) and (b). That certificate should follow the form located at Rule 341(c). The cover of your opening brief must be white.</p> <p>The Rules contain requirements for preparing briefs on appeal. The Checklist for Filings in the Appellate Court lists those requirements. The Court in which you are filing may have adopted rules requiring paper filings in addition to electronic filing. Rules regarding paper copies, if any, will be available on the Court's website.</p> <p>You might have shorter deadlines for filing your brief if your appeal involves one of the following:</p> <ul style="list-style-type: none"> • Appeals concerning the custody or care of children. In these appeals, the appellant's brief is due 21 days after filing of the record on appeal in the appellate court. The appellee's brief is due 21 days after the appellant's brief is due, and any reply brief by the appellant is due 7 days after the appellee's brief is due. See Rule 311(a) for additional information on the procedures that apply in these appeals. [Rule 311] • Appeals from final judgments in delinquent minor proceedings. In these appeals, the appellant's brief is generally due within 28 days from the filing of the record on appeal, and the appellee's brief is due 28 days from the due date of the appellant's brief. The appellant's reply brief is due within 7 days from the due date of the appellee's brief. See Rule 660A for additional information on the procedures that apply in these appeals. [Rule 660A] 	<p>Record on Appeal + 35 days</p>
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<p>Appellee's Brief Rules 2, 10, 11, 12, and 341-343</p>	<p>The appellee's brief must be filed with the clerk of the appellate court within 35 days from the due date of the appellant's brief.</p> <p>The appellee's brief must be no more than 50 pages (or alternatively 15,000 words), not including the appendix, and must be in the form specified in Rule 341(a). The appellee's brief must also include a certificate of compliance with Rules 341(a) and (b), as well as a proof of service on the other party. The cover of the appellee's brief must be light blue.</p> <p>The Court in which you are filing may have adopted rules requiring paper filings in addition to electronic filing. Rules regarding paper copies, if any, will be available on the Court's website.</p>	<p>Due Date for Appellant's Brief + 35 days</p>
<p>Appellant's Reply Brief Rules 2, 10, 11, 12, and 341-343</p>	<p>You may file a reply brief no more than 14 days after the appellee's brief is due.</p> <p>The reply brief must be no more than 20 pages (or alternatively 6,000 words) and must be in the form specified in Rule 341(a). Your reply brief must include a certificate of compliance with Rules 341(a) and (b), and a proof of service on the opposing party. The cover of your reply brief must be light yellow. Unlike your opening brief, your reply brief may contain only argument.</p> <p>The Court in which you are filing may have adopted rules requiring paper filings in addition to electronic filing. Rules regarding paper copies, if any, will be available on the Court's website.</p>	<p>Due Date for Appellee's Brief + 14 days</p>

<p>Appellate Court's Decision</p>	<p>The appellate court will consider the record on appeal, the parties' briefs, and (in certain cases) the parties' oral argument. The appellate court decides whether oral argument is needed in a case. If the appellate court decides to hear oral argument, the appellate court clerk will notify the parties of the date and time of the hearing.</p> <p>The appellate court clerk will notify all parties when the court issues a decision. You will be able to access the decision on the Illinois Supreme Court website.</p>	
<p>Petition for Rehearing Rules 9, 10, 11, 12, 341, and 367</p>	<p>If you disagree with the appellate court's decision, you may ask for a rehearing in a petition describing the points that you believe the appellate court overlooked or misunderstood. The petition must be filed with the clerk of the appellate court within 21 days after the appellate court's written decision is filed.</p> <p>The petition must be no more than 27 pages (or alternatively 8,100 words) and must include a certificate of compliance with Rules 341(a) and (b) that follows the form located at Rule 341(c). The petition must also include a proof of service on the other party. The cover of your petition must be light green.</p> <p>The Court in which you are filing may have adopted rules requiring paper filings in addition to electronic filing. Local rules regarding paper copies, if any, are posted on the Supreme Court's website.</p> <p>If you do not file your petition for rehearing on time, the appellate court cannot consider your petition.</p>	<p>Appellate Decision + 21 days</p>
<p>Petition for Leave to Appeal to the Illinois Supreme Court Rules 9, 10, 11, 12, 315, and 341</p>	<p>You may also file a petition for leave to appeal (a "PLA") with the Illinois Supreme Court requesting review of the appellate court's decision. The PLA must explain your reasons for requesting review by the Supreme Court and why you believe the appellate court's decision should be reversed or changed.</p> <p>You must file your PLA with the clerk of the Illinois Supreme Court no more than 35 days after the appellate court files its decision.</p>	<p>Appellate Decision or Rehearing Denial + 35 days</p>

However, if you have asked the appellate court for a rehearing and that request was denied, you must file your PLA no more than **35 days** after the appellate court denies your rehearing. If the appellate court granted your petition for rehearing, you must file your PLA no more than **35 days** after the appellate court enters its judgment on rehearing.

The PLA must be no more than 20 pages (or alternatively no more than 6,000 words), not including the appendix.

All filed PLAs need a proof of service attached to the back of the petition.

When you file your PLA, you must pay a \$50 filing fee to the clerk of the Illinois Supreme Court. This fee is in addition to any fees paid in the circuit or appellate courts. To apply for a waiver of fees in the Illinois Supreme Court, use the “[Application for Waiver of Court Fees \(Supreme Court\)](#)” available in the Article III Forms Appendix. You may find additional instructions regarding this type of fee waiver on the [Illinois Supreme Court website](#). [[Rule 313](#)]

Questions Commonly Asked by Pro Se Litigants

1. Are there special rules for the court where I live?

There are five Appellate Districts in Illinois, and you must follow the rules of your district. If you don't know which district you are in, view [this map](#) to find out.

Be sure to check your district's local rules to see if there are any special requirements for notices of appeal. Click on your district's number to read their rules:

- [District 1](#)
- [District 2](#)
- [District 3](#)
- [District 4](#)
- [District 5](#)

2. Is the circuit court's decision in effect while my appeal is pending?

Yes. If you wish to halt enforcement of the circuit court's judgment while your appeal is pending, you must comply with [Rule 305](#).

3. What are the filing fees in the appellate court?

Every appellant must pay a \$50.00 docket fee and all other parties must pay a \$30.00 appearance fee [[Rule 313](#)]. If a party cannot afford its fees, that party may file the "[Application for Waiver of Court Fees \(Appellate Court\)](#)," available in the Article III Forms Appendix, with the clerk of the appellate court to ask to have the fee waived.

Parties must pay these fees at the time they file the docketing statement or entry of appearance (the docketing statement serves as an appellant's entry of appearance). If you are seeking a fee waiver, you must file your application for a fee waiver with your docketing statement or entry of appearance.

4. What is a motion and are there rules for filing one in the appellate court?

Any time you want to make a request to the appellate court you must do so in writing, and that written request is called a "motion." [Rule 361](#) describes the rules for filing a motion in the appellate court.

Often a motion will ask for an exception to a Rule. When you write your motion, you will need to tell the court exactly what it is that you want and why you think the court should grant your motion.

The Rules require that you file the motion with the clerk of the appellate court. Any documents, including motions, filed in the appellate court must be accompanied by a document,

called a “proof of service,” that states how the opposing party was served. [Rule 11](#) describes the methods of serving documents, and [Rule 12](#) describes the accepted formats for proofs of service.

You must also submit a proposed order along with your motion.

The local rules for your appellate district may have different requirements for what must be included in your motion.

5. Can I respond to a motion?

Yes. You can file a written response to the motion with the clerk of the appellate court. Generally, you must file the response within 5 days after you receive the motion by email or personal service, or 10 days after the motion was served on you by mail. You must file a proof of service along with your response to the motion.

6. How do I receive my appellate court case number?

The appellate court will notify you of your appellate court case number after you file your notice of appeal with the circuit clerk, and after the circuit clerk electronically files the notice of appeal with the appellate court.

7. How do I serve documents?

Motions and other documents filed in the appellate court must be “served on,” or sent to, the other parties in your case, and a proof of service must be attached to your motion or document at the time of filing to tell the court you have served it on the other side. If the other party has an attorney, you must serve that party’s attorney.

[Rule 11](#) describes the kinds of service that are allowed. The proof of service lays out (i) what documents you served (e.g., your motion or brief), (ii) to whom you sent the documents (e.g., the appellee’s attorney), (iii) the date you sent the documents, and (iv) how you sent them.

[Rule 12](#) describes the requirements for proofs of service. Standardized forms for proof of delivery are available on the [Supreme Court’s website](#).

8. I filed my notice of appeal in the circuit court but it was late – what can I do?

You may file a motion for leave to file a late notice of appeal with the clerk of the appellate court.

This motion must comply with the rules for filing motions set forth in [Rule 361](#) and summarized in the answer to question #4 above. You must attach your notice of appeal to the motion and pay any filing fee. A proposed order must be filed with the motion.

In civil cases, you must follow [Rule 303\(d\)](#). A motion for leave to file a late notice of appeal must be filed with the clerk of the appellate court no later than 30 days after the time for filing the notice of appeal has passed.

In criminal cases, you must follow [Rule 606\(c\)](#). A motion for leave to file a late notice of appeal in criminal cases must be filed with the clerk of the appellate court within 30 days after

the time to file an appeal has passed. If you also file an affidavit showing there is merit to the appeal and that the failure to meet the deadline for filing a notice of appeal was not due to your “culpable negligence,” you must file your motion for leave to file a late notice of appeal no later than six months after the time to file an appeal has passed.

9. Will the circuit court send the record to the appellate court once it is ready?

Yes. Provided that the appellant has paid the fee for the preparation of the report of proceedings, the court reporter will electronically file the report of proceedings with the circuit court clerk within 49 days after the filing of the notice of appeal. The court reporter will then notify all parties that the report of proceedings has been filed with the circuit court. [Rule 323\(b\)](#) governs this step in the process.

Next, the appellant must pay the circuit court clerk the prescribed fee for preparation of the record on appeal. The circuit court clerk will then file the record with the appellate court pursuant to [Rule 325](#). If an extension of time for filing the record on appeal is necessary, the appellant must file a motion seeking that extension before the due date for the record on appeal expires. If it is already past the due date for filing the record on appeal, then the appellant must file a motion for leave to file the record on appeal no later than 35 days after the expiration of the due date, and must also show that you have a “reasonable excuse” for failing to file the motion sooner. These motions are governed by [Rule 326](#).

10. If the record is missing a key item, can I add it?

Yes. If the key item(s) were before the trial court when the court entered the order you are appealing, you may ask for permission to correct the record on appeal pursuant to Rule 329. To do so, you may need to file a motion for leave to file a supplemental record in the circuit court. Any supplements to the record must be documents that were reviewed by the circuit court, and the circuit court clerk must prepare these supplement(s). You must file a motion with the clerk of the appellate court for leave to supplement the record before the appellate court will consider any material. Consult the [local rules](#) for your appellate district for any specific procedures related to supplementing the record on appeal.

11. How can I submit a report of proceedings if there was no court reporter present during my case?

If there was no court reporter transcribing the proceedings as they occurred in the trial court, you may prepare either an “Agreed Statement of Facts” or a “Bystander’s Report” reflecting what occurred during your case.

If you and the appellee(s) can agree on the material facts of your case, then you may submit an “Agreed Statement of Facts” following [Rule 323\(d\)](#). You do not need to have the Agreed Statement of Facts certified by the circuit court.

Another option is to file a “Bystander’s Report” following [Rule 323\(c\)](#). To pursue this option, you must serve a copy of this report on all parties to the case no later than 28 days after filing your notice of appeal. The other parties then have 14 days to send you suggested changes to the report, or a different report altogether. You must file the proposed report, together with

any proposed amendments, to the circuit court within 21 days after you sent your initial report to the other parties. For more information on how to send the report to the other parties, see the discussion in question #7 about serving documents and obtaining proofs of service. After you have submitted the proposed report and any proposed amendments to the circuit court, the court will then certify the report if it concludes that the report is accurate. The court may decide to hold hearings before certifying the report.

12. I need more time to file my record or file my brief. What should I do?

You may file a motion for more time with the clerk of the appellate court asking for a date when your record or brief can be filed. Please refer to question #4 (above) for how to file motions in the appellate court.

13. How long does the appeals process take?

It can take anywhere from several months to years to complete an appeal. The issues involved, how long it took the parties to submit the record and their briefs to the appellate court, and the number of cases pending before the appellate court are factors that impact the amount of time the appellate court needs to decide your case.

14. How will I know when the court has made a decision on my appeal?

The clerk of the appellate court will notify all of the parties when the court has issued its decision. The decision will be available on the [Illinois Supreme Court website](#).

15. What can I do if I don't agree with the court's decision?

You may file a Petition for Rehearing in the appellate court, and you may also file a Petition for Leave to Appeal to the Illinois Supreme Court. You may file both a Petition for Rehearing and a Petition for Leave to Appeal. If you file a Petition for Rehearing, you cannot file a Petition for Leave to Appeal until after the appellate court has ruled on your Petition for Rehearing.

16. I received a letter addressed to the clerk of the circuit court stating that the appellate court issued the mandate. What is the mandate?

The mandate is the order that officially finalizes the decision of the appellate court and transfers limited authority to hear the case back to the circuit court. The appellate court will send the mandate to the clerk of the circuit court.

Checklist for Filings in the Appellate Court

1. The Notice of Appeal must contain:
 - A case caption ([Rule 303\(b\)\(1\)](#))
 - If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the cover sheet must state in bold at the top of the page ([Rule 311\(a\)\(1\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).
 - If you appeal a delinquent minor case, the cover sheet must state in bold type at the top of the page ([Rule 660A](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.
 - Identification of the judgment appealed from and the relief sought in the reviewing court ([Rule 303\(b\)\(2\)](#))
 - A copy of the circuit court's findings, if you are appealing the circuit court's holding that a state or federal statute is unconstitutional (Rules [18](#) and [303\(b\)\(3\)](#)) (*Note that if you are arguing that a statute, ordinance, administrative regulation, or other law is unconstitutional or preempted by federal law, you must file and serve a notice in accordance with [Rule 19](#) on the Attorney General, State's Attorney, municipal counsel, or agency attorney, as the case may be.*)
 - The name and address of appellant (the party filing the appeal) or appellant's attorney ([Rule 303\(b\)\(4\)](#))

2. The Docketing Statement ([Rule 312\(a\)](#)) should be prepared using the form provided in the Article III Forms Appendix, where you should indicate:
 - The case caption
 - Whether the appeal is a cross-appeal
 - If any party is a corporation or association, the identity of any affiliate, subsidiary, or parent group
 - The full name and address of the parties and any lawyers on appeal
 - The name and contact information of court reporting staff
 - If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the cover sheet must state in bold at the top of the page ([Rule 311\(a\)\(1\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).
 - If you appeal a delinquent minor case, the cover sheet must state in bold type at the top of the page ([Rule 660A](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.
 - A statement of the issues to be discussed in the appeal
 - Certification of appellant

3. You must submit written requests, and pay the preparation fees, for the Record on Appeal. The circuit court clerk will prepare portions of the Record on Appeal upon request, and you will also need to request any transcripts from the court reporter. The Record on Appeal must include:
 - The judgment appealed from ([Rule 321](#)) (*Circuit court clerk will prepare*)
 - The notice of appeal ([Rule 321](#)) (*Circuit court clerk will prepare*)

- The entire *original* common law record, which includes every document filed, every judgment and order entered, and any documentary exhibits offered and filed by any party in the circuit court ([Rule 321](#)) (*Circuit court clerk will prepare*)
 - A report of proceedings (e.g., a transcript) including evidence, oral rulings of the trial judge, a statement by the trial judge of the reasons for the court’s decision, and any other proceedings that should be incorporated in the record on appeal ([Rule 323\(a\)](#)) (*You will need to initiate, as explained below*)
 - If a court reporter was present during proceedings in the circuit court, you must order a copy of the transcript.
 - If no court reporter was present, you may prepare a bystander’s report ([Rule 323\(c\)](#)) or an agreed statement of facts ([Rule 323\(d\)](#)).
4. Briefs on appeal must include:
- A colored cover sheet, as specified in [Rule 341\(d\)](#), containing:
 - The case number in the reviewing court and the name of that court
 - The name of the circuit court
 - The name of the case as it appeared in the circuit court
 - The status of each party in the appellate court (e.g., plaintiff-appellant)
 - The name of the trial judge
 - The names and addresses of any attorneys (and their law firm) representing you or, if you do not have an attorney, your name and address
 - If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the cover sheet must state in bold at the top of the page ([Rule 311\(a\)\(1\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).
 - If you appeal a delinquent minor case, the cover sheet must state in bold type at the top of the page ([Rule 660A](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.
 - If you are seeking oral argument, you must note this at the bottom of the cover page of your brief.* ([Rule 352\(a\)](#))
 - A statement of “Points and Authorities” consisting of the headings of the points and subpoints in your argument, with a citation under each heading to the authorities relied upon or distinguished, and a reference to the page of the brief on which each heading and authority may be found ([Rule 341\(h\)\(1\)](#))
 - An introductory paragraph ([Rule 341\(h\)\(2\)](#)) stating:
 - The nature of the action
 - The judgment appealed from
 - Whether the judgment is based upon a jury verdict
 - Whether any question is raised on the pleadings and, if so, the nature of the question
 - A statement of the issue(s) presented for review ([Rule 341\(h\)\(3\)](#))
 - A statement of jurisdiction ([Rule 341\(h\)\(4\)](#))
 - A copy of any statutes, constitutional provisions, treaties, ordinances, or regulations at issue in the appeal ([Rule 341\(h\)\(5\)](#))

- A statement of the facts of the case, without argument, and with citation to the corresponding pages of the record on appeal ([Rule 341\(h\)\(6\)](#))
 - A statement of the applicable standard of review for each issue, with citation to authority ([Rule 341\(h\)\(3\)](#))
 - Argument, with citation to legal authorities and to the pages of the record relied upon ([Rule 341\(h\)\(7\)](#)). ***If you are the appellant and do not raise a point of argument in your opening brief, you may not raise it in the reply brief, in oral argument, or on petition for rehearing. If you are the appellee and do not raise a point of argument in your response brief, you may not raise it in oral argument or on petition for rehearing. (Generally, appellees do not get to file reply briefs.)***
 - A conclusion stating the relief you are seeking, followed by the names of your attorney, or your name, as on the cover of the brief ([Rule 341\(h\)\(8\)](#))
 - A certificate of compliance with the requirements of Rule 341(a) and (b) ([Rule 341\(c\)](#))
 - A proof of service ([Rule 12](#))
 - An appendix ([Rule 342](#)) containing:
 - A table of contents to the appendix
 - A complete table of contents, with page references, of the record on appeal
 - The judgment appealed from
 - Any opinion, memorandum, or findings of fact made by the circuit court
 - Any pleadings or other materials from the record pertinent to the appeal
 - The notice of appeal
5. A Petition for Rehearing must include ([Rule 367\(b\)](#)):
- A brief statement of the points you believe were overlooked or misunderstood by the appellate court
 - References to portions of the record and briefs relied upon in the petition
 - Citation to legal authorities in support of your argument
 - A proof of service ([Rule 12](#))
6. A Petition for Leave to Appeal to the Illinois Supreme Court must include:
- A colored cover sheet, as specified in [Rule 330\(a\)](#), containing:
 - The case number in the reviewing court and the name of that court ([Rule 330\(a\)](#))
 - The name of the appellate court whose decision is being reviewed ([Rule 330\(a\)](#))
 - The name of the case as it appeared in the appellate court ([Rule 330\(a\)](#))
 - The status of each party in the reviewing court (e.g., plaintiff-appellant) ([Rule 330\(a\)](#))
 - The name of the trial court judge, trial court case number, circuit court, and county where your case was originally filed ([Rule 330\(a\)](#))
 - The title of the document being filed (e.g. “Petition for Leave to Appeal”) ([Rule 330\(a\)](#))
 - The names and addresses of any attorneys (and their law firm) representing you or, if you do not have an attorney, your name and address

- If you appeal a case involving child custody, allocation of parental responsibilities, or the relocation of unemancipated minors, the cover sheet must state in bold type at the top of the page ([Rule 315\(i\)](#)): THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).
- If you appeal a delinquent minor case, the cover sheet must state in bold type at the top of the page ([Rule 315\(j\)](#)): THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.
- If you are seeking oral argument, you must note this at the bottom of the cover page of your petition.*** ([Rule 352\(a\)](#))
- A prayer for leave to appeal ([Rule 315\(c\)\(1\)](#))
- A statement ([Rule 315\(c\)\(2\)](#)) of:
 - The date upon which the judgment was entered
 - Whether a petition for rehearing was filed and, if so, the date of the denial of the petition or the judgment on rehearing
- A statement of points relied upon ([Rule 315\(c\)\(3\)](#))
- A statement of the facts, without argument, with citations to the record on appeal ([Rule 315\(c\)\(4\)](#))
- A short argument, with citation to legal authorities, stating why review is warranted and why the appellate court's judgment should be reversed ([Rule 315\(c\)\(5\)](#))
- A certificate of compliance with the requirements of Rule 341(a) and (b) ([Rule 341\(c\)](#))
- A proof of service ([Rule 12](#))
- An appendix ([Rule 315\(c\)\(6\)](#)) containing:
 - A copy of the appellate court's order or opinion
 - Any documents from the record necessary to the consideration of the petition

Civil Appeals Overview – Appeals from Final Judgments or Orders

	STEP 1:	STEP 2:	STEP 3:	STEP 4:	STEP 5:	STEP 6:	STEP 7:	STEP 8:
Form:	File Notice of Appeal	Request Preparation of the Record	Request Transcript	File Docketing Statement	File Appellant's Brief (Optional)	Appellee's Brief (Optional)	File Appellant's Reply Brief (Optional)	Decision
Due:	Notice of Appeal	Request for Preparation of Record on Appeal	Request for Report of Proceedings	Docketing Statement	Appellant's Brief	Appellee's Brief	Appellant's Reply Brief	Decision
Where:	File in the Circuit Court	File in the Circuit Court	File with Court Reporter in the Circuit Court	File in the Appellate Court	File in the Appellate Court	File in the Appellate Court	File in the Appellate Court	The Appellate Court will issue a decision
Why:	To start the appeal of a circuit court order or judgment. The Notice of Appeal tells the circuit court and the other parties that you (the appellant) are appealing the circuit court's order or judgment, and says what relief you will be seeking from the appellate court. Within 7 days after filing the Notice of Appeal, you must (1) send the Notice of Appeal to the other parties (or their attorneys if they are represented by counsel) and (2) file with the clerk of the appellate court: a.) a notice of filing, showing that you filed the Notice of Appeal, and b.) a proof of service, showing that you sent the Notice of Appeal to the other parties.	To have the clerk of the circuit court prepare the Record on Appeal. The Record on Appeal is made up of all the pleadings, orders, motions, evidence, and other documents that were filed in the circuit court during your case. The appellate court uses the Record on Appeal to find out what happened in the circuit court. It is important because the appellate court cannot look at anything that is not in the Record on Appeal. The circuit clerk will transfer the complete record to the appellate court within 63 days after the Notice of Appeal was filed. Attach a completed copy of the Request for Report of Proceedings to your Docketing Statement (see Step 4).	To ask the court reporter to prepare the transcript of the hearing or trial for the appellate court so they can decide your appeal fairly. The Report of Proceedings is a typed record of the hearing or trial and includes what the judge, parties, witnesses, and lawyers said in court. This record is also called a transcript. The court reporter will submit the transcript to the appellate court within 49 days after the Notice of Appeal was filed. If the court proceedings were <u>not</u> recorded, you may complete a Bystander's Report OR Agreed Statement of Facts . Attach a completed copy of the Request for Report of Proceedings with your Docketing Statement (see Steps 2 and 3 for more details).	To tell the appellate court and all the parties in the appeal that you have taken the required steps to begin an appeal. The Docketing Statement tells the appellate court that you are appealing a circuit court order or judgment. NOTE: The case cannot go forward until the appellant pays the \$50 docketing statement fee OR the appellate court has granted a fee waiver. Attach completed copies of the Request for Preparation of Record on Appeal and Request for Report of Proceedings with your Docketing Statement (see Steps 2 and 3 for more details).	To tell the appellate court why the circuit court should not have entered an order or judgment in their favor. The Appellant's Brief presents all of your arguments explaining why the circuit court's decision should be overturned. Your brief must present arguments in a clear and thorough way. In support of your arguments, you must cite to the Record on Appeal and to relevant legal authority (statutes, rules, case law, etc.). In order to find legal authority, you will need to conduct legal research either online or at a law library. Illinois Supreme Court Rule 341 gives specific instructions on formatting briefs, which must be followed or your appeal may be dismissed.	For the appellee (the other party) to tell the appellate court why the circuit court was correct in entering an order or judgment in their favor. The Appellee's Brief is an optional written response to the Appellant's Brief; it gives the appellee a chance to convince the appellate court that the arguments in the Appellant's Brief are wrong and that the circuit court's decision was correct. If the appellee does not file a brief, they are not allowed to further participate in the appeal. Attach completed copies of the Request for Preparation of Record on Appeal and Request for Report of Proceedings with your Docketing Statement (see Steps 2 and 3 for more details).	To tell the appellate court why you disagree with the arguments in the Appellee's Brief. If the appellee files a brief, you may file a reply brief. The Appellant's Reply Brief is the third and final brief in the appeals process. The Reply Brief is an optional response to the arguments raised in the Appellee's Brief. It is used to address or counter issues, arguments, and case law that were raised or cited to by the appellee. The Reply Brief cannot raise any new issues and should not simply restate arguments already made in your initial Appellant's Brief.	To end the appeal. After submission of all briefs and following oral arguments (if applicable), the appellate court will issue its decision on your case in the form of a written opinion or order. The appellate court can decide to do any of the following: * affirm (decide that the circuit court's decision was correct); * reverse (decide that the circuit court's decision was incorrect); * remand (return the case to the circuit court for further action); or * take any other appropriate action. If you do NOT agree with the appellate court's decision, you may file a Petition for Rehearing or file a Petition for Leave to Appeal (within 21 days after the decision) or file a Petition for Leave to Appeal (within 35 days after the decision or ruling on the Petition for Rehearing) to the Illinois Supreme Court .

How to Ask for More Time to File Documents in Your Civil Appeal

Deadlines are very important in civil appeals. If you file your appeal too late, it could be dismissed. If you missed a deadline for your appeal OR if you need more time to file a document for your appeal, you will need to file a Motion and proposed order with the appellate court, and serve the other party.

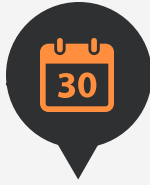
What is a Motion? It's a form you will file any time you want to ask the appellate court to take action related to your appeal.

The **Supreme Court Rules** list specific deadlines that must be followed. Each appellate district also has **local rules** that must be followed. This guide explains how to file common Motions to request more time. Click on the links below to find forms and instructions you can use.

STEPS

1

Notice of Appeal



Due Date

- The Notice of Appeal is generally due 30 days after final judgment or order.
- Some cases have shorter deadlines.
- E-file the Notice of Appeal with the clerk of the circuit court where your case was heard.



Missed the deadline?

- E-file a Motion complying with Rule 303(d) to request leave to file a late Notice of Appeal.
- In your Motion, explain why you need more time.
- E-file the Motion, along with a proposed order & proof of service, with the clerk of the appellate court where your appeal was filed. The Motion is due within 30 days of the original due date of the Notice of Appeal.



Forms and Rules

- [Notice of Appeal](#)
- [Motion](#)
- See [Supreme Court Rules](#): 11, 12, 303, 303(d), 361, and 373

2

Docketing Statement



Due Date

- The Docketing Statement is generally due within 14 days after the Notice of Appeal is filed.
- Some cases have shorter deadlines.
- E-file the Docketing Statement with the clerk of the appellate court. You must pay the filing fee or submit a fee waiver application (this is the only fee due in the Appellate Court)



Need more time?

- E-file a Motion to request an extension of time. Contact your clerk's office for specific instructions in your district.
- In your Motion, explain why you need more time.
- E-file this Motion, along with a proposed order & proof of service, with the clerk of the appellate court where your appeal was filed.



Forms and Rules

- [Docketing Statement](#)
- [Motion](#)
- See [Supreme Court Rules](#): 11, 12, 312, 361, and 373

3

Briefs



Due Date

- Appellant's Brief is generally due within 35 days of the filing of the record on appeal.
- Appellee's Brief is generally due within 35 days after filing of the appellant's brief.
- Appellant's Reply Brief (optional) is due 14 days after due date for Appellee's Brief.
- E-file briefs with the clerk of the appellate court.



Need more time?

- E-file a Motion to request an extension of time.
- In your Motion, explain why you need more time.
- E-file this Motion, along with a proposed order & proof of service, with the clerk of the appellate court where your appeal was filed.



Forms and Rules

- [All Appellate Briefs](#)
- [Motion](#)
- See [Supreme Court Rules](#): 11, 12, 341, 342, 343, 361, and 373





Illinois Supreme Court Commission on Access to Justice

FREQUENTLY ASKED QUESTIONS

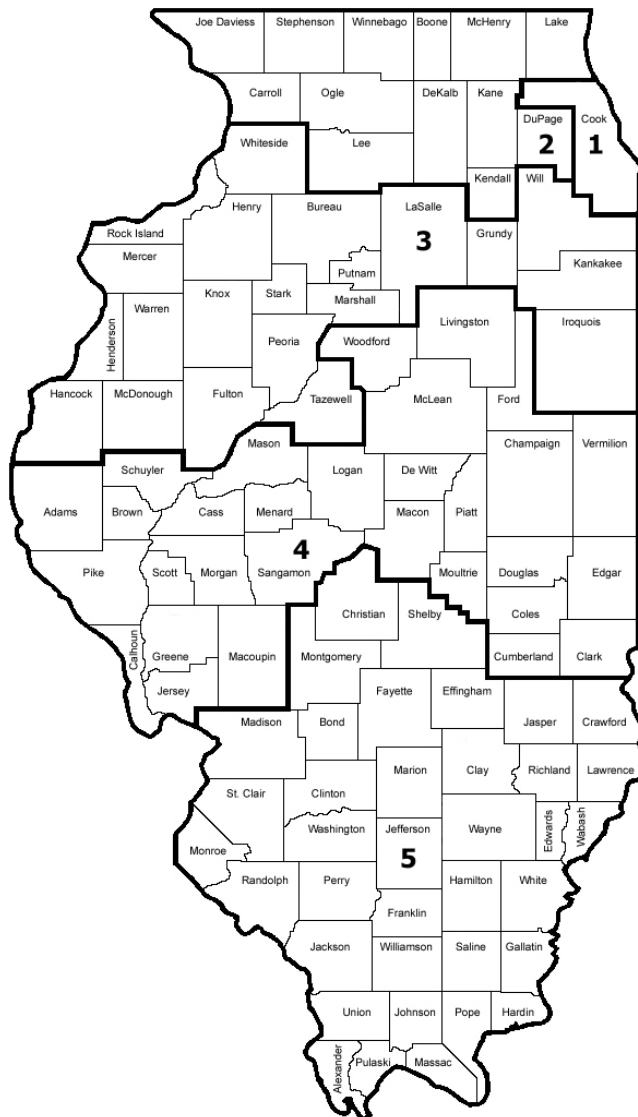


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ADMINISTRATIVE OFFICE OF THE ILLINOIS COURTS CIVIL APPEALS – FAQ

This document provides information for self-represented litigants in filing an appeal from a circuit court order or judgment in a civil case to the Illinois Appellate Court. It does not discuss how to file an appeal in a criminal case or in federal court.

The civil appeals process is difficult. The process involves many strict deadlines and adherence to [Illinois Supreme Court Rules](#) ("Rules"). You are strongly encouraged to speak to a lawyer about your appeal. Should you decide to appeal your case without a lawyer, you will need to follow the Rules just like those parties who have an attorney. You will also need to do a significant amount of legal research and write lengthy briefs in order to convince the appellate court that your position is correct. You can search for a lawyer with experience in appeals to represent you at [Illinois Lawyer Finder](#) (outside Cook) or [Chicago Bar Association Lawyer Referral Service](#) (in Cook).

The material presented herein is legal information and aims to provide general resources for you. This FAQ is not a substitute for legal counsel and does not constitute legal advice. You must speak with a lawyer to receive legal advice. This resource is neither legal authority nor a substitute for the requirements found in the Rules.

1 SECTION ONE: CIVIL APPEALS OVERVIEW

1.1 What is an appeal?

An appeal is a review by a higher court of a lower court's judgment or order to determine if the lower court made any errors in those proceedings. The person seeking an appeal is called an appellant, while the person responding to the appeal is called an appellee.

An appeal is **NOT** a new trial. The only information the appellate court will review in deciding whether the circuit court or the jury made an error is the following: the common law record (all the documents filed in your case; every judgment entered; and any documentary exhibits that were filed by any party), report of proceedings (transcripts of court hearings), appellant and appellee's briefs, and oral arguments (if granted).

Appeals must be made on valid, accepted grounds, such as: legal or factual errors by the circuit court or jury, unfair trials, and situations where the evidence did not support the outcome reached by the circuit court or jury.

- ⊗ It is NOT a new trial or a chance to present your case again in front of a different judge.
- ⊗ It is NOT a chance to present new evidence or witnesses.



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- ⊗ The appellate court does NOT hear live testimony from witnesses.

1.2 Who can appeal?

Generally, only a party in the circuit court case can appeal a decision in that case. If you were a party and were dissatisfied with the decision of the circuit court, you have a right to appeal, with or without the assistance of a lawyer. You may not appeal for a spouse, child, relative, or friend unless you are a legally appointed representative of that person (such as the person's guardian or conservator).

1.3 What decisions can be appealed?

Generally, you can only appeal a final judgment or order – a decision by the circuit court judge that ends your civil case (it settles all claims relating to all parties in the lawsuit). The judgment, often called an order, is typically in writing and explains why the court ruled the way it did. The judgment often will explain rights and obligations of one or both parties, and may require one or both parties to do something. [Rule 301](#) governs the right to appeal from all final judgments in civil cases.

In addition, Illinois Supreme Court Rules state that some orders and judgments can be appealed *before* the trial court enters a final judgment for the entire case. For example:

- [Rule 304\(a\)](#): Some cases involve multiple parties and/or multiple issues being litigated in the circuit court. The court can make an order disposing of one party or issue, while the rest of the case is still being litigated. You may appeal such an order if the circuit court 1) enters a final judgment that ends only *part* of the case; and 2) says that this judgment can be appealed.
- [Rule 304\(b\)](#): Some orders involve special circumstances that, due to the nature of the issue, are immediately appealable prior to a final judgment. You may appeal such an order if the circuit court 1) enters a final judgment that ends only *part* of the case; and 2) the judgment is one that is listed in Rule 304(b), such as, but not limited to, an order involving **child custody, guardianship, administration of an estate, or contempt of court**.
- [Rule 307\(a\)](#): You may immediately appeal some orders that do not end any part of the case. These are called interlocutory appeals and the orders within this rule include, but are not limited to, **terminations of parental rights, injunctions, orders placing or refusing to place a mortgage in possession of mortgaged premises, and eminent domain**.



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1.4 Are there other post-trial motions I should consider filing before filing my appeal?

In some circumstances a post-trial (or post-judgment) motion might be an option to correct or address what you feel was wrong with the circuit court's decision. In certain situations, after a trial or a final judgment is entered, a party may file a motion to bring to the circuit court's attention newly discovered evidence, changes in the law, or errors in the court's previous handling of existing law. These motions give the circuit court a chance to fix errors, as well as provide an opportunity for litigants to preserve an issue for appeal and to make a more complete record for the appellate court to review. There are specific deadlines for filing a post-judgment motion and the circuit court retains discretion to grant it.

- Non-jury civil cases: In all cases tried without a jury, a party may, within **30 days after the entry of the judgment**, file a motion in the circuit court for a *rehearing*, *retrial*, *modification of the judgment*, to *vacate the judgment* or for other relief. See Illinois Compiled Statutes [735 ILCS 5/2-1203\(a\)](#) and Supreme Court [Rule 366](#) for more information and to ensure you are following deadlines and procedures.
- Jury cases: Following a trial in a jury case, a party may file a single, written post-trial motion within **30 days after entry of judgment** (or the discharge of the jury if no verdict is reached). The post-trial motion must “contain the points relied upon, particularly specifying the grounds in support thereof and must state the relief desired.” Examples of relief include granting a new trial or entry of a judgment. All issues for appeal of the judgment, including requesting a new trial, are *waived* if they are not included in this single post-trial motion. Additionally, a post-trial motion filed on time "stays enforcement of the judgment" which means the circuit court's judgment cannot be enforced for a period of time. See Illinois Compiled Statutes [735 ILCS 5/2-1202](#) and Supreme Court [Rule 366](#) for more information and to ensure you are following deadlines and procedures.

For more information on post-trial motions, you may also wish to consult Illinois Legal Aid Online (ILAO) for a detailed [overview](#).



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1.5 When do I need to file my Notice of Appeal?

It is very important that you know the deadline to file your Notice of Appeal. If you do not file on time, your appeal will be dismissed because the appellate court will not have jurisdiction to hear your case. If you miss the deadline to file your Notice of Appeal, you may file a Motion to request an extension of time to file it (see #6 below). Be sure to read the Illinois Supreme Court Rules and pay careful attention to deadlines.

In general, you must file your Notice of Appeal **within 30 days** after the circuit court enters the *final judgment* in your case (or, if any party files a motion to reconsider or a similar post-judgment motion within that time, you must file your Notice of Appeal within 30 days after the circuit court rules on that motion).

However, under the Illinois Supreme Court Rules, some orders and judgments are appealable *before* the trial court enters the final judgment in the case. For example:

- Under [Rule 304\(a\)](#), you must file your Notice of Appeal **within 30 days** after the court makes that finding (or, if any party files a motion to reconsider or a similar post-judgment motion within that time, you must file your *Notice of Appeal* within 30 days after the trial court rules on that motion).
- Under [Rule 304\(b\)](#), you must file your Notice of Appeal **within 30 days** after the trial court enters that judgment (or, if any party files a motion to reconsider or a similar post-judgment motion within that time, you must file your *Notice of Appeal* within 30 days after the trial court rules on that motion).
- Under [Rule 307](#), you must file your Notice of Appeal **within 30 days** after the trial court enters the order.
- If you are appealing an order listed in [Rule 307\(a\)](#), such as termination of parental rights, you must file your Notice of Appeal **within 30 days** after the circuit court enters the order.
- If you are appealing an order that was entered without any prior notice to you, you must file a motion in the trial court to vacate that order, and you must file your Notice of Appeal **within 30 days** after the trial court denies that motion (or, if the trial court fails to rule on that motion within 7 days after you file it, you must file your Notice of Appeal **within 30 days** after those 7 days are up).



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- If you are appealing the entry or denial of a temporary restraining order, you must file your Notice of Appeal **within 2 days** after the entry or denial of the order.

1.6 What if I missed the deadline to file my Notice of Appeal?

You may ask for more time to file your Notice of Appeal. To do so, file a motion for leave to file a late Notice of Appeal with the appellate court **within 30 days** of when your Notice of Appeal was originally due ([Rule 303\(d\)](#)). You must attach your Notice of Appeal to the motion and pay a \$50 filing fee. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the Application for Waiver of Court Fees (Appellate) found at: <http://www.illinoiscourts.gov/Forms/approved/>.

However, please note that the appellate court does not have to give you more time to file your Notice of Appeal. The appellate court may dismiss your appeal if you do not have a “reasonable excuse” for filing a late Notice of Appeal.

You can find a general motion form to use to request an extension of time here – <http://www.illinoiscourts.gov/Forms/approved/appellate/appellate.asp>

1.7 How much does an appeal cost?

The fees associated with filing an appeal are outlined below:

Type of Fee	Cost	Who pays	Statutory Authority
Record on Appeal	Costs vary based on county where you are filing. Circuit clerks charge fees for preparation of the Record on Appeal based on the number of the pages the court record contains.	Appellant	Clerks of Courts Act (705 ILCS 105/) 27.1a(k), 27.2(k), and 27.2a(k)
Transcripts	Varies – the court reporter will inform you how much it will cost to prepare the transcript based on the number of pages. The current charge is a minimum of \$4.00 per page.	Appellant	Court Reporters Act (705 ILCS 70/5) you can locate current transcript fees in the Administrative Regulations for Court Reporting Services in the Illinois Courts
Docketing Statement	\$50.00	Appellant	Rule 313



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Appearance and Filing Fee	\$30.00	Appellee and other parties	Rule 313
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If you cannot afford the filing fees, you may file an [Application for Waiver of Court Fees](#) with your Docketing Statement or Notice of Appearance to request that the appellate court let you participate in an appeal for free. However, the fee waiver does not apply to the costs of transcripts (if applicable to your case, you will still be responsible for paying the costs of transcripts).

1.8 I don't have a lawyer. Can the court or clerk's office appoint a lawyer to represent me?

No, the court and the clerk's office cannot appoint or recommend a specific lawyer. If you want a lawyer, you will need to hire one to represent you in your case. Not all lawyers work on appeals, so make certain you speak with a lawyer who has experience in appeals. Only a lawyer can give you legal advice and tell you whether or not you should pursue an appeal based on the specific details of your case.

You have the right to appeal your case without a lawyer. However, appeals are complicated and time-consuming. If you decide to appeal your case without a lawyer, you must meet all deadlines and follow all the court's rules and procedures just like those parties who have a lawyer.

1.9 What are the rules for filing an appeal?

Civil appeals are governed by [Illinois Supreme Court Rules](#) (Rules 301-384). Failure to follow these rules, procedures and deadlines may result in your appeal being dismissed; therefore, it is very important that you carefully review and comply with these rules.

Each appellate district also has local rules. Be sure to check your district's local rules to see if there are special requirements – you can find them by clicking the link to your appellate district below:

- [District 1](#)
- [District 2](#)
- [District 3](#)
- [District 4](#)
- [District 5](#)



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1.10 In what district will my appeal be heard?

There are five appellate districts in Illinois. Appeals will be heard in the appellate court district where the circuit court that ruled on your case is located. If you don't know the appellate district to which your circuit court is assigned, you can find a map here - <http://www.illinoiscourts.gov/AppellateCourt/DistrictMap.asp>

If you have general questions, you should reach out to the appellate clerk's office in your district. You can find the address and phone numbers for each appellate district here - <http://www.illinoiscourts.gov/AppellateCourt/ClerksDefault.asp>

1.11 How do I receive my appellate court case number?

The appellate court will notify you via email or regular mail of your appellate court case number after you file your Notice of Appeal with the circuit clerk, and after the circuit clerk then files the Notice of Appeal with the appellate court.

1.12 How do I serve documents?

Motions and other documents filed in the appellate court must be “served on” (or sent to) the other parties in your case. If the other party has an attorney, you must serve that party’s attorney. A proof of service must be filed with your document to tell the court you have served the other party (or the other party's attorney) with it. The proof of service lays out (i) what document you served (e.g., your motion or brief), (ii) to whom you sent the document (e.g., the appellee’s attorney), (iii) the date you sent the document, and (iv) how you sent it.

[Rule 11](#) describes the kinds of service that are allowed, which include:

- personal hand delivery;
- regular first-class mail (U.S. Postal Service);
- third-party commercial carrier (FedEx or UPS);
- email (caution - if the other party does not have a lawyer, you may send the document by email only if the other party has listed their email address on a court document);
- The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP); or
- Mail from a prison or jail.



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[Rule 12](#) describes the requirements for proof of service. For your convenience, a Proof of Service form is included within each appellate standardized form available on the Illinois Courts' [website](#).

1.13 I speak a language other than English, what services are available to help me with my appeal?

All documents submitted to the appellate court must be written in English. If you wish to submit a filing to the court in a language other than English, you must include a *certified* translation of that document. Litigants are responsible for the costs associated with translating their documents. If you are incarcerated, however, the court is responsible for the associated translation fees (incarcerated litigants should contact the appellate clerk's office for more information).

As a reminder, many of the standardized forms available on the Illinois Courts [website](#) have been translated into six languages – Spanish, Polish, Arabic, Chinese, Russian, and Korean. Those translated forms are for reference purposes only -- litigants must complete and submit their form(s) in English to the court. Only a *certified* translation of the document will be accepted (i.e., a friend or family member cannot translate documents to submit to the court for you).

An online directory of certified translators is available through the American Translator Association (<http://www.atanet.org>).

Interpreters

Pursuant to the [Illinois Supreme Court Language Access Policy](#), if you do not speak English well and need the assistance of a spoken or sign language interpreter to communicate effectively during the oral argument of your appeal, the court is required to provide an interpreter at no cost to you. Contact the appellate clerk's office to notify them that you will need an interpreter. If you are deaf or hard of hearing and would like to observe an oral argument in an appellate court, you can contact the appellate clerk's office and they will make the appropriate accommodation for you.



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2 SECTION TWO: STEPS AND FORMS

2.1 What steps are involved in filing an appeal?

There are numerous steps involved with filing an appeal, all of which have very specific deadlines. If you miss a deadline, you may lose your right to appeal. If you miss a deadline, you will need to file a motion with the appellate court for an extension of time. Be certain to consult the [Illinois Supreme Court Rules](#) for complete information. Further details are available by reviewing the sections within this manual:

- Step 1: File the Notice of Appeal
- Step 2: Request Preparation of Record (Common law record)
- Step 3: Request Report of Proceedings (Transcripts)
- Step 4: File the Docketing Statement
- Step 5: File the Appellant's Brief
- Step 6: Wait for the Appellee's Brief – Response filed by the Appellee (optional)
- Step 7: File the Appellant's Reply Brief – Reply filed by the Appellant (optional)
- Step 8: Oral Argument (optional and if granted by the court)
- Step 9: The Appellate Court will issue a decision
- Step 10: Petition for Rehearing or Petition for Leave to Appeal to the Illinois Supreme Court (optional – only if you disagree with the appellate court's decision)

A one-page overview of an appeal from a final judgment or order may be found [here](#).

2.2 How do I make a request to the appellate court to ask for more time?

All requests to the appellate court must be made by a motion. Motions must be in writing - the appellate court does NOT hear oral arguments for motions. You will need submit a motion that tells the court exactly what you want and why you think the court should grant your request.

If you need more time to file a document, such as a Notice of Appeal or Brief, you must file a motion with the appellate court for an extension of time. You must also submit a proposed order along with your motion. A statewide standardized form for filing a motion is available on the Illinois Courts' [website](#). The local rules for your appellate district may have different requirements for what must be included in your motion.



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In general, filing a motion will require these steps:

- You must send or "serve" your motion to the other parties in the case. However, if any party has a lawyer, you must send your motion to their lawyer.
- You must file your motion and the proposed order with the court along with proof of service – this tells the court that you served the other parties with the motion.
- You must pay any fees associated with the filing OR if you are unable to pay the fees, submit an Application for Waiver of Court Fees (Appellate) found at: <http://www.illinoiscourts.gov/Forms/approved/>.
- The appellate court will decide if your motion will be granted or denied. It may take several weeks for the court to decide on your motion. You will receive a copy of the order once the court has made a decision.

2.3 What forms do I need to file an appeal?

Many of the forms you will need for your appeal are available on the Illinois Courts' [website](#). These forms are fillable pdfs, meaning you can type directly into the forms, save them, and then upload them for e-filing. You also have the option of printing the forms, handwriting your information, and then scanning the forms to upload for e-filing.

The approved statewide standardized forms currently available on the Illinois Courts' [website](#) are:

- **Notice of Appeal**
- **Certification for Exemption From E-Filing**
- **Fee Waiver**
- **Motion form (general)**
- **Appellant's Brief**
- **Appellee's Brief**
- **Appellant's Reply Brief**
- **Petition for Rehearing**

2.4 How do I file documents for my appeal?

As of July 2017, e-filing is mandatory for all civil appeals. Please visit the Illinois Courts' [website](#) to register for an Electronic Filing Service Provider (EFSP), which you will then use to file all of the forms necessary to complete your appeal. You must first register for an account before you will be able to e-file your documents with the court.



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If you need help, each appellate clerk's office has a public computer terminal and scanner for you to register with an EFSP and then e-file your documents. If you handwrote your documents, you will need to first scan and then upload the documents into the EFSP.

In limited circumstances, [Illinois Supreme Court Rule 9\(c\)\(4\)](#) allows for an exemption from e-filing for good cause. You may be excused from e-filing if you 1) do not have internet or computer access at home and are unable to travel, 2) have a disability that keeps you from e-filing, or 3) have trouble reading or speaking in English.

If you qualify for the exemption, to request that you are able to file paper documents instead of e-filing, you must complete a [Certification for Exemption From E-Filing](#) and file it with the appellate court. If you have any questions about the exemption, please contact your local appellate clerk's office.

2.5 Can I respond to a motion by my opponent?

Yes. You can file a written response to the motion with the clerk of the appellate court. Generally, you must file the response within 5 days after you receive the motion by email or personal service, or 10 days after you receive the motion by mail. You must send your response to the other parties and file a proof of service along with your response to the motion.



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3 SECTION THREE: INFORMATION FOR THE APPELLEE

3.1 I just received a "Notice of Appeal." What does that mean?

A Notice of Appeal means that your opponent (the appellant) is going to try to convince the appellate court to overturn the circuit court's decision in your favor. You will eventually receive the Appellant's Brief, which will outline the appellant's arguments as to why they believe that the circuit court's decision was wrong.

If you have a lawyer, you should consult with him/her about your case.

3.2 Do I have to respond?

You do not have to file an Appellee's Brief in response to the Appellant's Brief, and your failure to do so does not mean that you will lose the appeal. However, if you do not file a brief, you will have no other opportunity to tell the appellate court why the circuit court's decision was right. You will not be permitted to participate in oral arguments if the appellate court decides to hear oral argument on your case. The court will consider only the record on appeal and the appellant's arguments.

Please see Section Eight for more information about submitting a brief for an appeal.

3.3 The circuit court's decision wasn't entirely in my favor. Can I appeal too?

If you want to appeal a different part of the circuit court's decision, you can file a cross-appeal. To do so, you must file your own Notice of Appeal, a form for which is available here: <http://www.illinoiscourts.gov/Forms/approved/appellate/appellate.asp>. Check "Cross Appeal" on the form and follow the instructions for timely filing the Notice of Appeal in the appellate court and sending it to your opponent.

3.4 How much will it cost for me to participate in the appeal?

If you wish to respond to the appeal, you must pay a \$30 fee to the clerk of the appellate court with the first document that you file. If you cannot afford to pay the fee, you can ask the appellate court to file for free. To do so, you must file an application for a fee waiver with the first document that you file. The application is available here: <http://www.illinoiscourts.gov/Forms/approved/appellate/appellate.asp>.



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4 SECTION FOUR: NOTICE OF APPEAL

4.1 How do I start my appeal?

To start an appeal, the appellant must file a Notice of Appeal in the circuit court where the case was decided. The Notice of Appeal tells the court and other parties on your case that you are appealing the circuit court's order or judgment, and says what relief you will be seeking from the appellate court.

Generally, the circuit court must be finished with your case before you can appeal. This means the judge in your case will have issued a final judgment. In most civil cases, you have **30 days** from the date that final judgment is issued to file a Notice of Appeal.

However, the Illinois Supreme Court Rules say that some orders can be appealed *prior* to the circuit court issuing a final judgment. Some examples include:

- a. [Rule 304\(a\)](#) – When the circuit court 1) enters a final judgment that ends only part of the case; and 2) makes a written finding that this judgment can be appealed.
- b. [Rule 304\(b\)](#) – When the circuit court 1) enters a final judgment that ends only part of the case; and 2) the judgment is one that is listed in Rule 304(b), such as a judgment for child custody, administration of an estate, guardianship, or contempt of court. See Rule 304(b) for the complete list of judgments to which this Rule applies.
- c. [Rule 307\(a\)](#) – You may appeal some orders that do not end any part of the case, such as termination of parental rights. See Rule 307(a) for the complete list of orders to which this Rule applies.
- d. To appeal a temporary restraining order (or denial), you must file your Notice of Appeal within 2 days after the date of the order or denial. See Supreme Court [Rule 307\(d\)](#) for further information.

4.2 How do I calculate the due date for filing my Notice of Appeal?

To figure out the deadline to file your Notice of Appeal, count from the day after the circuit court entered the order or judgment. You must count weekends and holidays. If the deadline to file falls on a weekend or holiday, you may file the Notice of Appeal on the next business day. If you file it by mail or by third-party commercial carrier (because



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you have an exemption from e-filing), the date you send it is also the date of filing, as long as you follow the instructions for the Proof of Service.

4.3 What if I missed the deadline to file my Notice of Appeal?

You may ask for more time to file your Notice of Appeal. To do so, file a motion for leave to file a late Notice of Appeal with the appellate court **within 30 days** of when your Notice of Appeal was originally due ([Rule 303\(d\)](#)). You must attach your Notice of Appeal to the motion and pay a \$50 filing fee. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the Application for Waiver of Court Fees (Appellate) found at: <http://www.illinoiscourts.gov/Forms/approved/>.

However, please note that the appellate court does not have to give you more time to file your Notice of Appeal. The appellate court may dismiss your appeal if you do not have a “reasonable excuse” for filing a late Notice of Appeal.

You can find a general motion form to use to request an extension of time here – <http://www.illinoiscourts.gov/Forms/approved/appellate/appellate.asp>

4.4 How much does it cost to file the Notice of Appeal?

There are no fees associated with filing a Notice of Appeal. But you will have to pay a fee when you file your Docketing Statement in the appellate court and pay any fees associated with requesting preparation of the Record on Appeal and for the Report of Proceedings (Transcripts).

4.5 What are the steps necessary for filing a Notice of Appeal?

Generally, the steps for filing the Notice of Appeal are:

- e. You must send your Notice of Appeal to the other parties in the case. However, if any party has a lawyer, you must send your Notice of Appeal to the lawyer.
- f. File a Notice of Appeal with the circuit court where your case was decided (generally, the deadline is 30 days after entry of a final judgment). Complete the Proof of Service section with information to show how you sent your Notice of Appeal to each party. The Proof of Service has room for 3 parties. If you are sending your Notice of Appeal to more than 3 parties, fill out and insert one or more Additional Proof of Service forms into the Notice of Appeal form.



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4.6 If I file the Notice of Appeal, do I still have to do what the trial court ordered me to do?

Yes, you are responsible for following all circuit court judgments and orders even though you filed an appeal. Filing a Notice of Appeal does not automatically suspend the circuit court's judgment or order, such as those ordering one party to pay another party money or to deliver property to another party. You must request a "stay" to stop the other party from enforcing the judgment or order during an appeal.

Stay of money judgments

If you wish to stop the other party from enforcing a circuit court's judgment involving money while your appeal is pending, you must comply with [Rule 305\(a\)](#). A timely Notice of Appeal and Appeal Bond must be filed in the circuit court. The bond must be enough to cover the judgment, interest, and any costs. You must notify the other party of the filing of the bond. If the circuit court denies the stay, you may file a Motion for a stay, along with a supporting record under [Rule 328](#), in the appellate court.

Stay of non-money judgments and other appealable orders

If you wish to stop the other party from enforcing a circuit court's judgment that does not involve money, you must comply with [Rule 305\(b\)](#). You must file a Motion in the circuit court and serve the other party. The circuit court may require you to file an appeal bond. If the circuit court denies the stay, you may file a Motion for a stay, along with a supporting record under [Rule 328](#), in the appellate court.

Automatic Stay Pending Appeal of Termination of Parental Rights

An order terminating parental rights is automatically stayed for 60 days under [Rule 305\(e\)](#). Therefore, no final order of adoption can be entered during this period. If a Notice of Appeal is filed within 60 days, the stay continues until the appeal is complete or the stay is lifted by the court. If a Notice of Appeal is not filed within 60 days, the stay expires. An appeal bond is not required in these cases.

NOTE: The circuit court maintains jurisdiction over the care, custody, visitation, and support of the child.



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5 SECTION FIVE: REQUEST FOR PREPARATION OF RECORD ON APPEAL

5.1 What is the Record on Appeal?

The Record on Appeal (also called the common law record) is made up of all the pleadings, orders, motions, evidence, and other documents that were filed in the circuit court while your case was in front of the circuit court judge. The appellate court uses the Record on Appeal to find out what happened in the circuit court. The appellate court cannot look at any documents that are not in the Record on Appeal, so it is very important that the Record on Appeal is complete.

5.2 What party needs to order the Record on Appeal?

The person who filed the appeal (the appellant) must order the Record on Appeal. The request should be submitted soon after the Notice of Appeal is filed, because a copy of that request must be attached to the Docketing Statement (which is due within 14 days after filing the Notice of Appeal). It is the appellant's responsibility to make sure the Record on Appeal is complete.

5.3 What costs will I need to pay when I use the Request for Preparation of Record on Appeal form?

The circuit court clerk's office charges a fee to prepare the Record on Appeal. The amount of the fee depends on the length of the Record on Appeal. The appellant must pay part of the fee (a deposit) when ordering the Record on Appeal. The remainder of the fee must be paid when the circuit court clerk tells you that the Record on Appeal is ready to be filed with the appellate court.

If you are unable to pay the fee for the Record on Appeal, you may ask the circuit court clerk for a fee waiver. See the "How to Ask the Court to Participate in a Court Case for Free" instruction sheet found at: <http://www.illinoiscourts.gov/Forms/approved/>. However, please note that any fee waiver the appellate court gives you does not cover the fee the circuit court charges for the Record on Appeal.

5.4 How do I submit a Request for Preparation of Record on Appeal, also called the common law record?

The steps involved in submitting a Request for Preparation of Record on Appeal are:

- a. The appellant must file the Request for Preparation of Record on Appeal with the circuit court where their case was decided.



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- b. The appellant must attach a copy of the Request for Preparation of Record on Appeal to their Docketing Statement, which is filed in the appellate court.
- c. The circuit clerk's office will then prepare the record on appeal and send it directly to the appellate court within 63 days after the Notice of Appeal was filed.
NOTE: The appellant will need to have paid all fees due to the clerk's office OR filed a fee waiver prior to the clerk's office sending the records to the appellate court. If there are outstanding fees due, the clerk will not submit the record until those fees are paid.

5.5 If the record is missing an important document, can I add it?

Yes. If the document was filed in the circuit court, but is not in the record, you may ask the appellate court for permission to supplement the record. You will need to file a motion for leave to supplement the record *after* the record has been delivered to the clerk of the appellate court (see [Rule 329](#)). If the appellate court grants your motion, the circuit court clerk will prepare the supplement.

If you communicate with the other party and they agree that the document needs to be supplemented to the record, you may entitle your motion as an "agreed motion" and inform the court that the other party does not oppose your motion.

Consult the [local rules](#) in your appellate district for any specific procedures related to filing motions to supplement the record on appeal.



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6 SECTION SIX: REQUEST FOR REPORT OF PROCEEDINGS (TRANSCRIPTS); OR SUBMITTING A BYSTANDER'S REPORT OR AGREED STATEMENT OF FACTS

6.1 What is the Report of Proceedings (Transcript)?

The Report of Proceedings is also called a transcript. A transcript is a typed record of a hearing or trial and includes what the judge, parties, witnesses, and lawyers said or testified to in court. A court reporter or recording equipment must have been present during your circuit court case to transcribe what was said. If there were multiple hearings, a court reporter may have recorded some of them and the court's audio equipment may have recorded others.

If neither a court reporter nor recording equipment was present during your case, see below for submitting either a Bystander's Report or Agreed Statement of Facts.

6.2 How much do transcripts cost?

You do not have to pay to *submit* the Request for Report of Proceedings (Transcripts) form. However, you must pay the court reporter for the cost of the transcripts. The court reporter will tell you how much the transcripts will cost when you request them. Transcript fees are listed in the [Administrative Regulations for Court Reporting Services in the Illinois Courts](#) (*see* Uniform Schedule of Charges for Official Transcripts) in accordance with Section 5 of the [Court Reporters Act](#) (705 ILCS 70/5). Most court reporters will require you to pay at least half of the cost of the transcripts at the time you request them. Fee waivers do not apply to the cost of transcripts.

6.3 Where do I file the Request for Report of Proceedings (Transcripts)?

If your circuit court case had a court reporter or your case was recorded, complete the Request for Report of Proceedings (Transcripts) form and submit it directly to the court reporter.

- If the court provided the court reporter, ask the circuit court clerk's office how to contact them.
- If the court made an audio or video recording, ask the circuit court clerk's office how to contact the person who will type the Report of Proceedings (Transcripts).



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- In some counties, a private court reporter may have recorded the hearing or trial. If you hired a private court reporter, you can call the court reporter to find out where to deliver your Request for Report of Proceedings (Transcripts). If the other party hired the court reporter, you should contact that party (or their lawyer, if they have one) to get the name and telephone number of the court reporter. Then contact the court reporter to find out where to deliver your Request for Report of Proceedings (Transcripts).

6.4 When do I need to submit the Request for Report of Proceedings (Transcripts)?

You should submit the Request for Report of Proceedings directly to the court reporter as soon as possible after filing your Notice of Appeal. This is because you need to attach a completed copy of this form to your Docketing Statement when you file it (Note: the Docketing Statement is due no later than 14 days after the Notice of Appeal is filed).

6.5 How long does the court reporter have to prepare the Report of Proceedings (Transcripts)?

After receiving your Request for Report of Proceedings (Transcripts), the court reporter will submit the prepared transcripts directly to the court within 49 days after your Notice of Appeal was filed.

6.6 Do I need transcripts for my appeal?

If a court reporter was present or if your case was recorded by audio equipment, it is important that you provide this record to the appellate court. If you don't file the Report of Proceedings (Transcripts), the appellate court will be limited in the information they review to decide your appeal and may be compelled to rule against you. While transcripts can be expensive, the record of what happened during your case in the circuit court is a very important record for the appellate court to consider for your appeal.

6.7 What if my circuit court case was not recorded or a court reporter was not present?

If an audio recording was not made, and there was no court reporter present to take down what happened in court, a Bystander's Report or Agreed Statement of Facts can be used



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to make the Record on Appeal complete. This is another way to give the appellate court a record of what the judge, parties, witnesses, and lawyers said or did in court.

6.8 What is a Bystander’s Report or an Agreed Statement of Facts?

The Bystander’s Report or Agreed Statement of Facts is used when transcripts are unavailable. They describe everything that happened during court hearings or a trial. They include what the judge, the parties, the witnesses, and the lawyers said or testified to in court. They may include a description of what happened in court in addition to what was said.

You must list all of the dates and times of the hearings or trial where testimony was given, evidence was introduced, or other things happened that will help the appellate court understand the facts relevant to your appeal. You should write your description so that a person who was not there can understand what happened when you appeared in court.

6.9 What is the difference between a Bystander’s Report and an Agreed Statement of Facts?

The Bystander’s Report requires certification from the circuit court judge. That is, the circuit court judge must approve and certify a Bystander’s Report before it can be made part of the Record on Appeal. See below for instructions on how to submit the Bystander's Report to the circuit court judge for certification.

The Agreed Statement of Facts requires that the parties **agree** on what was said and done in court. You will need to reach agreement with the other party in order to obtain their signature on the Agreed Statement of Facts. You may then file an Agreed Statement of Facts *without* the circuit court judge’s approval or certification.

6.10 How much does it cost to file the Bystander's Report or Agreed Statement of Facts forms?

You do not need to pay to file either the Bystander’s Report or the Agreed Statement of Facts.



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6.11 When is the Bystander's Report or Agreed Statement of Facts due?

The Bystander's Report or Agreed Statement of Facts must be filed with the circuit court clerk within 49 days after the date the Notice of Appeal was filed.

6.12 How do I get the circuit court judge to certify the Bystander's Report?

If you are using a Bystander's Report there are 3 things that must happen before you can file it with the circuit court clerk (see [Rule 323\(c\)](#)):

- a. First, you must serve the Bystander's Report on all of the other parties within 28 days after you filed the Notice of Appeal (you can serve by personal hand delivery, mail, or by a third-party commercial carrier, such as UPS or FedEx). If any party has a lawyer, you must send your Bystander's Report to the lawyer. The 28-day period starts on the day after you filed the Notice of Appeal. You must count weekends and holidays. However, if the 28th day is on a weekend or court holiday, you may serve the Bystander's Report on the next business day. Be sure to include a Proof of Service with information to show you are sending the Bystander's Report to each party.
- b. Second, within 14 days after you serve the Bystander's Report, any other party may serve you with suggested changes to your Bystander's Report, or with their own Bystander's Report.
- c. Third, within 7 days thereafter, you must request a hearing in front of the circuit court judge. To ask for a hearing to get the Bystander's Report certified and approved, you must fill out a circuit court motion and notice of motion and file it with the circuit court. You may use the statewide standardized motion [form](#) to ask the court to approve your Bystander's Report.
- d. At the hearing, the circuit court judge will decide whether to approve and certify the Bystander's Report so that you can file it with the circuit court clerk to be included in the Record on Appeal. After the circuit court has heard and decided the motion, you must file the Bystander's Report and the order approving it with the circuit court clerk where your circuit court case was heard (remember, e-filing is mandatory unless you have an exemption or are incarcerated).



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7 SECTION SEVEN: DOCKETING STATEMENT

7.1 Do I need to file a Docketing Statement?

Yes. As the appellant (the person filing the appeal), you must file a docketing statement with the appellate court. This tells the court and other parties that you have taken the steps necessary to begin a civil appeal.

7.2 How much does it cost to file a Docketing Statement?

You must pay a \$50.00 filing fee to the Clerk of the Appellate Court when you file your Docketing Statement.

If you cannot afford to pay the filing fee, you can ask the appellate court to file for free. You must file your application for a fee waiver with your Docketing Statement. The appellate court will need to approve your application. You can find the application for a fee waiver [here](#).

7.3 When do I need to file the Docketing Statement?

The deadline to file the Docketing Statement is **14 days** after you file the Notice of Appeal, unless [Supreme Court Rule 307\(a\)](#) applies.

If [Rule 307\(a\)](#) applies, the deadline to file the Docketing Statement is **7 days** after you file the Notice of Appeal. Rule 307(a) applies if your appeal involves one of the following orders:

- Granting, modifying, refusing, dissolving, or refusing to dissolve or modify an injunction;
- Appointing or refusing to appoint a receiver or sequestrator;
- Giving or refusing to give other or further powers or property to a receiver or sequestrator already appointed;
- Placing or refusing to place a mortgagee in possession of mortgaged premises;
- Appointing or refusing to appoint a receiver, liquidator, rehabilitator, or other similar officer for a bank, savings and loan association, currency exchange, insurance company, or other financial institution, or granting or refusing to grant custody of the institution or requiring turnover of any of its assets;



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- Terminating parental rights or granting, denying, or revoking temporary commitment in adoption proceedings commenced pursuant to section 5 of the [Adoption Act](#) (750 ILCS 50/5);
- Determining issues raised in proceedings to exercise the right of eminent domain under section 20-5-10 of the [Eminent Domain Act](#), but the procedure for appeal and stay shall be as provided in that section.

7.4 What forms do I need to submit with the Docketing Statement?

You will need to attach completed copies of the Request for Preparation of Record on Appeal and the Request for Report of Proceedings (Transcripts) when you submit your Docketing Statement.



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8 SECTION EIGHT: BRIEFS

8.1 GENERAL INFORMATION

8.1.1 What is a brief?

An appellate brief is a party's written argument of why the circuit court or the jury did or did not make a mistake and why the party filing the brief should win the case. The brief describes the facts of the case, presents the party's argument about the issues on appeal, and supports those arguments with legal authority (such as statutes, rules, and cases).

8.1.2 What is the difference between the three types of briefs in a civil appeal?

- The **Appellant's Brief** is filed first. It is filed by the appellant (the person filing the appeal) and presents arguments for why the circuit court's decision should be overturned.
- The **Appellee's Brief** is filed second. It is filed by the appellee and is optional. The brief outlines why the circuit court's decision was correct.
- The **Appellant's Reply Brief** is filed third and it is the last brief in the appeal process. It is filed by the appellant only if the Appellee's Brief is filed, and is optional. The brief contains only arguments responding to arguments raised by the appellee.

8.1.3 What are the rules that apply to writing a brief for my civil appeal?

Briefs for civil appeals follow very strict rules, which include deadlines, formatting, page and word limits, and service of the brief on the other party or parties. Failure to follow these rules may result in your brief being stricken or your appeal being dismissed. Illinois Supreme Court Rules [341-343](#) cover the specific rules and requirements for appellate briefs.

The appellate court where you are filing your appeal may have adopted rules requiring paper filings in addition to electronic filing. [Local Rules](#) regarding paper copies, if any, will be available on the Illinois Courts' website and you should also speak with your local appellate clerk's office.

Statewide standardized forms and detailed instructions are available for the [Appellant's Brief](#), [Appellee's Brief](#), and [Appellant's Reply Brief](#). These forms are written in plain language and comply with the Illinois Supreme Court Rules.



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In addition, a checklist has been created for appellate briefs on the "[Guide for Appeals to the Illinois Appellate Court for Self-Represented Litigants](#)" that may help you.

8.1.4 What if I cannot meet the deadline for filing my brief?

If you need more time to file your brief, you must file a motion requesting an extension of time. All requests to the appellate court must be done by a motion, which is a form you file any time you want to ask the appellate court to take any action related to your appeal. The motion form and instructions are available on the Illinois Courts' website - <http://www.illinoiscourts.gov/Forms/approved/appellate/appellate.asp>

8.2 APPELLANT'S BRIEF

8.2.1 When is the Appellant's Brief due?

- Generally, the Appellant's Brief must be filed with the clerk of the appellate court no later than **35 days** after the Record on Appeal is filed. However, if the appeal concerns the custody or care of a child, the Appellant's Brief must be filed no later than **21 days** after the Record on Appeal is filed [[Rule 311\(a\)](#)].

8.2.2 What specific rules apply to the Appellant's Brief?

Under [Rule 341\(b\)](#), the Appellant's Brief must be no more than 50 pages (or alternatively, no more than 15,000 words), not including certain sections. It must be in the form specified in [Rule 341\(a\)](#), and must include a proof of service on the other party and a certificate of compliance with Rules [341\(a\)](#) and [\(b\)](#). The cover of the brief must be white.

As a reminder, the [Appellant's Brief](#) is a statewide form available for your use.

8.3 APPELLEE'S BRIEF

8.3.1 When is the Appellee's Brief due?

Generally, the Appellee's Brief must be filed with the clerk of the appellate court no later than **35 days** after the due date of the Appellant's Brief. However, if the appeal concerns



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the custody or care of a child, the Appellee's Brief must be filed no later than 21 days after the due date of the Appellant's Brief.

8.3.2 Is the Appellee's Brief required?

No, the appellee does not have to file a response to the Appellant's Brief. However, if the appellee does not file a brief, the appellate court will make a decision based on the record on appeal, the transcripts, and the Appellant's Brief. The Appellee's Brief may be the appellee's only opportunity to make an argument as to why the circuit court's decision was correct. If the Appellee's Brief is not filed, the appellee may not participate further in the appeal, such as in oral argument if it is requested by the court.

8.3.3 What are the requirements for the Appellee's Brief?

Under [Rule 341\(b\)](#), the Appellee's Brief must be no more than 50 pages (or alternatively 15,000 words), not including certain sections, and must be in the form specified in [Rule 341\(a\)](#). The Appellee's Brief must also include a certificate of compliance with [Rules 341\(a\)](#) and [\(b\)](#), as well as a proof of service on the other party. The cover of the appellee's brief must be light blue.

As a reminder, the [Appellee's Brief](#) is a statewide form available for your use.

8.4 APPELLANT'S REPLY BRIEF

8.4.1 When is the Appellant's Reply Brief due?

Generally, the Appellant's Reply Brief must be filed with the clerk of the appellate court no later than **14 days** after the due date of the Appellee's Brief. However, if the appeal concerns the custody or care of a child, the Appellant's Reply Brief must be filed no later than **7 days** after the due date of the Appellee's Brief.

8.4.2 Is the Appellant's Reply Brief required?

No. If the appellee does not file an Appellee's Brief, the appellant cannot file an Appellant's Reply Brief. Even if the appellee files an Appellee's Brief, the appellant does not have to file an Appellant's Reply Brief.



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8.4.3 What are the requirements for the Appellant's Reply Brief?

Under [Rule 341\(b\)](#), the Appellant's Reply Brief must be no more than 20 pages (or alternatively 6,000 words) and must be in the form specified in [Rule 341\(a\)](#). The reply brief must include a certificate of compliance with Rules [341\(a\)](#) and [\(b\)](#), as well as a proof of service on the opposing party. The cover of the reply brief must be light yellow. The Appellant's Reply Brief contains only arguments in response to arguments raised by the appellee.

As a reminder, the [Appellant's Reply Brief](#) is a statewide form available for your use.



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9 SECTION NINE: ORAL ARGUMENT

9.1 What is oral argument?

Oral argument allows the parties to appear in-person in front of a panel of three appellate justices to further argue the appeal. The justices will have already read the briefs that were submitted for the appeal, so you should not simply restate what you argued in your brief. You are also prohibited from reading directly from your brief. Instead, you should highlight your main points and summarize why you should win the case. Typically, the court will allow each party 15 to 20 minutes to present their argument. The justices will most likely ask questions of each party, so you should be prepared to answer any questions that are raised.

The appellate court is not required to hold oral argument. If the court decides to schedule oral argument for your case, a notice with the date and time will be sent to all parties. [Supreme Court Rule 352](#) outlines requirements for oral argument.

9.2 How do I request oral argument for my appeal?

Generally, a party requests oral argument on the cover of their brief. If you are using the statewide standardized [forms](#), check the box "requested" or "not requested" under Oral Argument.

9.3 How will my case be affected if I don't have an oral argument?

The appellate court grants oral argument for cases where a "substantial question is presented." If the court does not schedule oral argument, the justices will make their decision based on the record on appeal, the transcripts, and the briefs submitted by the parties.

9.4 Where can I find examples of oral arguments?

Oral argument recordings from each appellate district are posted on the Illinois Courts' website. You can listen to past oral arguments by clicking on this [link](#).



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9.5 What party presents first at oral argument?

The appellant will present first, followed by the appellee who will respond, and the appellant will argue a final reply.

9.6 Can I bring a witness or present new evidence at oral argument?

No. Oral argument is not a new trial. You cannot call any witnesses or present any new evidence. You also cannot raise any issues that you did not raise in your brief.

9.7 What happens after oral argument?

The court will not immediately issue a decision or make a ruling from the bench. Within a few months after the oral argument, the court will issue a written decision. The clerk of the appellate court will notify all parties when the court has issued its decision.



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10 SECTION TEN: THE APPELLATE COURT'S DECISION

10.1 How will my appeal be decided?

Three appellate justices will decide your case. The justices will consider the record on appeal, the parties' briefs, and, in certain cases, the parties' oral argument.

10.2 How will I be notified when a decision has been made about my appeal?

The appellate court clerk will notify all parties when the court issues a decision.

10.3 How long will my appeal take?

It can take many months to complete an appeal. Factors that impact the amount of time the appellate court needs to decide your case include: the issues involved; how long it took the parties to submit the record and their briefs to the appellate court; any motions filed on the case; and the number of cases pending before the appellate court.

10.4 I received a letter addressed to the clerk of the circuit court stating that the appellate court issued the mandate. What is the mandate?

The mandate is the order that officially finalizes the decision of the appellate court and transfers jurisdiction back to the circuit court. The appellate court will send the mandate to the clerk of the circuit court.

10.5 What if I disagree with the appellate court's decision?

If the appellate court has ruled against you and you believe the court overlooked or misunderstood key points of your case, you may file a Petition for Rehearing in the appellate court within **21 days** after the decision. See [Rule 367](#) for more information. The Petition for Rehearing [form](#) is available on the Illinois Courts' website.

If you lost the appeal, you may *also* file a Petition for Leave to Appeal ("PLA") to the Illinois Supreme Court within **35 days** after the appellate court files its decision. A \$50 filing fee is due when filing the PLA, but if you are unable to afford the fee, you may apply for a fee waiver by submitting a [Fee Waiver Application](#) with the Illinois Supreme Court. See [Rule 315](#) for more information.



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You may file *both* a Petition for Rehearing and a Petition for Leave to Appeal. However, if you file a Petition for Rehearing, you cannot file a Petition for Leave to Appeal until *after* the appellate court has ruled on your Petition for Rehearing. You must file the Petition for Leave to Appeal within **35 days** after that ruling.



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11 SECTION ELEVEN: OTHER RESOURCES

Where can I find other resources to help me with my appeal?

Below are general resources that may assist you in conducting research and completing your brief(s). Please note that only a lawyer can give you legal advice and tell you what you should do about the specifics of your case. Librarians, clerks, self-help desks, and other court personnel **CANNOT**:

- ⊗ offer you legal advice;
- ⊗ research or explain the law to you;
- ⊗ tell you what decisions you should make regarding your case;
- ⊗ help write or make suggestions about the argument for your brief;
- ⊗ complete court forms for you; or
- ⊗ refer you to a specific lawyer

11.1 Forms

- The Illinois Supreme Court has published many standardized forms for you to use in your appeal. You can find the appellate forms and instructions at - <http://www.illinoiscourts.gov/Forms/approved/default.asp>
- The Clerk of the Circuit Court of Cook County, Civil Appeals Division's website has an FAQ section and forms available for use (for appeals within the First Appellate District only) - <http://www.cookcountyclerkofcourt.org/NewWebsite/Departments/Civil-Appeals.aspx>

11.2 Guides

- The Illinois Supreme Court's Access to Justice Commission has published a "Guide for Appeals to the Illinois Appellate Court for Self-Represented Litigants." The Guide includes a timeline, checklist and commonly asked questions section. You can find the ATJ Guide [here](#).
- The AOIC publishes a [one-page overview](#) of a civil appeal from a final order or judgment.
- The Illinois Fourth District Appellate Court publishes a [Guide to Bringing an Appeal](#), which highlights the steps necessary to file an appeal.



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- The Chicago Association of Law Libraries publishes [Finding Illinois Law: A Librarian's Guide for Non-Lawyers](#), which is a guide aimed at assisting non-lawyers with understanding the legal system and conducting legal research, and locating resources.

11.3 Research

You will need to do a lot of legal research for your appeal in order to write a convincing brief. You may consider visiting a law library to use legal resources that are available to research and find legal authority. Legal research is difficult to conduct - some libraries have guides on how to conduct legal research, which may be beneficial to self-represented litigants.

In Illinois, many counties have law libraries located in courthouses that are open to the public – for example, in Chicago the Cook County Law Library is in the Daley Center. In addition, some law schools have libraries that are open to the public during certain hours (you should call in advance to confirm access to the public, which is very limited). Below is a list of law libraries in Illinois:

Champaign

- Champaign County Law Library: 101 East Main Street, Room 243, Urbana, IL 61801; Tel. 217-384-3707; Website: <http://www.co.champaign.il.us/CircuitCourt/LawLibrary.php>
- University of Illinois Law: 504 E. Pennsylvania Ave., Champaign, IL 61820; Tel. (217) 244-0614; Website: <https://law.illinois.edu/academics/library/>; their guide for self-represented litigants is available here - <http://law-illinois.libguides.com/Self-Representation>

Cook (Chicago)

The main library for self-represented litigants to use in Chicago is the Cook County Law Library. The libraries at law schools in Chicago have very limited access for the general public, mostly for accessing their library's government depository documents.



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- Cook County Law Library: 50 W. Washington St., 2900 Daley Center, Chicago, IL 60602; Tel. 312-603-5423; Website: <https://www.cookcountyil.gov/agency/law-library/>
- Chicago-Kent College of Law Library: 565 W. Adams Street, 9th Floor, Chicago, IL 60661; Tel. 312-906-5600; Website: <https://www.kentlaw.iit.edu/library>
- DePaul University Rinn Law Library: 25 E. Jackson Blvd., Chicago, IL 60604; Tel. 312-362-8701; Website: <https://law.depaul.edu/library/Pages/default.aspx>
- John Marshall Law School Louis L Biro Law Library: 315 S. Plymouth Court, 6th Floor, Chicago, IL 60604; Tel. 312.427.2737; Website: <https://www.jmls.edu/library/>
- Loyola University Chicago Law Library: 25 E. Pearson St., Chicago, IL 60611; Tel. 312-915-6986; Website: <https://luc.edu/law/library/index.html>
- Northwestern University School of Law Pritzker Legal Research Center: 375 E. Chicago Ave., Chicago, IL 60611; Tel. 312-503-8451; Website: <https://library.law.northwestern.edu/home>
- University of Chicago D'Angelo Law Library: 1121 E. 60th St., Chicago, IL 60637; Tel. 773-702-9615 Website: <https://www.lib.uchicago.edu/law/>

DeKalb

- Northern Illinois University David C. Shapiro Memorial Law Library: 1425 W. Lincoln Hwy., DeKalb, IL 60115; Tel. 815-753-0507; Website: <https://law.niu.edu/law/library/>

DuPage

- DuPage County Law Library: 505 N. County Farm Road, Wheaton, IL 60187; Tel. 630-407-8811; Website: <https://www.dupageco.org/lawlibrary/>

Jackson

- Southern Illinois University School of Law Library: 1150 Douglas Dr., Carbondale, IL 62901; Tel. (618) 453-8796; Website: <http://www.law.siu.edu/lawlib/>

Kane

- Kane County Law Library: Kane County Judicial Center, 37W777 IL-38 Street, St. Charles, IL 60175; Tel. 630-406-7126; Website: <http://www.kclawlibrary.org/>



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Madison

- Madison County Law Library: 155 N. Main Street, Edwardsville, IL 62025; Tel. 618-296-5921; Website: http://www.co.madison.il.us/departments/circuit_court/law_library/index.php

Sangamon

- Illinois State Library: Gwendolyn Brooks Building, 300 S. Second St., Springfield, IL 62701; Tel. 217-782-7596; Website: <https://www.cyberdriveillinois.com/departments/library/public/home.html>
- Illinois Supreme Court Library: 200 E. Capitol, Springfield, IL 62701; Tel. 217-782-2424; Website: <http://www.illinoiscourts.gov/SupremeCourt/library.asp>

Winnebago

- Winnebago County Law Library: 400 West State Street, Rockford, IL 61101-1221; Tel. 815-319-4965; Website: <http://www.illinois17th.com>

11.4 Public Websites

- **Illinois case law** -- The Illinois Courts' website has opinions from the Illinois Supreme Court and appellate courts from 1996-present, as well as Workers' Compensation opinions from 2005-present. <http://www.illinoiscourts.gov/Opinions/archive.asp>

Illinois codes and statutes – The Illinois General Assembly publishes Illinois statutes, current bills, and other legislative reports. State laws are organized by subject area into Chapters and Acts. <http://www.ilga.gov/legislation/ilcs/ilcs.asp>



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) Step 1: Prepare your Documents



E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create New Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit

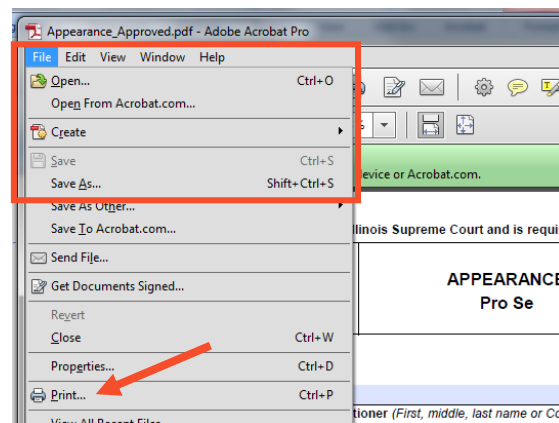


Prepare court documents to be e-filed

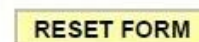
To e-file your court documents, they must be saved as a text-searchable **PDF** file, whether you start from a fillable PDF, handwritten form or Word document.

➔ Fillable PDF forms

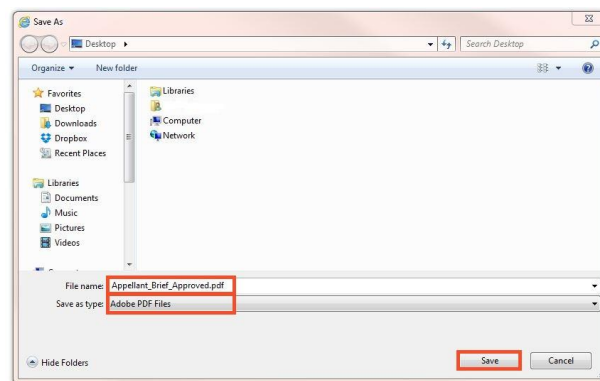
1. A Fillable PDF form is an electronic document that allows you to type in your information in the shaded boxes. To e-file this document, you want to make sure the document is no longer fillable (so no one can type anything else).
2. You can save your document while you are working on it by clicking **File** then **Save As**. This keeps the fields fillable, meaning you can keep typing in the document.
3. Once you have finished working on your document, click **File** then **Print**. This does not mean you are going to print the document. This is just the way to save the document in the right format and so that no one can type anything else in the document.



If your form is a Court Form found at <http://www.illinoiscourts.gov/Forms/approved/default.asp> the fillable PDF form has the "Print Form" and "Save Form" boxes at the bottom of your document and you can click **Save Form** to save your work while you are finishing your document or **Print Form** when you are ready to save it to file.



4. When the "Print" box pops up click on the printer/destination labeled **Adobe PDF** or **Save as PDF**. Click on **Print** or **Save** or **OK**.
5. A "Save As" box will pop up. When it does, name your file. You can choose to name it anything, but it should be something that helps you and the court identify the document.
6. Make sure the "Save as type" box (under your file name) says PDF or Adobe PDF. Click **Save**.
7. Your document is now saved as a PDF on your computer.



You may now e-file your court documents.

Need Help? Call Odyssey's Filer Support Number: 1-800-297-5377

➔ Handwritten forms



If you filled in your forms by hand, you will need to scan and save them as a PDF to a computer.

1. Take your handwritten document to a scanner. Click **Scan**.

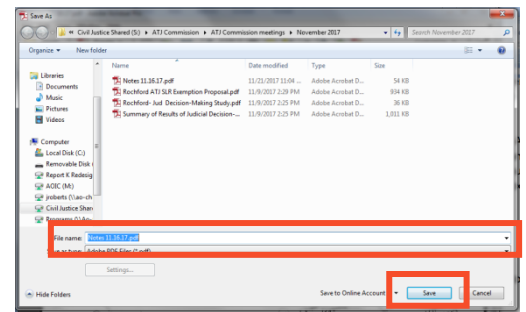


If you do not have a scanner at home, you may be able to scan your documents at the court, your public library or other office supply store.

2. When it is scanned, the document will either:

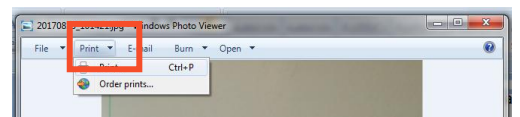
- Appear on the computer screen and you have to save it, or
- It will be sent to a folder on the computer and you will want to open it and save it with a file name that you choose.

3. With the document up on the computer, click **File** and **Save As**. A "Save As" box will pop up. When it does, name your file. You can choose to name it anything, but it should be something that helps you and the court identify the document. Make sure the "Save as type" box (under your file name) says PDF. Click **Save**.

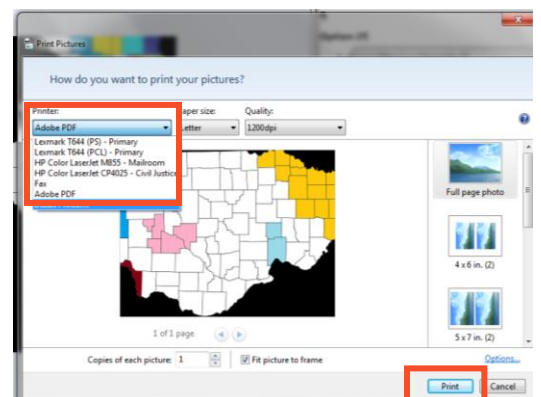


4. If your document scans in a different format like **JPG or PNG**, you will need to save it as a PDF.

5. To do that, select **Print**. This does not mean you are going to print the document. This is just the way that you can save the document in the right format.



6. When the "Print" box pops up click on the printer/destination labeled **Adobe PDF** or **Save as PDF**. Click on **Print** or **Save** or **OK**.



7. A "Save As" box will pop up. When it does, name your file. You can choose to name it anything, but it should be something that helps you and the court identify the document. Make sure the "Save as type" box (under your file name) says PDF. Click **Save**.



You may now e-file your court documents.

Need Help? Call Odyssey's Filer Support Number: 1-800-297-5377

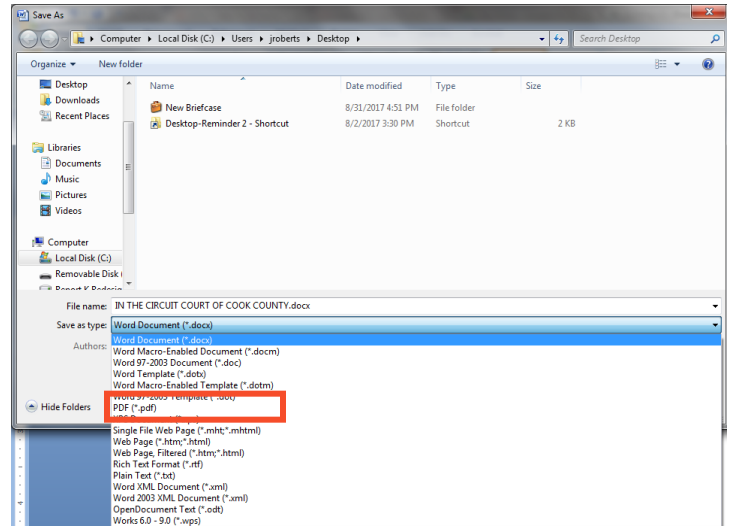


➔ Microsoft Word Documents

If you created your own document in Word, you will need to save it as a PDF document. There are two ways to do this.

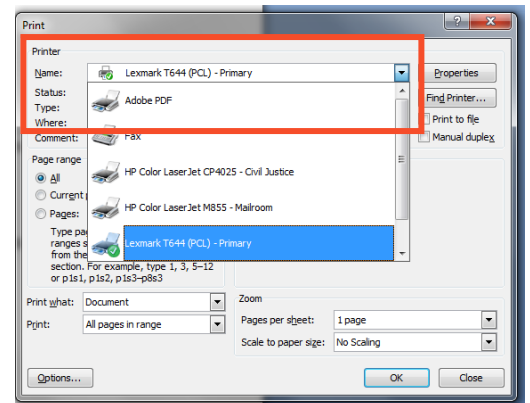
➔ Option 1

1. Click **File** then **Save As**.
2. A "Save As" box will pop up. When it does, name your file. You can choose to name it anything, but it should be something that helps you and the court identify the document.
3. Select the dropdown arrow for Save as type. Click on **PDF** or **Adobe PDF**. Click **Save**.



➔ Option 2

1. Click **File** then **Print**. This does not mean you are going to print the document. This is just the way that you can save the document in the right format.
2. When the "Print" box pops up click on the printer/destination labeled **Adobe PDF** or **Save as PDF**. Click on **Print** or **Save** or **OK**.
3. A "Save As" box will pop up. When it does, enter your file name. You can choose to name it anything, but it should be something that helps you and the court identify the document.
4. Make sure the "Save as type" box (under your file name) says PDF. Click **Save**.



 **You may now e-file your court documents.**

Need Help? Call Odyssey's Filer Support Number: 1-800-297-5377



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) Step 2: Register to E-File



E-filing Steps

- 1 • Prepare Documents
- 2 • Register**
- 3 • Sign In
- 4 • Create New Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit

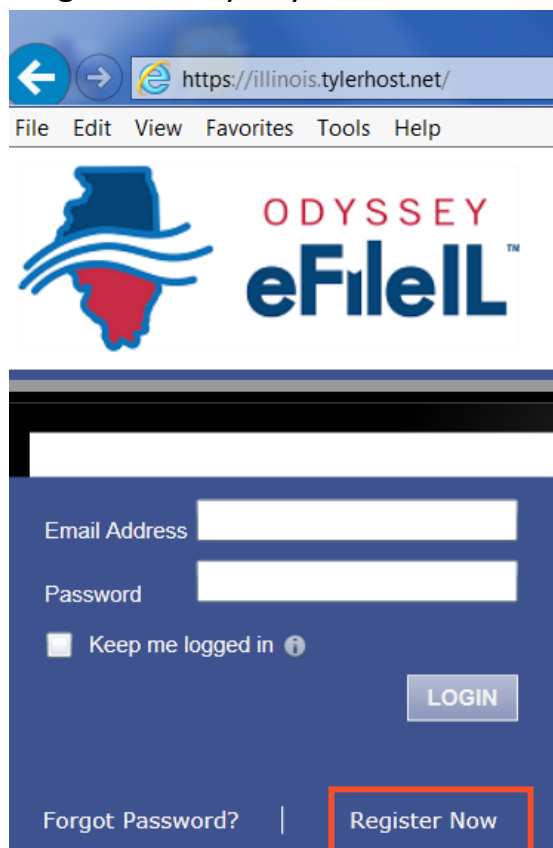


Register to e-file

Before you can electronically file (e-file) your court documents, you need to create an account. *Note, if you have created an account in any Illinois Electronic Filing Service Provider (EFSP) you do NOT need to create another new account, but you can go directly to signing in.* This instruction guide only contains information about e-filing in the Odyssey EFSP in Kiosk Mode.

1. Go to <https://illinois.tylerhost.net/>

2. Click on **Register Now**.



The **Register Now** button takes you to the page where you can register in the system by using your name and contact information. If you have already registered as a user in any Illinois EFSP, enter your email address and password to log-in. For detailed instructions on how to Sign In to your account see *How to E-File in Odyssey - Step 3: Sign In*.



You will need:

- ✓ Email address. If you do not have an email address, you will need to create one. Commonly used email accounts include: Gmail www.google.com/gmail, Yahoo <https://mail.yahoo.com>, and Mail.com www.mail.com (Note: Mail.com does not require cell phone verification); and
- ✓ Mailing address that is not a P.O. Box; and
- ✓ Telephone number.

➔ Choose to register a new account

- 1.) If you do not have an attorney, you need to register for a self-represented litigant account and not a firm account.
- 2.) If you are representing yourself, select "An Independent User."

Odyssey File & Serve Registration Step 1 of 5

I want to Register as a

Firm Administrator
Each firm must have a designated person to administer the E-Filing system. The Administrator will register the firm and be responsible for setting up and maintaining all users, credit card accounts, and attorneys at the firm.

User with an Existing Firm
Your firm has already been registered with the E-Filing system. You must know your firm ID and have been given permission to set up your account by your Firm Administrator. The Firm ID serves as the common identifier for all users within your firm.

An Independent User
You are a single user, not associated with or represented by a law firm.

All required fields are indicated by an asterisk. There is no registration fee for Odyssey File & Serve.

Cancel Next

➔ Read the Terms and Conditions

1. Read the Terms and Conditions.
2. If you agree, click **I Agree** and then **Next**

Odyssey File & Serve Registration Step 2 of 5

Odyssey File & Serve Usage Agreement

Welcome to the online services of Tyler Technologies for the State of Illinois. Please read this Agreement carefully. It governs Your access to and use of the Odyssey File & Serve application through the Tyler Technologies Internet Site. Your use of the Tyler Technologies Site and/or other Tyler products is conditioned upon Your acceptance of this Agreement. By clicking on the "I Accept" button, You are agreeing to be legally bound by all of the terms and conditions of this Agreement. If You are acting as an employee, You agree that this Agreement will bind Your employer and that You are authorized to do so. As used in this Agreement, "You" or "Your" includes You and Your employer.

Section 1. Definitions
Section 2. License; Restrictions on Use
Section 3. Access to the Tyler Internet Site
Section 4. Limitations on Use
Section 5. Fee Schedule
Section 6. Proprietary Rights
Section 7. Disclaimers and Limitations
Section 8. Your Warranties and Indemnification
Section 9. Limitations of Liability
Section 10. Arbitration
Section 11. Miscellaneous

I Agree

Previous Cancel Next

➔ Enter your mailing address

1. Select the **country** where you live. The United States of America is the default country.
2. Enter your **address** and **telephone number**.
3. Click **Next**.

Odyssey File & Serve Registration Step 3 of 5

Contact Information

Country*
United States of Ame

Address Line 1*
Address Line 2

City*
State* Zip Code*

Phone Number*

Previous Cancel Next



Enter an address where you can receive mail during your legal case. This cannot be a P.O. Box.

➔ Enter contact information, email, password and create a security question

1. Enter your **name**, an existing **email address** (that you can check regularly), and create a **password**.
 - a. The password can be new or a one you have used for other purposes. This password is what you will use to sign-in to Odyssey.
2. Make up a **security question** and **answer** that you can easily remember. For example:
 - a. Security Question: What is my dog's name? or What is my wedding anniversary?
 - b. Answer: Fido 1/1/2011



If you forget your password, you may have to correctly answer your security question to be able to access your account again. It is a good idea to write down and save your password, as well as your security question and answer.

3. Then click **Register**.



Odyssey File & Serve Registration Step 4 of 5

User Information

First Name* MI

Last Name*

Email Address*

Verify Email Address*

Password*

Verify Password*

Compose a simple question and answer pair which will allow you to restore your password, should you forget it. Please choose a simple, specific question that can only be answered by you. Example: High School Mascot or The Name of My First Pet.

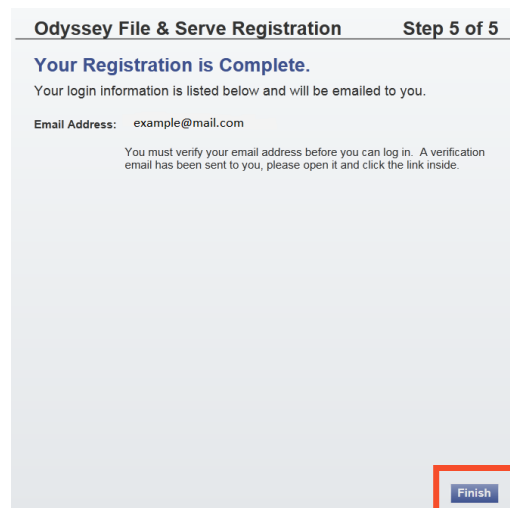
Security Question*

Security Answer*

[Previous](#) [Cancel](#) [Register](#)

➔ Confirm your account through email

After you click the Register button, you will see this screen. Click **Finish**:



Odyssey File & Serve Registration Step 5 of 5

Your Registration is Complete.

Your login information is listed below and will be emailed to you.

Email Address: example@mail.com

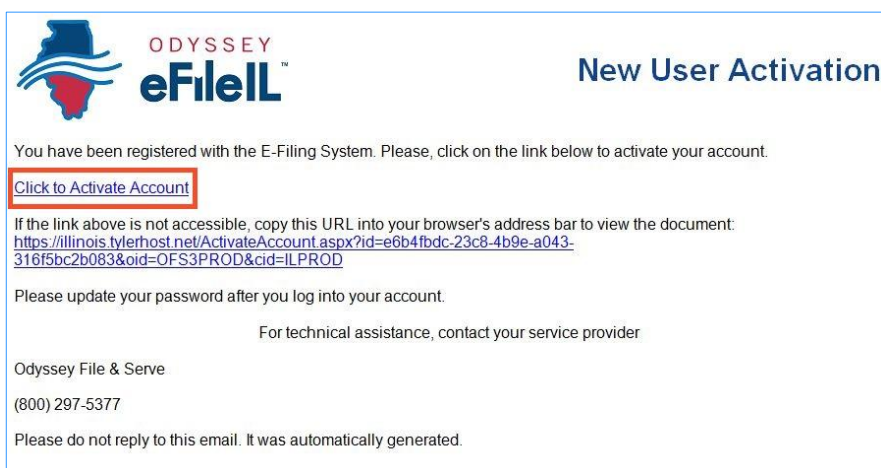
You must verify your email address before you can log in. A verification email has been sent to you, please open it and click the link inside.

[Finish](#)



You must verify your email address to complete the registration process.

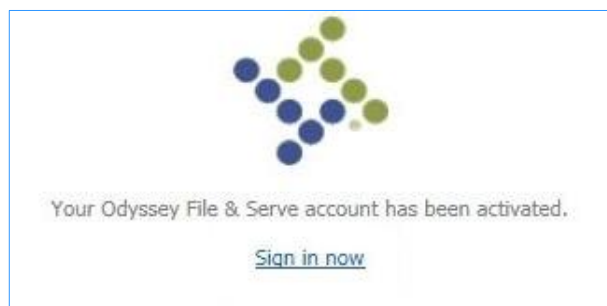
1. Log-in to the email account you listed during registration to see the verification email.
2. Open the email and click the link to confirm your email address. The email will look like this:



The email will be from no-reply@tylerhost.net. If you do not see the email in your inbox, check your junk mail or spam folder in your email account.

3. Click on **Click to Activate Account**.

A page will open with confirmation that your account has been created. It will look like this:



You have successfully registered with Odyssey.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode)



Step 3: Sign In

E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In**
- 4 • Create New Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit

Need Help? Call Odyssey's Filer Support Number: 1-800-297-5377

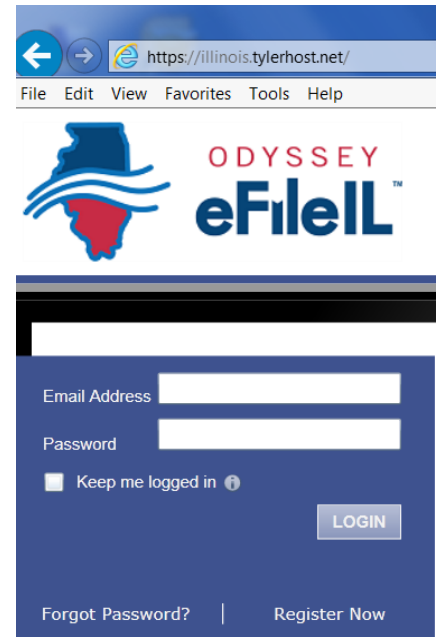


Sign in to e-file

After you have created an account with Odyssey, you need to sign in to e-file your documents. If you have not registered as a user, click **Register**. For detailed instructions on how to register for an account see *How to E-File in Odyssey - Step 2: Register to E-File*.

➔ Click Sign In

To sign in to your account visit: <https://illinois.tylerhost.net/>



The screenshot shows a web browser window with the URL <https://illinois.tylerhost.net/>. The page features the Odyssey eFileIL logo at the top. Below the logo is a login form with the following elements: an "Email Address" input field, a "Password" input field, a "Keep me logged in" checkbox, and a "LOGIN" button. At the bottom of the form, there are links for "Forgot Password?" and "Register Now".

➔ Enter your email and password

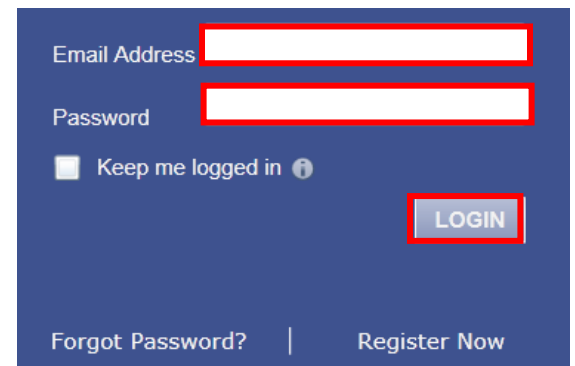
1. Enter the email address and password you used when you registered for your e-filing account.
2. Click **LOGIN**.



If you forgot your password, see *How to E-file in Odyssey - Step 4: Create a New Password* for instructions on creating a new password.




You have successfully signed in to your Odyssey account.



This close-up view of the login form highlights the "Email Address" and "Password" input fields with red rectangular boxes. The "LOGIN" button is also highlighted with a red rectangular box. The "Keep me logged in" checkbox and the "Forgot Password?" and "Register Now" links are also visible.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) 
Step 4: Create a New Password if You Forgot It

E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create New Password**
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit

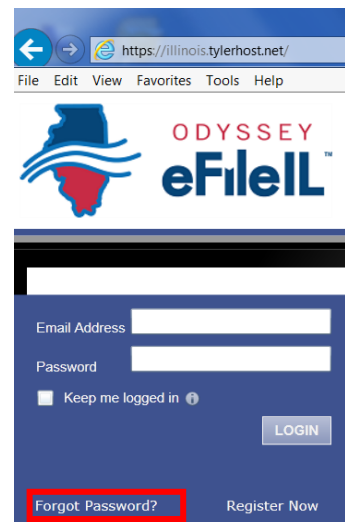


Create a new password

If you forget your password, you need to create a new one. After several failed attempts to sign in to the system, your account will be locked. You will need to create a new password.

➔ Tell Odyssey you forgot your password

1. At the login screen, click **Forgot Password?**



2. Enter the email address you used when you registered for your Odyssey account.

3. Click **Next**.

Please enter the email address associated with your account.

Email Address

4. Check the box next to **I'm not a robot**.

Email Address

I'm not a robot

reCAPTCHA
Privacy - Terms

5. Click **Reset Password**.

6. The following message will pop up. Check your email to find the link to reset your password.



A password reset link has been sent to the email address associated with your account. If you do not see the password reset email in your Inbox, please check to see if it was delivered to your spam folder.

7. This is what the email will look like. Click "[click here](#)."



ODYSSEY eFileIL™ Password Reset Request

A request to reset your password has been processed. If you did not request a password reset, take no action. Your account will be left unaltered.

To complete your password reset, [click here](#)

If the link above is not accessible, copy and paste the URL below into your web browser:
<https://illinois.tylerhost.net/ResetPassword.aspx?rid=4bd5d3cd-85a0-41f7-90c9-f25742625845&skey=798E4AEB-A7D5-457F-9631-3EC607485505>

For technical assistance, contact your service provider

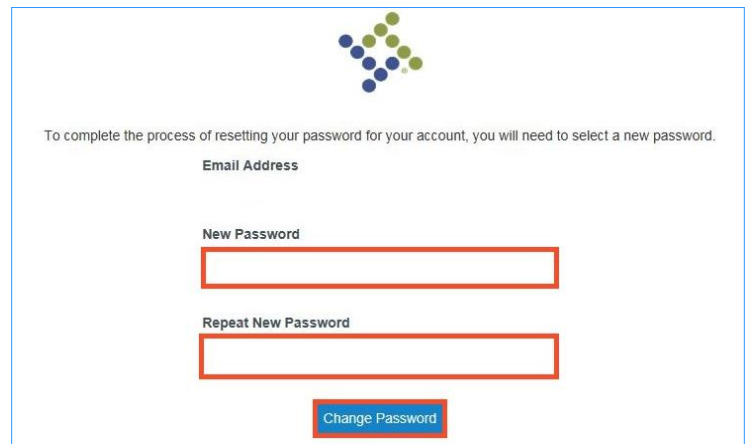
Odyssey File & Serve
(800) 297-5377

Please do not reply to this email. It was automatically generated.



The email will be from no-reply@tylerhost.net. Check your junk or spam folders if you don't see the email in your inbox.

8. Enter your new password in the first box and then enter the same new password again.



To complete the process of resetting your password for your account, you will need to select a new password.

Email Address

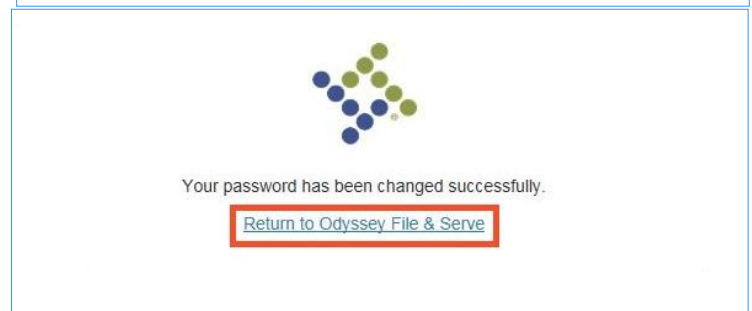
New Password

Repeat New Password

[Change Password](#)

9. Click **Change Password**.

10. This message will pop up and confirm you successfully changed your password.



Your password has been changed successfully.

[Return to Odyssey File & Serve](#)



You have successfully created a new password. You can now log-in to your Odyssey account.



Civil Appeals – Self-Represented Litigants

How to E-file in Odyssey (Kiosk Mode) Step 5: Add a Payment Account




E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create New Password
- 5 • Add Payment Account**
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit



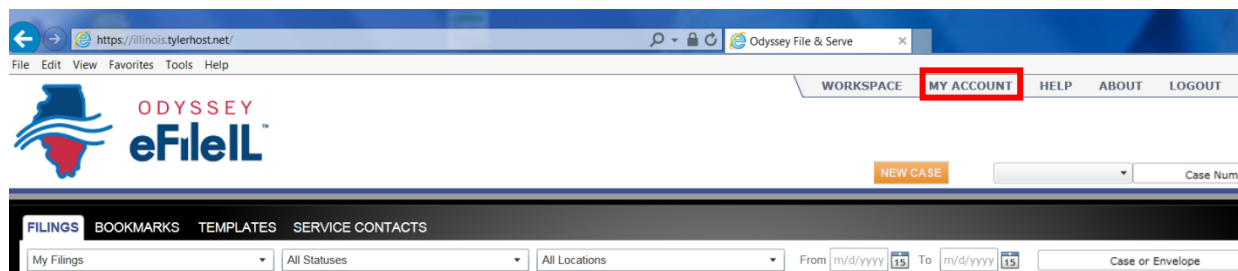
Add a payment account

Before you can e-file your court documents, you must add a payment account. If there is a filing fee due, it must be paid at the time of e-filing. **If you cannot afford the filing fee**, you still have to follow the steps to create a payment account, but can select "Waiver." This does not mean your waiver will be approved, and you may have to create another payment account and pay filing fees if the waiver is denied.

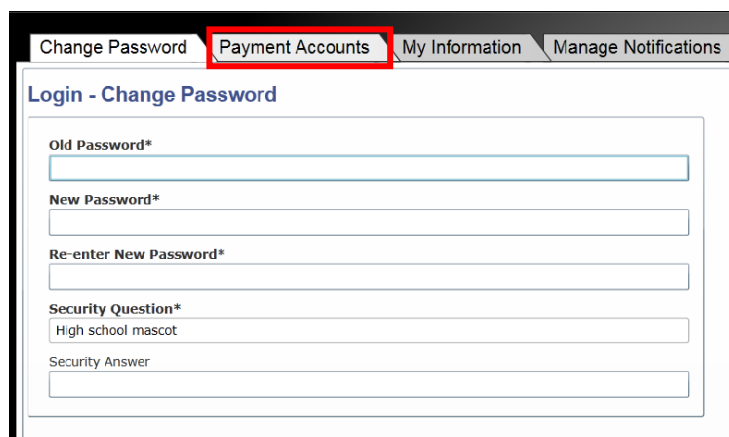
 If you can afford to pay your filing fee, you must have a credit card to pay online. If you do not have a credit card, one option is to buy a pre-paid debit card from most major stores such as Walgreens, Walmart or Target.

Click Payment Accounts under "My Account"

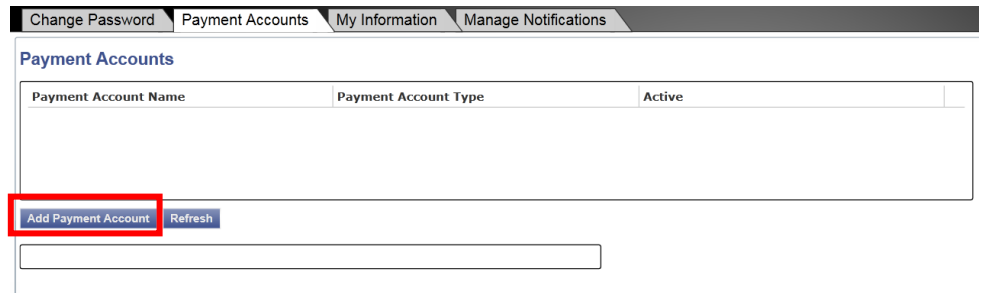
1. From the Home Page above Filer Dashboard, click the **My Account** tab.



2. Under the tabs, click **Payment Accounts**.

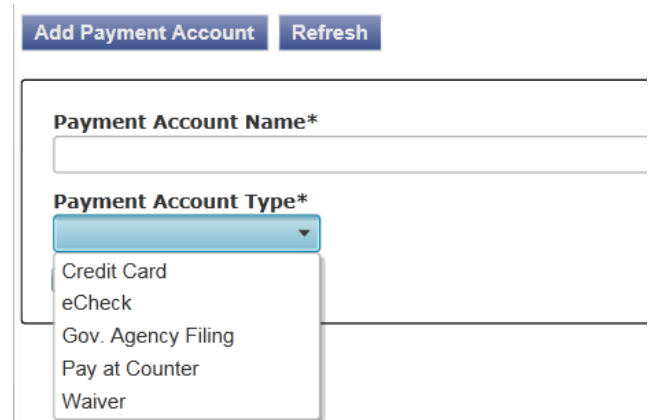


3. Click **Add Payment Account**.



The screenshot shows the 'Payment Accounts' page with a navigation bar containing 'Change Password', 'Payment Accounts', 'My Information', and 'Manage Notifications'. Below the navigation bar is a table with columns for 'Payment Account Name', 'Payment Account Type', and 'Active'. At the bottom of the table, there are two buttons: 'Add Payment Account' (highlighted with a red box) and 'Refresh'.

4. Enter a name for the account payment. You may name it anything. The name is just so you can identify the payment account later. This name will appear in Step 9: Pay Fees.




The screenshot shows the 'Add Payment Account' form. It has two buttons at the top: 'Add Payment Account' and 'Refresh'. Below the buttons are two fields: 'Payment Account Name*' (an empty text input) and 'Payment Account Type*' (a dropdown menu). The dropdown menu is open, showing the following options: Credit Card, eCheck, Gov. Agency Filing, Pay at Counter, and Waiver.

5. Select how you want to pay. The options are: **Credit Card**, **eCheck**, **Gov. Agency Filing**, **Pay at Counter** or **Waiver**. However, the appellate courts will only accept payment with a Credit Card or Waiver and the following instructions will only discuss those two options.

- Credit Card also includes prepay debit cards.
- eCheck is **NOT** available in appellate courts.
- Gov. Agency Filing option will not apply to a self-represented litigant.
- Pay at Counter is **NOT** available in appellate courts.
- Waiver means that you are requesting the court to waive your filing fees because you cannot afford the fees.

See the following pages for detailed information about each payment account type.

Credit card or prepay debit card

 There is a convenience fee for paying by credit card. You will pay an extra 2.89% of the total filing fee. If using a prepaid card, make sure to purchase it for the total filing fee plus 2.89%.

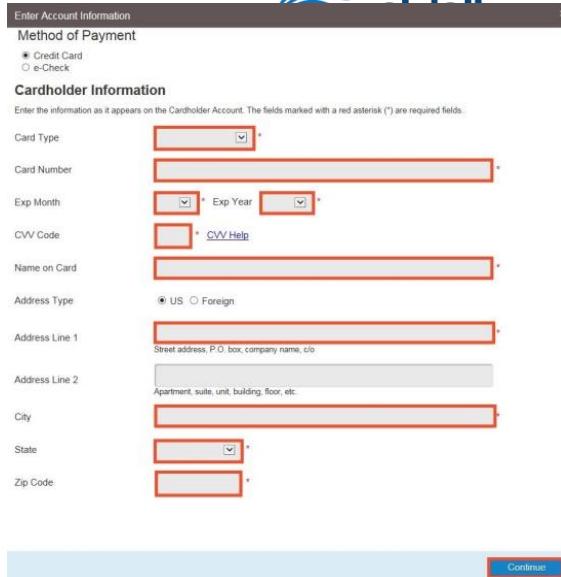
1. To use a credit card or prepay debit card, choose **Credit Card** in the drop down menu and create a Payment Account Name. This name is just for you to know which card you entered.

2. Click **Enter Account Information**.

3. Click the **Credit Card** bubble at the top. Enter your credit card or prepay debit card information and click **Continue**.



The card must be Discover, Master Card, or Visa. If you want to use American Express, please check <http://efile.illinoiscourts.gov/active-courts.htm#legend> to see if your Location accepts it.



4. Review your card information, read the Terms and Conditions, and click **Save Information**.

5. If approved, the payment account will be listed in the box and the word "Yes" will be listed under active.

Terms and Conditions
This is a confidential and secure site that does not disseminate confidential information to third parties. The effective date of the payment for Service Only filings is the date the filing is submitted. The effective date of the payment for Electronic Filings or Electronic Filings with Service is the date the filing is accepted by the Court. By selecting the Save Information button you are authorizing the processing of transactions to this account for File & Serve activity.



Add Payment Account			
Payment Account Name	Payment Account Type	Active	Actions
Credit Card	Credit Card	Yes	



You may now e-file your court documents and pay with a credit card.

➤ Fee waiver

1. If you are going to file a fee waiver choose **Waiver** in the drop down menu and create a Payment Account Name. This name is just so you can identify the payment account.
2. Click **Save Changes**.

3. If you successfully chose Waiver, "Waiver" will be listed in the box and the word "Yes" will be listed under active.

Add Payment Account		
Payment Account Name	Payment Account Type	Active
Waiver	Waiver	Yes

Important note about the Waiver payment account

- Selecting the Waiver Payment Account does NOT mean you will get your fees waived.
- If you were approved for a fee waiver in your circuit court (trial-level), you must still file a separate *Application for Waiver of Court* in the appellate court.
- If you are asking the court to waive your fees for the first time in this case, you must upload an *Application for Waiver of Court Fees* as a Lead Document. You will receive an order either granting or denying your application. If your application is denied, you will need to create another payment account and pay your filing fees. If you do not upload the *Application*, your filing may be rejected.

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. For Court Use Only

STATE OF ILLINOIS CIRCUIT COURT	APPLICATION FOR WAIVER OF COURT FEES	
COUNTY		
Instructions ▼ Enter above the county name where the case was filed. Enter the name of the person who mailed the lawsuit as Plaintiff/Petitioner. Enter the name of the person being sued as Defendant/Respondent. Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one.	Plaintiff / Petitioner (first, middle, last name) v. Defendant / Respondent (First, middle, last name)	Case Number



An *Application for Waiver of Court Fees* can be found under Fee Waiver for all appellate courts: <http://illinoiscourts.gov/Forms/approved/appellate/appellate.asp>. For more information about how to upload the Application as a Lead Document, see *How to E-File in Odyssey Step 7: Upload Filings*.

- If the court already approved your *Application for Waiver of Court Fees* in this case, you do NOT need to submit another application, but you MUST upload a copy of the signed *Fee Waiver Order* when you submit your court filing. You still select "Waiver" as your payment account.



You may now e-file your court documents with an application for fee waiver.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) Step 6: Enter your Case Information



E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create new Password
- 5 • Add Payment Account
- 6 • Case Information**
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit

This guide will review how to locate your case information, so that you can file your Notice of Appeal with the circuit court and file subsequent documents relating to your appeal in the correct appellate district.

Appeals are initiated by filing your Notice of Appeal as a **SUBSEQUENT FILING** into your **EXISTING CASE NUMBER IN THE CIRCUIT COURT**.

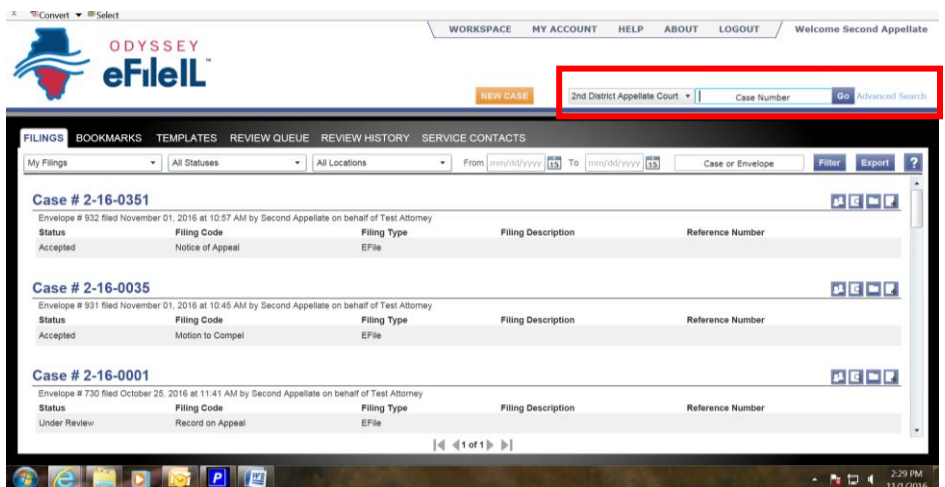
The circuit court clerk then files the Notice of Appeal with the appellate court (no action required by you). When the Notice of Appeal is received by the appellate court, your case will be assigned a case number and you will be notified either by mail or e-mail of the appellate court case number.

Once you have the appellate court case number you (and the other parties) will then file documents into the existing appellate court case by choosing the correct appellate court district and entering the case number assigned by the appellate court. Follow instructions for filing into an existing case below.

➤ Locating your case to start a new filing into a subsequent case

➔ Search by Location and Case Number

1. The Location means where the case was filed.
 - a. When filing your Notice of Appeal as part of a case in the circuit court, select the County where the case was filed.
 - b. If you are filing into an existing appellate court case, select the district where the appeal was filed.



FOR COOK COUNTY: To file your Notice of Appeal with the circuit court, in the Location box you will need to know three pieces of information to make your selection:

Click to select Location

- Cook County - Civil - District 1 - Chicago
- Cook County - Civil - District 2 - Skokie
- Cook County - Civil - District 3 - Rolling Meadows
- Cook County - Civil - District 4 - Maywood
- Cook County - Civil - District 5 - Bridgeview
- Cook County - Civil - District 6 - Markham

1. County (Cook);
2. Division (in Cook County the Division is what is described below as Category). The options are Chancery, Civil, County, Criminal, Domestic Relations, Domestic Violence, Juvenile, Law, Probate); and
3. District (in Cook County there are 6 different districts, divided up by location. Chicago is District 1). To figure out what District your city is in, go to: <http://www.cookcountyclerkofcourt.org/NewWebsite/Departments.aspx?deptType=Districts>.

2. Click in the **Location box** and a drop down menu will appear. Scroll through until you find the correct location and **click** on it.
3. Enter your **Case Number** in the box to the right of the location.

To Find Your Case Number -

- a. The Case Number can be found on the upper right corner of any court documents you've received about the case.
- b. The Case Number should be entered exactly as it is written (including dashes).
 - i. If the case does not appear, ask court staff about the specific format for your court.

4. Click the **Go** button to conduct the search

 **Search by Party Name**

If you want to search by Party Name, **click** the **Advanced Search** button. A box will then pop-up on your screen, where you can enter party information. NOTE: Party Name searches are not available in Cook County.



Advanced Search

Search by Party Name

Location*

Person Business

First Name*

Middle Name

Last Name*

Case Type*

Show Results Sorted by*

2. Party Name

- a. You must enter a first and last name and then click **Search**.

➔ Enter a Party Name (if your name isn't listed)

1. If your name or the other party/parties do not appear after you have located your case, you will need to enter this information into the system.
 - a. The **Party Type*** is a required field and is a pull down menu with available options.
 - b. If you are filing the appeal, select **Appellant** and also select the **I am this party** box. Your information should then pre-populate the fields. Check to ensure your information is correct.
 - c. If you are representing yourself, under the **Lead Attorney** box, select Pro Se.
 - d. If you are entering information for the opposing party, select **Appellee** and enter the full name, complete address, and phone number for the party. You will also select if that party is an individual or a business. Then click **Add Party**.
 - e. You can add additional parties on your case by selecting the **Add Party** box. Complete this step as often as you need to in order to add all parties to your case.
 - f. All the parties you associated with the case (from those you added) will appear in summary box at the top of the page.
 - g. When you are done, click on the **Filings** box in the lower right hand corner to move onto the next step.

2nd District Appellate Court - Notice of Appeal - Civil

① Case Information ② Parties ③ Filings ④ Summary

Enter the Details for the Parties Involved in this Case

Party Type	Name	Attorney(s)
Appellee	Jane Doe	
Appellant	Kathryn Hensley	Pro Se (L)

ADD PARTY

I am this party

Party Type* Person Business **Lead Attorney**

First Name* Middle Last Name* Suffix

Date of Birth m/d/yyyy 15

Country United States of America

Address Line 1

Address Line 2

City

State Zip Code

Phone

Case Information

① Case Information ② Parties ③ Filings ④ Summary

Enter the Details for the Parties Involved in this Case

Party Type	Name
Appellee	Jane Doe
Appellant	Kathryn Hensley

ADD PARTY

I am this party

Party Type* Person Business **Lead Att**

Middle **Last Na**

Amicus Curiae

Appellant

Appellant/Cross-Appellee

Appellee

Appellee/Cross-Appellant

Applicant

Cross-Appellant

Cross-Appellee

Guardian Ad Litem

Intervenor - Defendant

City

➔ Getting Case Results


3. After you select Search, a list of cases will appear.

- The page will now show your case number, location of your case, and case type.
- If no cases appear, double check the case number and you may wish to contact your local court to confirm the case number format.



NEW CASE 2nd District Appellate Court 2-16-0009 Go Advanced Search

Searching for:
As: Case Number

Case Number	Location	Description	Case Type	Actions
2-16-0009	2nd District Appellate Court		Notice of Appeal - Civil	  

➔ Start a New Subsequent Filing for this Case

1. Click on the File Folder icon

- Click on **File Folder icon** to the right of the case information (the 1st icon listed in the small blue boxes).
- You will then select what party you are (or represent).
- Select **Filings**
- For more information on how to upload your Notice of Appeal in to Odyssey, see *How to E-File in Odyssey Step 7 - Upload Your Documents in the Filings*.

WORKSPACE MY ACCOUNT HELP ABOUT LOGOUT Welcome Second Appellate

Case 2-16-0001 2nd District Appellate Court - Notice of Appeal

1 Parties 2 Filings 3 Summary

required fields are bold and have an asterisk (*).

Party Type	Name	Attorney(s)
Appellant	Jane Doe	
Appellee	John Doe	

ADD PARTY

Party Type: Appellant Lead Attorney

Party Name: Jane Doe

Filings



You have successfully selected the Case Information within an Existing Case to file documents into your case.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) 

Step 7: Upload Your Documents in the Filings Section

E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create new Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings**
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit

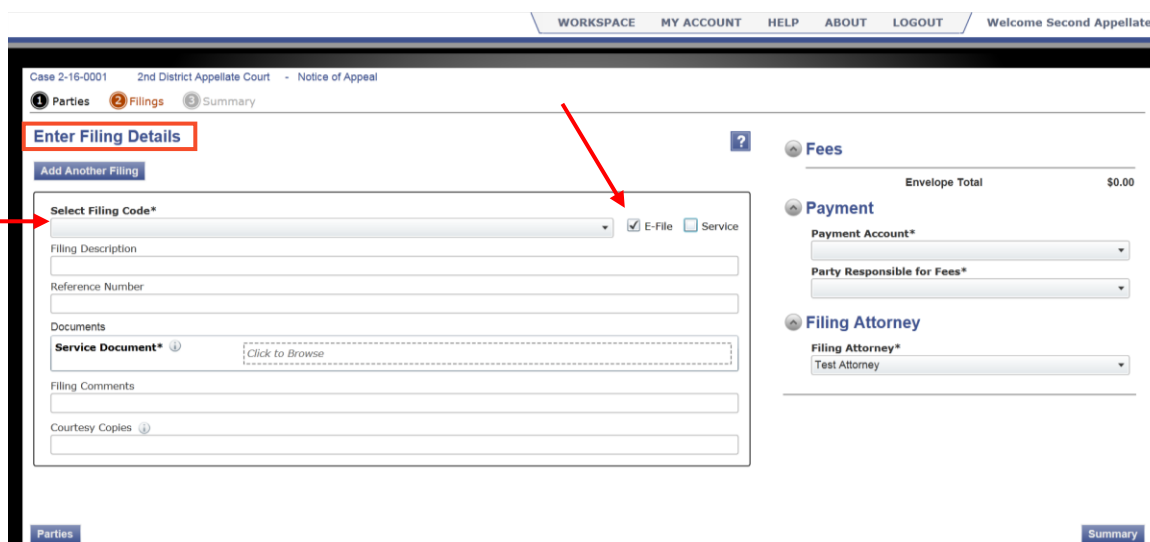





Upload documents and complete the Filings section

The documents you want to file with the court have to be uploaded into the system. This all happens in the **Filings** section after you have completed the Case Information. The whole packet of what you upload to file is called an "envelope" in the e-filing system.

➔ Choose the Filing Type

1. Click on the **Filings** tab, which will take you to a page to **Enter Filing Details**.



-  The **E-File** box should be defaulted to select **E-file** (make sure you select **E-file** if your screen does not default to this option).
-  If you need to hand deliver or mail documents to the court or to other parties, contact your clerk's office for further instructions.
-  If you want to electronically serve another party listed in your service contact list, you must also select the **Service** box (located next to the E-file checkbox). If you do not select the **Service** box, the other party will not be electronically served. For more information on electronic service, see *Step 8: Add Service Contacts*.

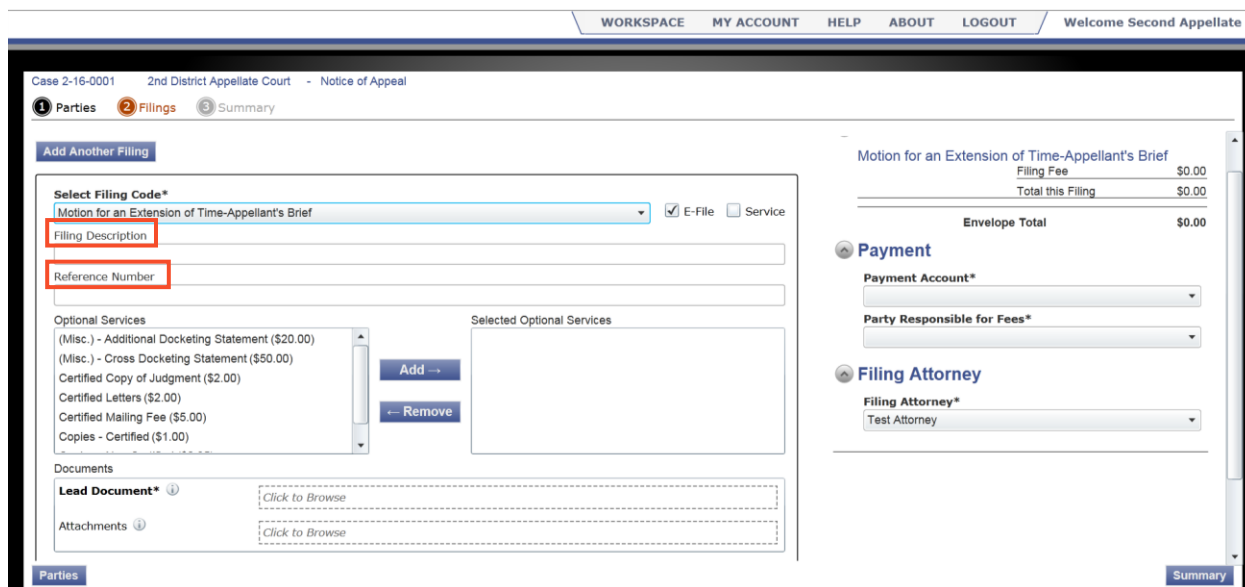
➔ Select the Filing Code

1. Click on the **Select Filing Code** box for the drop down menu. Filing Code means the type of document that you are filing with the court (for example, Notice of Appeal or Docketing Statement).
2. **Click** on the type of document you are filing.



If you don't know the Filing Code you should use, you may wish to consult with the clerk's office so that there are no issues with your filing.

3. Once you click on **Select Filing Code**, and select the filing code for the document you want to upload, you have the option of filling out two boxes, but they are not required. You are now ready to upload your lead document.



The screenshot shows the Odyssey eFileIL interface for Case 2-16-0001, 2nd District Appellate Court, Notice of Appeal. The 'Filings' tab is active. The 'Select Filing Code*' dropdown menu is open, showing 'Motion for an Extension of Time-Appellant's Brief' selected. Below the dropdown, the 'Filing Description' and 'Reference Number' fields are highlighted with red boxes. The 'Optional Services' section lists various services with their fees, and the 'Documents' section shows 'Lead Document*' and 'Attachments' with 'Click to Browse' links. The right sidebar shows a payment summary for the selected filing, including a filing fee of \$0.00 and a total of \$0.00. The 'Payment' and 'Filing Attorney' sections are also visible.

- a. Filing Description (optional)
 - i. This is just for you to remember what you are filing.
- b. Reference Number (optional)
 - i. This is a tracking number for lawyers to use to know which client's case they are filing in. Since you are representing yourself, you won't use this box.


➤ Explanation of Lead Documents, Attachments, and Document Size

What is a Lead Document?

- Any document that you need the court to look at to be able to take action on your appeal. In most instances, every document you file for your appeal will be a Lead Document.
 - For example, when you file your Docketing Statement or Brief with the Court, it will be a lead document.
- All notice documents (such as Notice of Appeal or Notice of Motion) are Lead Documents.
- An *Application for Waiver of Court Fees* is always a Lead Document and should be filed at the same time as your other documents.

What are Attachments?


- Any document that you reference in your Lead Document, but is not technically part of that Lead Document. They are usually called exhibits or attachments.

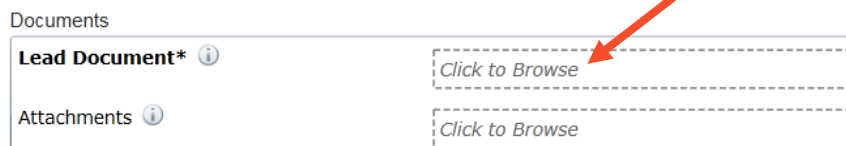
 Each appellate district has different procedures for uploading Lead Documents and attachments. Check with your local appellate clerk's office to ensure you are following their preference for uploading documents into Odyssey.


What are the Document Size Limits?

- For Circuit Courts, each document cannot be larger than 25MB and a combined total of 50MB per filing (you will file your Notice of Appeal with the circuit court to start your appeal).
- For the Supreme Court and the Appellate Courts the file size limit is to 150MB.

➡ Upload Lead Document (Required)

 All Lead Documents MUST be uploaded as separate Lead Documents or your filing may be rejected. This means that you have to scan or save each Lead Document separately so you can upload it. For example, you would file your Docketing Statement as its own Lead Document and also file an Application for Waiver of Court Fees as its own Lead Document.



 If any Lead Document is more than one page long, all the pages of the same document should be scanned/saved as one document and uploaded as one document. For example, if your Brief is 20 pages long, all 20 pages should be saved and uploaded as a single Lead Document.

1. Click on the **Click to Browse** under the Lead Document heading.
2. A Window will pop-up where you will select your document.

- Find where the document is saved on the computer (for example, on your desktop, documents folder, flash drive, etc.).
- Select the document you would like to file and click **Open**. The document title will appear in the Description Box.
- If you selected the wrong document, you can delete it by clicking on the **X** in the right corner of the box.
- Once you have the correct document, select the drop down menu for the **Security** box. Click whether the document is public (non-confidential) or confidential. You will likely select **Non-Confidential**.

Documents

Lead Document* ⓘ EFile Testing Document.pdf 16.4 kb ✕

Description
EFile Testing Document.pdf

Security* ⓘ

Non-Confidential

Confidential

Attachments ⓘ Click to Browse



Most court documents are public (non-confidential) even though they contain personal information that you may like to keep private. You may need a court order to be able to select confidential.

- The document has been uploaded to the system when you see it listed under the **Lead Document** section (the file will appear under the title you gave to that file). If you are done with your documents, you may move on to the next step; if not see below for adding Attachments.

WORKSPACE MY ACCOUNT HELP ABOUT LOGOUT Welcome Second Appellate

Case 2-16-0001 2nd District Appellate Court - Notice of Appeal

1 Parties 2 Filings 3 Summary

Add Another Filing

Select Filing Code*
Motion for an Extension of Time-Appellant's Brief E-File Service

Filing Description

Reference Number

Optional Services
(Misc.) - Additional Docketing Statement (\$20.00)
(Misc.) - Cross Docketing Statement (\$50.00)
Certified Copy of Judgment (\$2.00)
Certified Letters (\$2.00)
Certified Mailing Fee (\$5.00)
Copies - Certified (\$1.00)

Selected Optional Services

Add →

← Remove

Documents

Lead Document* ⓘ EFile Testing Document.pdf 2.7 kb ✕

Description
EFile Testing Document.pdf

Security*
Non-Confidential

Motion for an Extension of Time-Appellant's Brief
Filing Fee \$0.00
Total this Filing \$0.00
Envelope Total \$0.00

Payment
Payment Account*
Waiver

Filing Attorney
Filing Attorney*
Test Attorney

Parties Summary

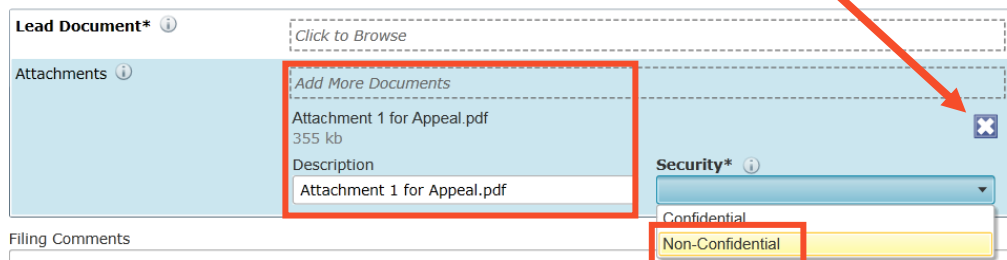
➔ Upload Attachments (Optional)

1. **Click to Browse** under the Attachments heading.
2. A Window will pop up where you will select your document.



3. Find where the document is saved on the computer (for example, on your desktop, documents folder, flash drive, etc).
4. Select the document you would like to file and click **Open**. The document title will appear in the Description Box.
5. If you selected the wrong document, you can delete it by clicking on the X in the right corner.
6. Once you have the correct document, select the drop down menu for the **Security** box. Select whether the document is public (non-confidential) or confidential.

7. If you are done adding documents, you may move on to the next step.




Most court documents are public (non-confidential) even though they contain personal information that you may like to keep private. You may need a court order to be able to select confidential.



You have successfully uploaded your documents/completed the Filings section.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) 
Step 8: Add Service Contacts

E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create new Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts**
- 9 • Pay Fees
- 10 • Review Summary / Submit

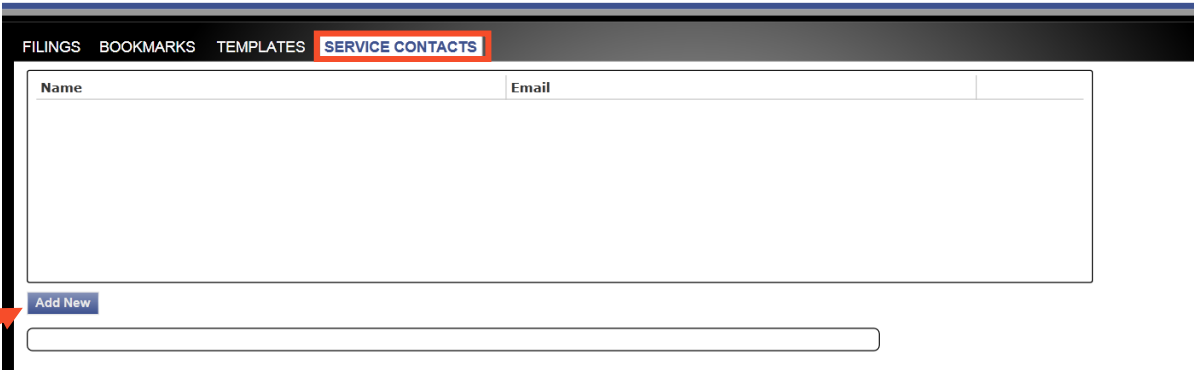


Add Service Contacts to Send and Receive Records Electronically

To send and receive records in Odyssey, you must add names and contact information for all parties in your case. If you want to electronically receive records relating to your case in Odyssey, you must add yourself as a service contact. Add all individuals, businesses, and other entities in the **Service Contacts** tab.

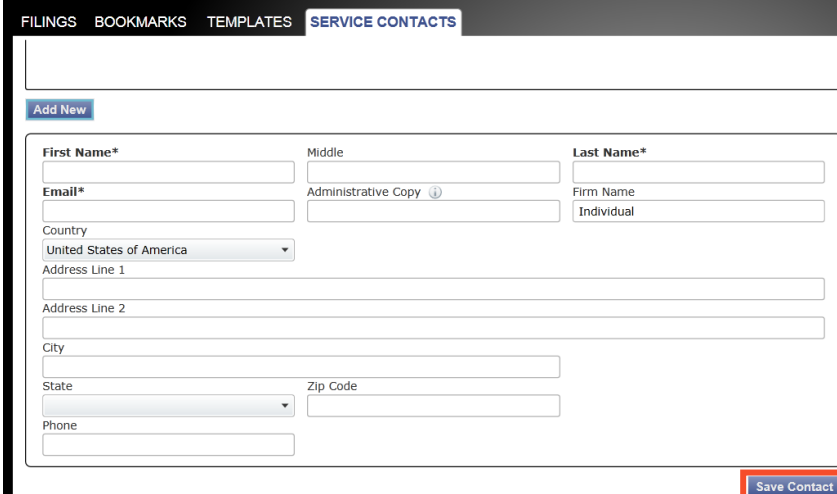
➔ Choose Service Contacts from the tabs

1. Click on **Service Contacts** and click **Add New**.



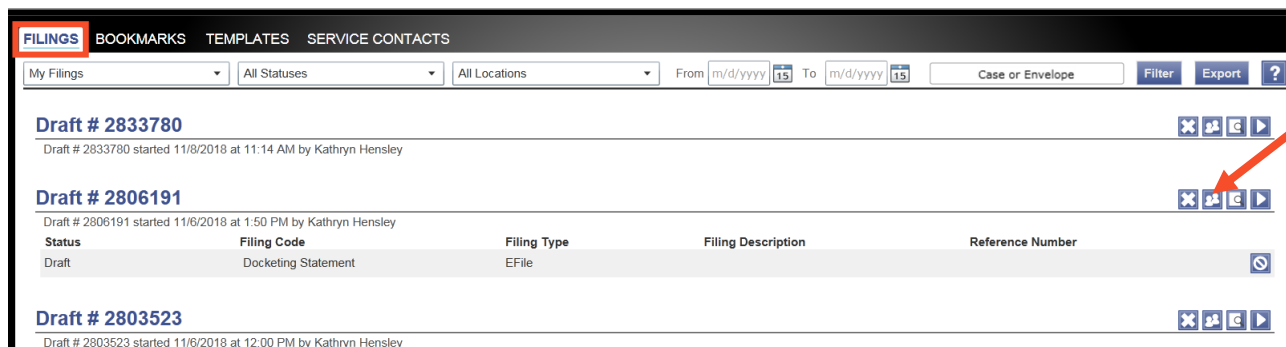
➔ Enter Contact Information

1. After you click **Add New** a box will pop up where you will enter the name, email address, and mailing address for yourself and for every party you wish to send documents to electronically (through Odyssey).
2. Under **Firm Name** it will default to individual (if you or the other party does not have a lawyer, this should remain as individual). If a person or business is represented by a lawyer, you will enter the law firm's name here.
3. Click **Save Contact**.
4. Repeat these steps to add all individuals/firms/businesses that are associated with your case.



➔ Add a Service Contact to a Case

i Service contacts are **not** automatically added to your case. You must add each service contact to your case, including yourself, in order for you or another person to receive records from the court through Odyssey.



1. Click on the **Filings** tab under the menu bar.

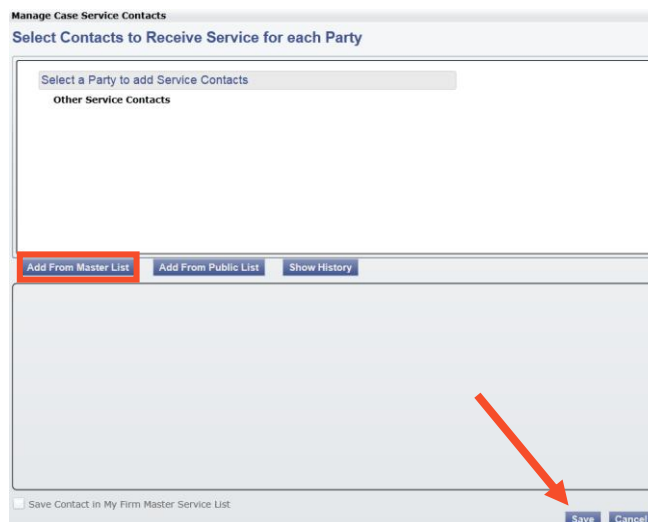
2. All of your cases will appear. Next to the case will be four blue boxes. **Select the 2nd blue box** (with people in the icon) to add a service contact to a specific case.

3. A pop-up box will appear. To add your service contact, click on **Add From Master List** and **Save**.

4. Another pop-up box will appear. **Click** on the party or parties you wish to add to this case. Click **Add**. The party will then appear under the Case Service Contacts box. Click **Save**.

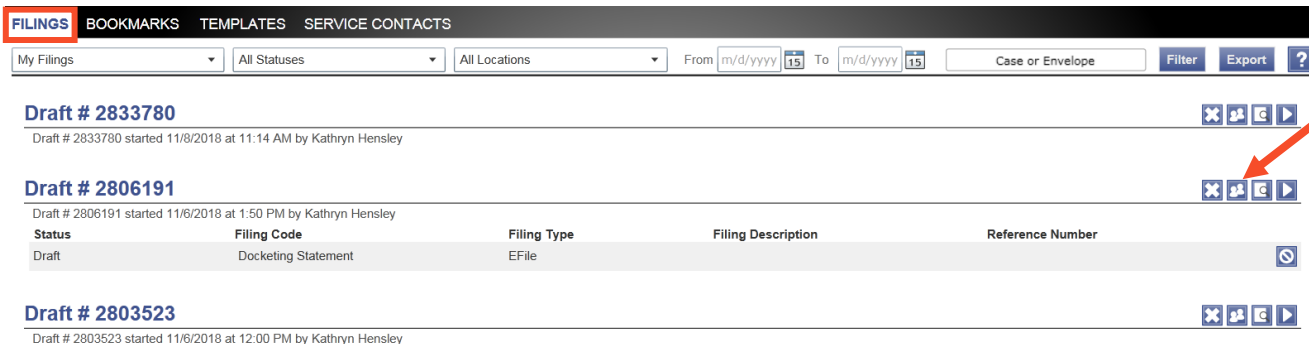
5. If you selected the wrong person, you can remove that person by selecting **Remove**.

6. That person is now added to the service contacts for your case. Repeat these steps to add further names.



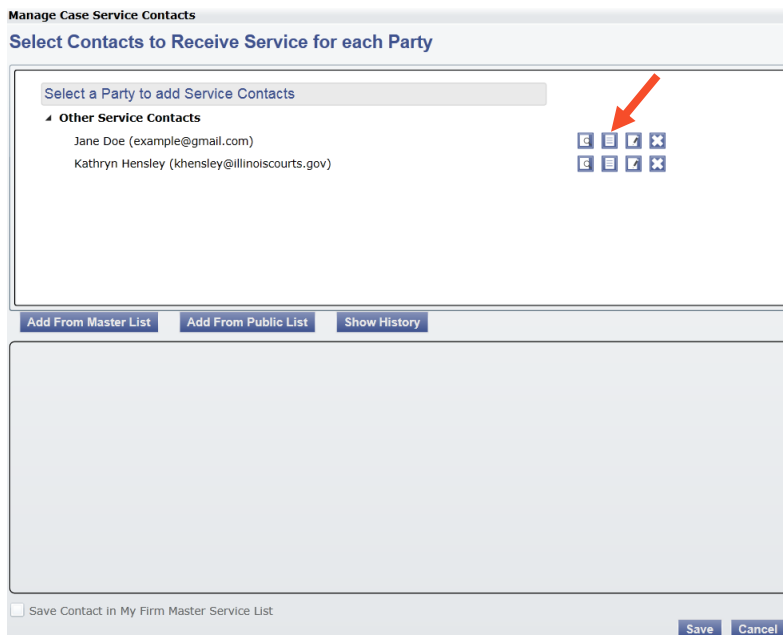
 **Check to see what Service Contacts are associated with your case.**

1. Once you have added Service Contacts, you may wish to manage or check that the list of names under the Service Contacts for your case is accurate.
2. Go to the **Filings** tab and **Select the 2nd blue box** (with people in the icon).



The screenshot shows the 'FILINGS' tab in the eFileIL interface. It includes a navigation bar with 'FILINGS', 'BOOKMARKS', 'TEMPLATES', and 'SERVICE CONTACTS'. Below the navigation bar are filters for 'My Filings', 'All Statuses', 'All Locations', and date ranges. A table lists three drafts: Draft # 2833780, Draft # 2806191, and Draft # 2803523. Each draft entry has a set of icons for management, including a blue box with a list icon (the 2nd icon mentioned in the text) and a blue box with an 'X' icon (the 4th icon mentioned in the text).

3. A pop-up box will appear that shows the names listed as Service Contacts for that case. You do not need to take any further steps.
4. If you want to check what cases the Service Contacts are assigned, **Click** on the 2nd blue button (the list) and a pop-up box will show the assigned cases for that contact.
5. If you want to delete someone, **Click** on 4th blue button (the X). This will instantly delete that service contact from your list.



The screenshot shows the 'Manage Case Service Contacts' pop-up box. The title is 'Select Contacts to Receive Service for each Party'. It contains a search bar and a list of 'Other Service Contacts' with two entries: Jane Doe (example@gmail.com) and Kathryn Hensley (khensley@illinoiscourts.gov). Each entry has a set of icons, including a blue box with a list icon (the 2nd icon) and a blue box with an 'X' icon (the 4th icon). Below the list are buttons for 'Add From Master List', 'Add From Public List', and 'Show History'. At the bottom, there is a checkbox for 'Save Contact in My Firm Master Service List' and 'Save' and 'Cancel' buttons.



Remember: You must add yourself as a Service Contact for each case that you want to electronically receive records from the court.



If you do not wish to send and receive filings electronically, but prefer to send and receive records in paper form (via US mail or hand delivery), contact your local appellate clerk's office for instructions.



You have successfully added Service Contacts to your case.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode) Step 9: Pay Fees




E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create new Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees**
- 10 • Review Summary / Submit



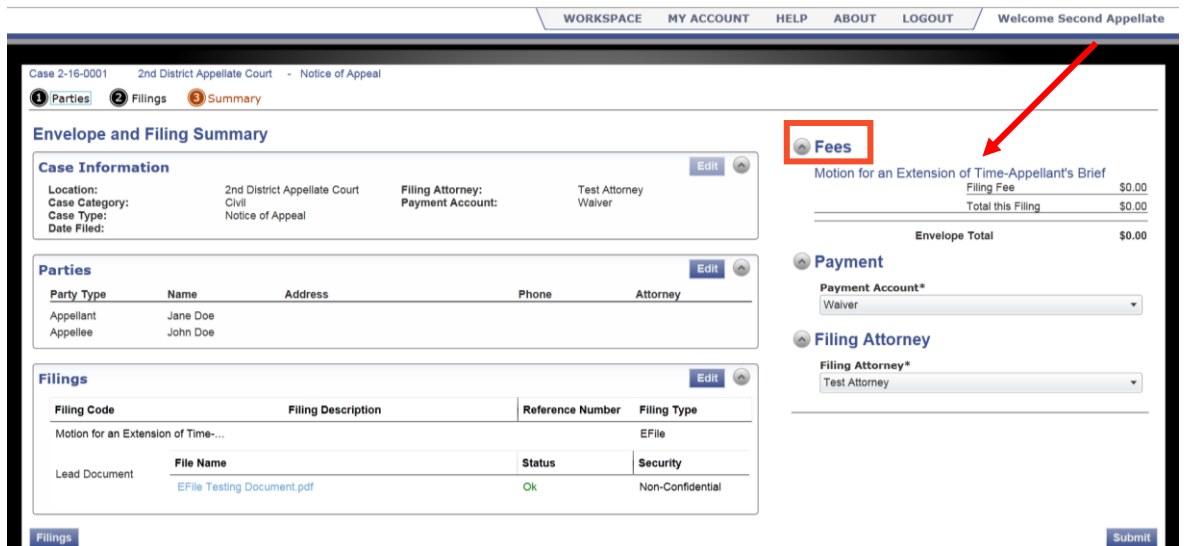
Finalize Fees

 If you did not create a Payment Account when you registered for e-filing, please see *How to E-file in Odyssey - Step 5: Add a Payment Account* for instructions on how to do so.

Review the Documents to be Filed

1. Make sure that the Fees section lists all the documents you want to file.

2. If not, return to the Filings section to add or delete documents.



WORKSPACE MY ACCOUNT HELP ABOUT LOGOUT Welcome Second Appellate

Case 2-16-0001 2nd District Appellate Court - Notice of Appeal

1 Parties 2 Filings 3 Summary

Envelope and Filing Summary

Case Information Edit

Location:	2nd District Appellate Court	Filing Attorney:	Test Attorney
Case Category:	Civil	Payment Account:	Waiver
Case Type:	Notice of Appeal		
Date Filed:			

Parties Edit

Party Type	Name	Address	Phone	Attorney
Appellant	Jane Doe			
Appellee	John Doe			

Filings Edit

Filing Code	Filing Description	Reference Number	Filing Type
	Motion for an Extension of Time...		EFile

Lead Document	File Name	Status	Security
	EFile Testing Document.pdf	Ok	Non-Confidential

Fees

Motion for an Extension of Time-Appellant's Brief	Filing Fee	\$0.00
	Total this Filing	\$0.00
Envelope Total		\$0.00

Payment

Payment Account*
Waiver

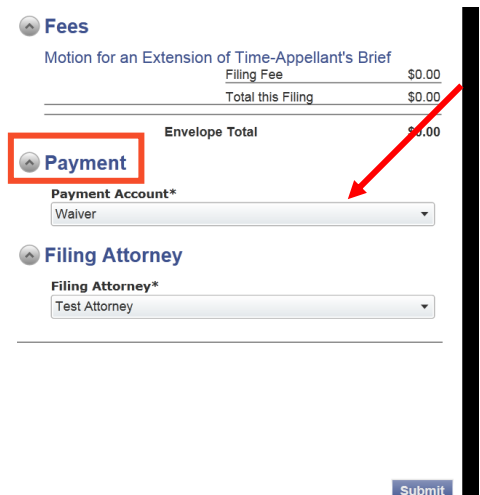
Filing Attorney

Filing Attorney*
Test Attorney

Submit

Select the Payment Account

- Under **Payment**, **Click** on the drop down menu, which will show all of the payment options previously saved to your account.
- Select** which Payment Account (that you created during registration) you want to use for this filing . In the appellate courts, your options are credit card or waiver.
 - Select the credit card you saved to your account if that is how you wish to make the payment.
 - Select Waiver if:
 - You are filing an *Application for Waiver of Court Fees* and one of your Lead Documents is the Application; or



Fees

Motion for an Extension of Time-Appellant's Brief	Filing Fee	\$0.00
	Total this Filing	\$0.00
Envelope Total		\$0.00

Payment

Payment Account*
Waiver

Filing Attorney

Filing Attorney*
Test Attorney

Submit

- ii. You have been approved for a Fee Waiver and one of your Attachments is the signed order from the judge.
3. If you have submitted an *Application for Waiver of Court Fees*, you will need to check with the court about what you need to do next, if anything. Make sure you follow your court's process. If your application is denied, you will need to pay your filing fees.



If something has changed about your credit card account since they were approved during registration, this could cause your filing to be rejected when you e-file. Make sure your payment account information is up-to-date and accurate before e-filing.



You have now successfully completed the Fees section for e-filing.



Civil Appeals – Self-Represented Litigants

How to E-File in Odyssey (Kiosk Mode)



Step 10: Review the Summary & Submit Your E-filing

E-filing Steps

- 1 • Prepare Documents
- 2 • Register
- 3 • Sign In
- 4 • Create new Password
- 5 • Add Payment Account
- 6 • Case Information
- 7 • Upload Filings
- 8 • Add Service Contacts
- 9 • Pay Fees
- 10 • Review Summary / Submit**

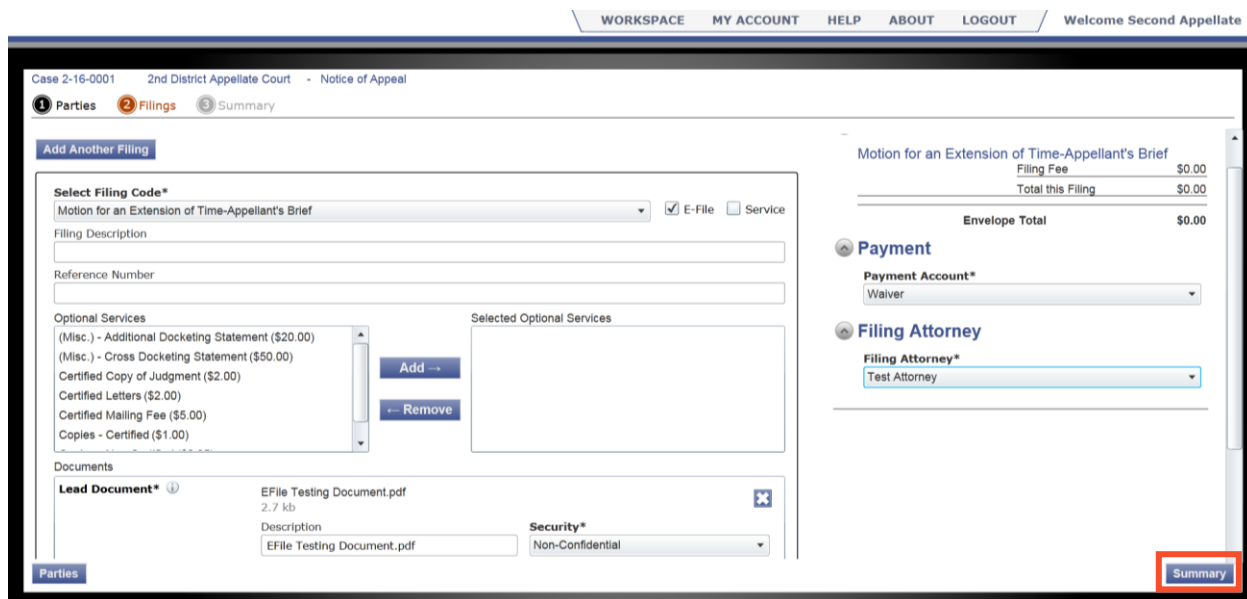


Review E-file Summary & Submit E-file

Once you have completed all the e-filing steps, you can review a **Summary** of your filing before submitting it. After you review your Summary, you must **Submit** your filing to the court to complete e-filing. The whole packet of what you submit to the court is called an "envelope" in the e-filing system.

➔ Click Summary

1. Scroll to the bottom of the web page after you've completed the Case Information, Parties, Filings, and Fees sections.



The screenshot shows the e-filing system interface for Case 2-16-0001, 2nd District Appellate Court, Notice of Appeal. The interface includes a navigation menu with 'Parties', 'Filings', and 'Summary' tabs. The 'Summary' tab is active, and a red box highlights the 'Summary' button at the bottom right of the page. The main content area displays details for a 'Motion for an Extension of Time-Appellant's Brief', including a filing fee of \$0.00 and a total envelope cost of \$0.00. Other sections visible include 'Payment' (Waiver) and 'Filing Attorney' (Test Attorney).

2. Click **Summary**.

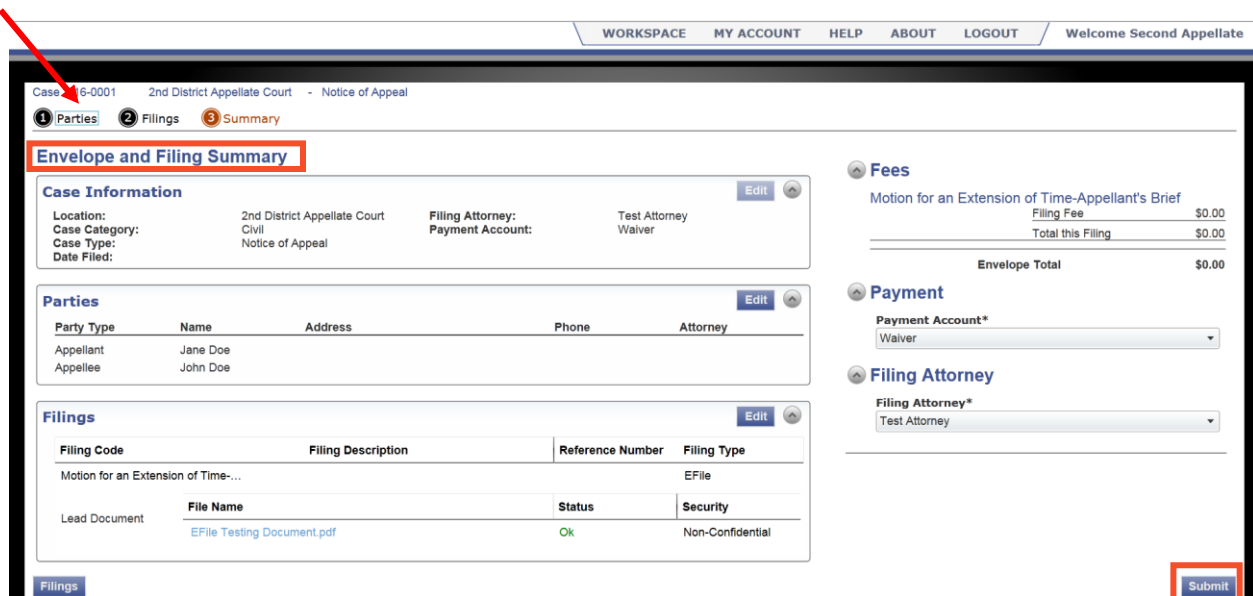


If you have not entered all the required information for your e-file, you will not be able to review a Summary of your e-filing envelope.

➔ Review your e-file Summary

1. After you click Summary, review the information about your case, including Party Information, Filings, and Fees.
2. If anything is incorrect, click the section you want to return to in the menu bar (Parties or Filings). Once on the previous page, you can click into any section that is incorrect and make the changes you want.

Need Help? Call Odyssey's Filer Support Number: 1-800-297-5377



Case # 16-0001 2nd District Appellate Court - Notice of Appeal

1 Parties 2 Filings 3 Summary

Envelope and Filing Summary

Case Information Edit

Location: 2nd District Appellate Court Filing Attorney: Test Attorney
Case Category: Civil Payment Account: Waiver
Case Type: Notice of Appeal
Date Filed:

Parties Edit

Party Type	Name	Address	Phone	Attorney
Appellant	Jane Doe			
Appellee	John Doe			

Filings Edit

Filing Code	Filing Description	Reference Number	Filing Type
	Motion for an Extension of Time...		EFile
Lead Document	File Name	Status	Security
	EFile Testing Document.pdf	Ok	Non-Confidential

Fees

Motion for an Extension of Time-Appellant's Brief
Filing Fee \$0.00
Total this Filing \$0.00
Envelope Total \$0.00

Payment

Payment Account*
Waiver

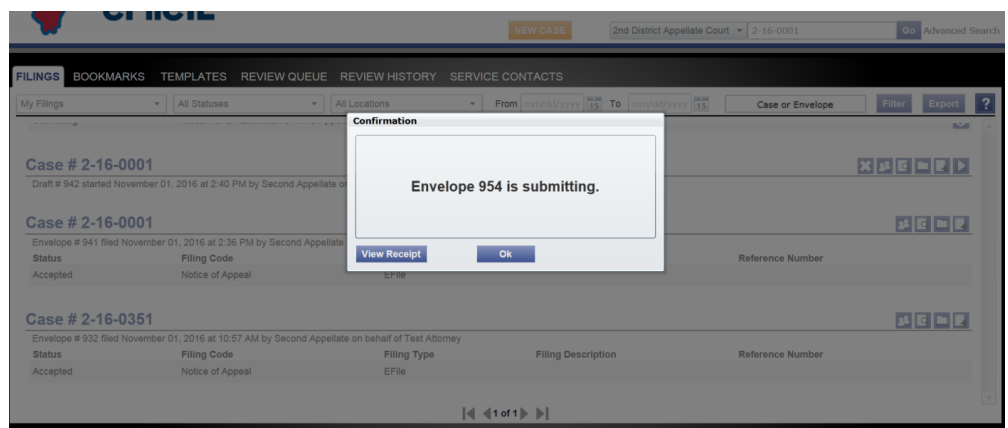
Filing Attorney

Filing Attorney*
Test Attorney

Submit

➔ Submit your e-filing

- Once you review your e-file summary and make sure the information is correct, click **Submit**.
- A confirmation screen will pop-up with an Envelope Number, which shows that you submitted your filing to the court. You can **View Receipt** or click **OK**. If you select **View Receipt**, a separate page will appear that you can print or save for your records.



If you only have a Draft Number, you have **NOT** yet submitted your filing.



Submitting your e-filing envelope in the system is the first step in giving your documents to the court. Once you submit the e-filing envelope, the appellate clerk's office will review the filing. The clerk will either accept or reject your filing. **You MUST check your email for notification from the court about whether your filing is accepted or rejected.**



You have successfully reviewed and submitted your e-filing envelope to the court.

Need Help? Call Odyssey's Filer Support Number: 1-800-297-5377



Resources for Access to Justice: Standardized Appellate Forms

Which Forms Are Currently Available?

To date, the Illinois Supreme Court Commission on Access to Justice's Forms Committee has finalized the following forms and their corresponding instructions:

- *Notice of Appeal*: Notice of Appeal, Additional Proof of Service
- *Certification for Exemption from E-Filing*: Certification of Exemption from E-Filing
- *Fee Waiver*: Application for Waiver of Court Fees, Order for Waiver of Court Fees, Additional Proof of Service
- *Motion*: Appellate Motion, Appellate Motion Order, Additional Proof of Service
- *Appellant's Brief*: Appellant's Brief, Additional Points and Authorities, Additional Issues Presented for Review, Additional Statutes Involved, Additional Statement of Facts, Additional Argument, Additional Proof of Service, Additional Common Law Record, Additional Report of Proceedings, Additional Index of Witnesses
- *Appellee's Brief*: Appellee's Brief, Additional Points and Authorities, Additional Issues Presented for Review, Additional Statutes Involved, Additional Statement of Facts, Additional Argument, Additional Proof of Service, Additional Common Law Record, Additional Report of Proceedings, Additional Index of Witnesses
- *Appellant's Reply Brief*: Appellant's Reply Brief, Additional Argument, Additional Proof of Service
- *Petition for Rehearing*: Petition for Rehearing
- *Docketing Statement*: Docketing Statement, Additional Appellant Information, Additional Lawyer on Appeal Information, Additional Appellee Information, Additional Court Reporter Information, Additional Proof of Service
- *Request for Preparation of Record on Appeal*: Request for Preparation of Record on Appeal
- *Bystander's Report or Agreed Statement of Facts*: Bystander's Report, Agreed Statement of Facts, Additional Bystander's Report Information, Additional Agreed Statement of Facts Information, Additional Signature Form
- *Request for Report of Proceedings (Transcripts)*: Request for Report of Proceedings (Transcripts), Additional Transcripts, Additional Parties or Lawyers, Additional Proof of Service



Resources for Access to Justice: Standardized Appellate Forms In Progress

Which Forms Are Currently In Progress?

Currently, the Illinois Supreme Court Commission on Access to Justice's Forms Committee is drafting the following forms and their corresponding instructions:

- *Appellant's Brief (Supreme Court)*: Appellant's Brief, Additional Points and Authorities, Additional Issues Presented for Review, Additional Statutes Involved, Additional Statement of Facts, Additional Argument, Additional Proof of Service, Additional Common Law Record, Additional Report of Proceedings, Additional Index of Witnesses
- *Appellee's Brief (Supreme Court)*: Appellee's Brief, Additional Points and Authorities, Additional Issues Presented for Review, Additional Statutes Involved, Additional Statement of Facts, Additional Argument, Additional Proof of Service, Additional Common Law Record, Additional Report of Proceedings, Additional Index of Witnesses
- *Appellant's Reply Brief (Supreme Court)*: Appellant's Reply Brief, Additional Argument, Additional Proof of Service
- *Certification 328*: Certification of Rule 328 Supporting Record
- *Notice of Election*: Notice of Election
- *Petition for Leave to Appeal*: Petition for Leave to Appeal, Answer to Petition for Leave to Appeal

APPENDIX 5



Illinois Supreme Court Policy

On Assistance to Court Patrons by Circuit Clerks,

Court Staff, Law Librarians,

and Court Volunteers

Amended November, 2018
Originally effective April, 2015

**ILLINOIS SUPREME COURT POLICY ON ASSISTANCE TO COURT PATRONS BY
CIRCUIT CLERKS, COURT STAFF, LAW LIBRARIANS,
AND COURT VOLUNTEERS**

(a) Purpose and Scope.

The purpose of this policy is to provide guidance to circuit clerks, court staff, law librarians, and court volunteers acting in a non-lawyer capacity as to what services may and may not be offered to assist court patrons to achieve fair and efficient resolution of their cases.

No court patron should be denied services permitted under this policy on the basis of being a self-represented litigant. Services to court patrons should be provided in a nondiscriminatory manner to all applicants without regard to race, color, religious creed, ancestry, national origin, age, sex, disability, sexual orientation or any category prohibited by federal or Illinois law.

(b) Definitions.

- (1) "Court patron" means any individual who seeks information to file, pursue or respond to a case on his or her own behalf or on the behalf of another.
- (2) "Self-represented litigant" means any individual who seeks information to file, pursue or respond to a case on his or her own behalf where a licensed attorney has not filed an appearance on behalf of that individual.
- (3) "Legal information" means general factual information about the law and the legal process. Legal information is different from legal advice, which involves giving guidance regarding an individual's legal rights and obligations in light of his or her particular facts and circumstances. Legal information is neutral.
- (4) "Approved forms" mean standardized forms and related instructions that have been approved pursuant to Supreme Court Rule 10-101; forms included in the Illinois Supreme Court Rules; and local circuit court forms adopted to facilitate local case-processing procedures.

(c) Prohibited Services. Circuit clerks, court staff, law librarians, and court volunteers—acting in a non-lawyer capacity on behalf of the court—shall not:

Court Access and Process

- (1) Deny a self-represented litigant access to the court or any services provided to other court patrons;
- (2) Disclose information in violation of a court order, statute, rule, case law or court directive;

- (3) Recommend whether a case should be brought to court or comment on the merits of a pending case;
- (4) Give an opinion about what will happen if a case is brought to court;

Referrals

- (5) Refer a litigant to a specific lawyer or law firm for fee-based representation;

General

- (6) Represent litigants in court;
- (7) Provide legal analysis, strategy or advice to a court patron, or perform legal research other than assistance in self-guided legal research for any court patron;
- (8) Tell a litigant anything he or she would not repeat in the presence of any other party involved in the case; or
- (9) Otherwise engage in the unauthorized practice of law as prohibited by law.

(d) Permitted Services. To assist court patrons, circuit clerks, court staff, law librarians, and court volunteers—acting in a non-lawyer capacity on behalf of the court—may, as resources and expertise permit:

Court Access and Process

- (1) Provide legal information about court rules, court terminology and court procedures, but not limited to providing information regarding: requirements for service, electronic and conventional filing, scheduling hearings, and compliance with local procedure;
- (2) Inform court patrons of the process for requesting a foreign language or sign language interpreter;
- (3) Inform court patrons of the process for requesting a reasonable accommodation due to a disability;
- (4) Inform court patrons of the process for requesting a waiver of court fees due to inability to pay and provide the required approved form;
- (5) Provide information about electronic filing (e-filing) including, but not limited to:
 - a. Explaining where to find and how to select an Electronic Filing Service Provider (EFSP);
 - b. Explaining how to register for an EFSP account including, but not limited to, how to set up an email to verify the EFSP account in the instance that the user does not have a working email address;
 - c. Explaining how to sign into the EFSP after creating an account or how to reset an account in the event that the user has forgotten the login information;
 - d. Explaining how to file in an existing case including, but not limited to, information about searching for an existing case by case number or party, creating a payment account, selecting a location, selecting a category, selecting a case type, entering party information, the format and size of the document to be filed, uploading documents to file, selecting a filing code, and differentiating between lead documents and attachments;

- e. Explaining how to file into a new case including, but not limited to, information about creating a payment account, selecting a location, selecting a category, selecting a case type, entering party information, the format and size of the document to be filed, uploading documents to file, selecting a filing code, and differentiating between lead documents and attachments;
 - f. Explaining how a paper or electronic document can be converted to the required file type (PDF) through equipment available within the courthouse; and
 - g. Explaining why a filing was rejected.
- (6) Inform court patrons of the process for obtaining an exemption from electronic filing due to a disability, literacy barrier, language barrier, lack of technology equipment, or other approved reasons by filing the approved certification form;

Approved Forms

- (7) Assist court patrons in identifying approved forms and related instructions based on the court patron's description of what he or she wants to request from the court. When necessary, explain the nature of the information required to fill out the approved forms. When appropriate, share information about approved and translated forms and instructions. Where no approved form exists to accomplish the court patron's request, inform the litigant of that fact and direct him or her to other legal resources;
- (8) Record verbatim information provided by the self-represented litigant on approved forms if that person is unable to complete the forms due to disability or literacy barriers;
- (9) Review finished forms and documents to determine whether forms are complete, including checking for signature, notarization, correct county name and case number;

Referrals

- (10) Inform court patrons of legal resources and referrals if available, including but not limited to:
- a. Pro bono legal services;
 - b. Low-cost legal services;
 - c. Limited scope legal services;
 - d. Legal aid programs and hotlines;
 - e. Law and public libraries;
 - f. Non-profit alternative dispute resolution services;
 - g. Lawyer referral services;
 - h. Internet-based resources;
 - i. Court-sponsored or -affiliated educational classes, including, but not limited to, parenting education and traffic safety classes and alternative dispute resolution services;
 - j. Units or departments of government; or
 - k. Domestic violence resources.
- (11) Encourage self-represented litigants to obtain legal advice from a lawyer;

Court Records

- (12) Provide docket information, including but not limited to:
 - a. Stating whether an order has been issued
 - b. Explaining how to get a copy if one was not provided
 - c. Reading the order to the individual if requested
 - d. Providing instructions about how to access such information;
- (13) Provide a court patron with access to a case file that has not been restricted by statute, rule or order, or instructions about how to obtain such access, including through reSearchIL;

General

- (14) Provide the same services and information to all parties to an action, as requested;
- (15) Provide services based on the assumption that the information provided by the court patron is accurate and complete;
- (16) Provide information about security protocols at the courthouse and directions around the courthouse, including, but not limited to, photocopier and telephone locations, children's waiting room locations and other courthouse offices;
- (17) Offer educational classes and informational materials;
- (18) Provide assistance to litigants pursuing self-guided research;
- (19) Provide other services consistent with the intent of this policy.

(e) Unauthorized Practice of Law and Privilege.

Services provided in accordance with section (d) of this policy do not constitute the unauthorized practice of law. Information exchanged in accordance with section (d) of this policy is neither confidential nor privileged, except as otherwise protected by law. Services provided in accordance with section (d) of this policy do not create an attorney-client relationship. It should be communicated through the use of signage or a direct, in-person disclosure to court patrons that information and services provided in accordance with section (d) of this policy are not confidential, privileged or create an attorney-client relationship.

(f) Rules of Professional Conduct. Circuit clerks, court staff, law librarians, and court volunteers—who are licensed attorneys, licensed law student interns and other persons working under the supervision of an attorney—must abide by all applicable Rules of Professional Conduct when providing services and information in accordance with section (d) of this policy.

(g) Copy Fees. Court patrons may be required to pay a reasonable printing or reproduction fee for forms and instructions. However, the fee may be reduced or waived for persons who are otherwise eligible to sue or defend without cost pursuant to the Code of Civil Procedure.

APPENDIX 6



Civil Appeals Research Guide

Administrative Appeals

Getting Started with Legal Research

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. This guide provides secondary sources that can be used as a *starting place* for your research. Some websites are included, but most resources are books. Look for them at your nearest law library.

Important Terms

- Statutes – the law written by the elected legislature. Illinois statutes are enacted by the Illinois General Assembly and can be found in the *Illinois Compiled Statutes* at the law library or on the General Assembly’s website (<http://ilga.gov/>).
- Case law – the law based on judicial opinions. Case law can be found in books of Reports, on the Court’s website (<http://illinoiscourts.gov/>), or in online databases.
- Court Rules – the rules set out by the Illinois Supreme Court, including very specific rules about Appeals. They can be found in the book series *Illinois Court Rules and Procedure* or on the Supreme Court website (<http://illinoiscourts.gov/SupremeCourt/Rules/>).
- Illinois Administrative Code – laws or regulations written by state agencies. Online at <http://www.ilga.gov/commission/jcar/admincode/titles.html>. The Illinois Register provides weekly updates: <https://www.cyberdriveillinois.com/departments/index/register/home.html>.

General Research Resources

Dictionaries and Encyclopedias

- *Black’s Law Dictionary* (Thomson/West)
- *Nolo’s Free Dictionary of Law Terms and Legal Definitions* (<https://www.nolo.com/dictionary>)
- *Illinois Law & Practice* (Thomson/West) – legal encyclopedia
- *Illinois Jurisprudence* (LexisNexis) – legal encyclopedia

IICLE’s – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Civil Appeals: State and Federal* (2018)

Books about Civil Appeals

- *Appeals to the Illinois Supreme and Appellate Courts*, by Edward J. Kionka (ISBA)
- *Illinois Appellate Practice Manual*, by Timothy J. Storm (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, by Clark A. Nichols (Thomson/West)
- *A Guide to Illinois Civil Appellate Procedure*, Appellate Lawyers Association, online at [www.applawyers.org/resources/Documents/Civil Appeals Guide Revised 2019 01 10.pdf](http://www.applawyers.org/resources/Documents/Civil%20Appeals%20Guide%20Revised%202019%2001%2010.pdf)

Books about Conducting Legal Research in Illinois

- *Illinois Legal Research*, by Mark E. Wojcik (Carolina Academic Press)
- *Finding Illinois Law: A Librarian’s Guide for Non-Lawyers*, by the Chicago Association of Law Librarians, online at <http://chicagolawlib.org/finding-illinois-law/>

Resources on Illinois Administrative Appeals:

Check your local public law library for the following books. You can use them to learn about the legal principles affecting your case. They will also point you to important statutes and case law.

IICLE Books:

- *Chancery and Special Remedies* (2017)
- *Workers' Compensation Practice* (2019)
 - See Chapter 5: Procedure, Appeals, and Special Remedies
- *Employment Discrimination: Practice and Procedure* (2018)
- *Land Use Law: Practice and Procedure* (2017)
 - See Chapter 7: Variations, Special Uses, and Appeals from Administrative Decisions
- *State and Local Taxation* (2017)
 - See Chapter 8: Judicial Review in Matters Under \$15,000

Books About Administrative Law:

- *Handbook of Illinois Administrative Law*, edited by William A. Price (Illinois State Bar Association)
 - Specifically, see Chapter 3: Court Review of Administrative Decisions
- *Administrative Law Treatise*, by Kristin E. Hickman, Richard J. Pierce, Jr. (Wolters Kluwer)
- *Administrative Law & Process in a Nutshell*, by Ernest Gelhorn (West Academic)

Websites:

- Illinois State Agencies, <https://www2.illinois.gov/agencies/> - links to state agency websites
- Illinois State Bar Association, Administrative Law Links:
<https://www.isba.org/sections/adminlaw/links>
- *Web Resources for the Administrative Law Practitioner*, by Jean M. Wenger,
<https://www.isba.org/sites/default/files/sections/administrativelaw/Web%20Resources%20for%20the%20Administrative%20Law%20Practitioner.pdf>
- *Illinois Administrative Materials*, part of Northern Illinois University College of Law's *Basic Legal Research* guide, <https://libguides.niu.edu/c.php?g=425200&p=2904739>
- *Administrative Hearings*, Illinois Legal Aid Online, <https://www.illinoislegalaid.org/legal-information/administrative-hearings>

Seeking Additional Help

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Civil Appeals Research Guide

Breach of Contract

Getting Started with Legal Research

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. This guide provides secondary sources that can be used as a *starting place* for your research. Some websites are included, but most resources are books. Look for them at your nearest law library.

Important Terms

- Statutes – the law written by the elected legislature. Illinois statutes are enacted by the Illinois General Assembly and can be found in the *Illinois Compiled Statutes* at the law library or on the General Assembly’s website (<http://ilga.gov/>).
- Case law – the law based on judicial opinions. Case law can be found in books of Reports, on the Court’s website (<http://illinoiscourts.gov/>), or in online databases.
- Court Rules – the rules set out by the Illinois Supreme Court, including very specific rules about Appeals. They can be found in the book series *Illinois Court Rules and Procedure* or on the Supreme Court website (<http://illinoiscourts.gov/SupremeCourt/Rules/>).

General Research Resources

Dictionaries and Encyclopedias

- *Black’s Law Dictionary* (Thomson/West)
- *Nolo’s Free Dictionary of Law Terms and Legal Definitions* (<https://www.nolo.com/dictionary>)
- *Illinois Law & Practice* (Thomson/West) – legal encyclopedia
- *Illinois Jurisprudence* (LexisNexis) – legal encyclopedia

IICLE’s – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Civil Appeals: State and Federal* (2018)

Books about Civil Appeals

- *Appeals to the Illinois Supreme and Appellate Courts*, by Edward J. Kionka (ISBA)
- *Illinois Appellate Practice Manual*, by Timothy J. Storm (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, by Clark A. Nichols (Thomson/West)
- *A Guide to Illinois Civil Appellate Procedure*, Appellate Lawyers Association, online at [www.applawyers.org/resources/Documents/Civil Appeals Guide Revised 2019 01 10.pdf](http://www.applawyers.org/resources/Documents/Civil%20Appeals%20Guide%20Revised%202019%2001%2010.pdf)

Books about Conducting Legal Research in Illinois

- *Illinois Legal Research*, by Mark E. Wojcik (Carolina Academic Press)
- *Finding Illinois Law: A Librarian’s Guide for Non-Lawyers*, by the Chicago Association of Law Librarians, online at <http://chicagolawlib.org/finding-illinois-law/>

Resources on Contracts:

Check your local public law library for the following books. You can use them to learn about the legal principles affecting your case. They will also point you to important statutes and case law.

IICLE Books on Contracts:

- *Contract Law* (2020)
- *Illinois Municipal Law: Contracts, Litigation, and Home Rule* (2015)
- *Causes of Action: Contract and Business Disputes* (2017)

Books on Contracts:

- *Corbin on Contracts*, by Arthur L. Corbin (LexisNexis)
- *Williston: A Treatise on the Law of Contracts*, Richard A. Lord (Thomson/West)
- *Farnsworth on Contracts*, by E. Allan Farnsworth ()
- *Calamari and Perillo on Contracts*, by John D. Calamari & Joseph M. Perillo (Thomson/West)
- *Contracts in a Nutshell*, by Claude D. Rohwer & Anthony M. Skrocki (West Academic)

Books on Special Topics in Contracts:

- *Uniform Commercial Code in a Nutshell*, by Bradford Stone & Kristen David Adams (West Academic)
- *The Tech Contracts Handbook: Cloud Computing Agreements, Software Licenses, and Other IT Contracts for Lawyers and Businesspeople*, by David W. Tollen (American Bar Association, Section of Intellectual Property Law)
- *Consultant & Independent Contractor Agreements*, by Stephen Fishman (Nolo)

Seeking Additional Help

Law librarians may help you find the books listed in this guide or other suitable replacements if these are not available. In general, library staff can help you find information and develop search strategies, but they are unable to provide legal advice or interpret the law.



Civil Appeals Research Guide

Domestic Relations Law: Dissolution of Marriage & Parentage

Getting Started with Legal Research

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. This guide provides secondary sources that can be used as a *starting place* for your research. Some websites are included, but most resources are books. Look for them at your nearest law library.

Important Terms

- Statutes – the law written by the elected legislature. Illinois statutes are enacted by the Illinois General Assembly and can be found in the *Illinois Compiled Statutes* at the law library or on the General Assembly’s website (<http://ilga.gov/>).
- Case law – the law based on judicial opinions. Case law can be found in books of Reports, on the Court’s website (<http://illinoiscourts.gov/>), or in online databases.
- Court Rules – the rules set out by the Illinois Supreme Court, including very specific rules about Appeals. They can be found in the book series *Illinois Court Rules and Procedure* or on the Supreme Court website (<http://illinoiscourts.gov/SupremeCourt/Rules/>).
- Dissolution of marriage – divorce. While researching, look for materials on “dissolution of marriage” because this is the legal terminology used in Illinois.

General Research Resources

Dictionaries and Encyclopedias

- *Black’s Law Dictionary* (Thomson/West)
- *Nolo’s Free Dictionary of Law Terms and Legal Definitions* (<https://www.nolo.com/dictionary>)
- *Illinois Law & Practice* (Thomson/West) – legal encyclopedia
- *Illinois Jurisprudence* (LexisNexis) – legal encyclopedia

IICLE’s – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Civil Appeals: State and Federal* (2018)

Books about Civil Appeals

- *Appeals to the Illinois Supreme and Appellate Courts*, by Edward J. Kionka (ISBA)
- *Illinois Appellate Practice Manual*, by Timothy J. Storm (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, by Clark A. Nichols (Thomson/West)
- *A Guide to Illinois Civil Appellate Procedure*, Appellate Lawyers Association, online at [www.applawyers.org/resources/Documents/Civil Appeals Guide Revised 2019 01 10.pdf](http://www.applawyers.org/resources/Documents/Civil%20Appeals%20Guide%20Revised%202019%2001%2010.pdf)

Books about Conducting Legal Research in Illinois

- *Illinois Legal Research*, by Mark E. Wojcik (Carolina Academic Press)
- *Finding Illinois Law: A Librarian’s Guide for Non-Lawyers*, by the Chicago Association of Law Librarians, online at <http://chicagolawlib.org/finding-illinois-law/>

Resources on Illinois Dissolution of Marriage & Parentage:

Check your local public law library for the following books. You can use them to learn about the legal principles affecting your case. They will also point you to important statutes and case law.

IICLE Books:

- *Family Law: Dissolutions of Marriage Court Proceedings* (2017)
 - Specifically, see Chapter 6 on Appeals.
- *Family Law: Child-Related Issues in Dissolution Actions* (2018)
- *Family Law: Property and Financial Aspects of Dissolution Actions* (2019)
- *A Practitioner's Guide to the Illinois Marriage and Dissolution of Marriage Act and the Illinois Parentage Act* (2019)

Books on Divorce:

- *Gitlin on Divorce: A Guide to Illinois Matrimonial Law*, by Gunnar J. Gitlin (LexisNexis)
- *Divorce in Illinois: The Legal Process, Your Rights, and What to Expect*, by Steven N. Peskind (Addicus Books)
 - Specifically, read the chapter on appeals. This book is laid out as sets of questions and answers.
- *Divorce Proceedings in Illinois: What You Need to Know*, by Mark D. Brent (Aspatore)
- *The Illinois Practice of Family Law*, volumes 12 & 13 of the *Illinois Practice Series* (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, originally authored by Clark A. Nichols (Thomson/West)
 - This is a more general Civil Practice book. You will find information about Family Law in Chapter 123 of volume 7. Section J addresses appeals.

Books on Special Topics in Divorce:

- *The Military Divorce Handbook: A Practical Guide to Representing Military Personnel and Their Families*, by Mark E. Sullivan (American Bar Association, Section of Family Law)
- *The Special Needs Child and Divorce: A Practical Guide to Evaluating and Handling Cases*, by Margaret "Pegi" S. Price (American Bar Association, Section of Family Law)

Websites:

- Illinois Divorce and Family Law (DivorceNet, Nolo): <https://www.divorcenet.com/states/illinois>
- FindLaw Divorce Guide: <https://family.findlaw.com/divorce.html>
- Appeals and Motions to Modify the Divorce Decree:
<https://family.findlaw.com/divorce/appeals-and-motions-to-modify-the-divorce-judgment.html>

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Published by the Illinois Supreme Court Library. Last updated: January 2020.



Civil Appeals Research Guide

Housing: Eviction & Foreclosure

Getting Started with Legal Research

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. This guide provides secondary sources that can be used as a *starting place* for your research. Some websites are included, but most resources are books. Look for them at your nearest law library.

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- Statutes – the law written by the elected legislature. Illinois statutes are enacted by the Illinois General Assembly and can be found in the *Illinois Compiled Statutes* at the law library or on the General Assembly’s website (<http://ilga.gov/>).
- Case law – the law based on judicial opinions. Case law can be found in books of Reports, on the Court’s website (<http://illinoiscourts.gov/>), or in online databases.
- Court Rules – the rules set out by the Illinois Supreme Court, including very specific rules about Appeals. They can be found in the book series *Illinois Court Rules and Procedure* or on the Supreme Court website (<http://illinoiscourts.gov/SupremeCourt/Rules/>).
- Municipal Codes and Ordinances – laws governing towns or counties. Ask a law librarian or use this guide to find yours: <https://www.isba.org/ibj/2007/03/findingillinoisordinances>

General Research Resources

Dictionaries and Encyclopedias

- *Black’s Law Dictionary* (Thomson/West)
- *Nolo’s Free Dictionary of Law Terms and Legal Definitions* (<https://www.nolo.com/dictionary>)
- *Illinois Law & Practice* (Thomson/West) – legal encyclopedia
- *Illinois Jurisprudence* (LexisNexis) – legal encyclopedia

IICLE’s – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Civil Appeals: State and Federal* (2018)

Books about Civil Appeals

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- *Illinois Appellate Practice Manual*, by Timothy J. Storm (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, by Clark A. Nichols (Thomson/West)
- *A Guide to Illinois Civil Appellate Procedure*, Appellate Lawyers Association, online at [www.applawyers.org/resources/Documents/Civil Appeals Guide Revised 2019 01 10.pdf](http://www.applawyers.org/resources/Documents/Civil%20Appeals%20Guide%20Revised%202019%2001%2010.pdf)

Books about Conducting Legal Research in Illinois

- *Illinois Legal Research*, by Mark E. Wojcik (Carolina Academic Press)
- *Finding Illinois Law: A Librarian’s Guide for Non-Lawyers*, by the Chicago Association of Law Librarians, online at <http://chicagolawlib.org/finding-illinois-law/>

Resources on Illinois Housing Law:

Check your local public law library for the following books. You can use them to learn about the legal principles affecting your case. They will also point you to important statutes and case law.

IICLE Books:

- *Illinois Mortgage Foreclosure: Practice and Procedure* (2016)
- *Illinois Mortgage Foreclosure: Corresponding Issues* (2016)
- *Real Estate Litigation* (2016)
- *Illinois Condominium Law* (2016)
- *Creditors' Rights* (2019)
- *Forcible Entry and Detainer Actions* (2015) – Chicago and Evanston only.

Books on Real Estate Law and Foreclosure:

- *Real Estate*, volume 14 of the *Illinois Practice Series*, by Solomon Gutstein and Eileen Murphy (Thomson/West)
- *Real Estate Finance Law*, by Grant S. Nelson, Dale A. Whitman, Ann M. Burkhart, and R. Wilson Freyeremuth (Thomson/West)
- *Illinois Foreclosure: What You Need to Know*, by Jodine Mayberry (Thomson/West)
- *Home Foreclosures*, by Geoff Walsh, Tara Twomey, John Rao, & Odette Williamson (National Consumer Law Center)

Books on Landlord & Tenant Law:

- *Every Tenant's Legal Guide*, by Janet Portman & Marcia Steward (Nolo)
- *Every Landlord's Legal Guide*, by Marcia Steward, Ralph Warner, & Janet Portman (Nolo)
- *Landlord and Tenant Law in a Nutshell*, by David S. Hill & Carol Necole Brown (West Academic)

Websites:

- Illinois Legal Aid Online: <https://www.illinoislegalaid.org/legal-information/house-apartment>
- Eviction appeals: <https://www.illinoislegalaid.org/legal-information/eviction-practice-appeals>
- Illinois Foreclosure Law Center (Nolo): <https://www.nolo.com/legal-encyclopedia/illinois-foreclosure-law-center>

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Civil Appeals Research Guide

Personal Injury

Getting Started with Legal Research

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. This guide provides secondary sources that can be used as a *starting place* for your research. Some websites are included, but most resources are books. Look for them at your nearest law library.

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- Case law – the law based on judicial opinions. Case law can be found in books of Reports, on the Court’s website (<http://illinoiscourts.gov/>), or in online databases.
- Court Rules – the rules set out by the Illinois Supreme Court, including very specific rules about Appeals. They can be found in the book series *Illinois Court Rules and Procedure* or on the Supreme Court website (<http://illinoiscourts.gov/SupremeCourt/Rules/>).

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- *Nolo’s Free Dictionary of Law Terms and Legal Definitions* (<https://www.nolo.com/dictionary>)
- *Illinois Law & Practice* (Thomson/West) – legal encyclopedia
- *Illinois Jurisprudence* (LexisNexis) – legal encyclopedia

IICLE’s – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Civil Appeals: State and Federal* (2018)

Books about Civil Appeals

- *Appeals to the Illinois Supreme and Appellate Courts*, by Edward J. Kionka (ISBA)
- *Illinois Appellate Practice Manual*, by Timothy J. Storm (Thomson/West)
- *Nichols Illinois Civil Practice with Forms*, by Clark A. Nichols (Thomson/West)
- *A Guide to Illinois Civil Appellate Procedure*, Appellate Lawyers Association, online at [www.applawyers.org/resources/Documents/Civil Appeals Guide Revised 2019 01 10.pdf](http://www.applawyers.org/resources/Documents/Civil%20Appeals%20Guide%20Revised%202019%2001%2010.pdf)

Books about Conducting Legal Research in Illinois

- *Illinois Legal Research*, by Mark E. Wojcik (Carolina Academic Press)
- *Finding Illinois Law: A Librarian’s Guide for Non-Lawyers*, by the Chicago Association of Law Librarians, online at <http://chicagolawlib.org/finding-illinois-law/>

Resources on Personal Injury:

Check your local public law library for the following books. You can use them to learn about the legal principles affecting your case. They will also point you to important statutes and case law.

IICLE Books on Personal Injury:

- *Tort Actions* (2019)
 - See Part III – Personal Injury
- *Proving and Disproving Damages in Personal Injury Cases* (2016)
- *Illinois Dramshop Act Practice* (2016)
- *Premises Liability* (2017 QuickGuide)
- *Special Needs Trusts* (2016)
 - See Chapter 16: Special-Needs Issues in Personal Injury and Wrongful-Death Awards or Settlements
- *Advising Elderly Clients and Their Families* (2015)
 - See Chapter 7: Personal Injury and Wrongful-Death Actions Under the Nursing Home Care Act

Books on Personal Injury:

- *Illinois Personal Injury*, by Jerome Mirza (Thomson/West)
- *How to Win Your Personal Injury Claim*, by Joseph Matthews (Nolo)

Websites:

- Injury or Accident, Illinois Legal Aid Online, <https://www.illinoislegalaid.org/legal-information/injury-or-accident>

Seeking Additional Help

Law librarians may help you find the books listed in this guide or other suitable replacements if these are not available. In general, library staff can help you find information and develop search strategies, but they are unable to provide legal advice or interpret the law.

APPENDIX 7

Illinois Appellate Free Legal Answers



WHAT IS ILLINOIS APPELLATE FREE LEGAL ANSWERS?

Free Legal Answers, a national initiative of the American Bar Association, operates as a virtual legal advice clinic for civil legal issues. Self-represented litigants (those not represented by a lawyer) can submit a question about their civil appeal and have it answered by a pro bono lawyer. In Illinois, the program is administered by PILI and can be accessed at www.il.freelegalanswers.org. This new initiative allows for questions to be submitted about civil appeals – the first-ever free legal help desk for appeals in Illinois.

WHO CAN USE ILLINOIS APPELLATE FREE LEGAL ANSWERS?

Lower-income Illinoisans may submit up to 3 legal questions per year after qualifying.

Users must:

- [1] have household income below 250% of the federal poverty line;
- [2] have less than \$10,000 in assets;
- [3] are not incarcerated;
- [4] are at least 18 years old;
- [5] have a civil legal question (not a criminal appeal); and
- [6] not be represented by a lawyer

HOW DOES IT WORK?

Users qualify for the program by answering income questions on the website, signing a user agreement, creating a username and password, and posting their question by providing facts about their appeal. The user can attach files or images to their post – if possible, the user should attach a copy of the final order or judgment that they are appealing and should note if they have an upcoming deadline for their appeal. Users should select “Civil Appeals” category so that the question is properly routed to a lawyer.

A lawyer will answer questions through the website INSERT HOW OFTEN– no phone calls or in-person consultations. The lawyer may also respond by posing a question or asking for clarification from the user. If that occurs, the user will have 10 days to reply before the question closes. When the lawyer is finished answering the question it will be closed. Unfortunately, not all questions posted to the site will receive an answer. If a lawyer cannot assist the user, an administrator will notify the user.

ILLINOIS APPELLATE FREE LEGAL ANSWERS CAN:

- Give you an opportunity to ask a lawyer a legal question about your case.
- Answer questions about how Illinois' state appellate courts work, including rules, procedures & terms.
- Provide statewide approved forms and instructions on how to complete them.
- Provide information about court deadlines.
- Give general guidance about your case.

ILLINOIS APPELLATE FREE LEGAL ANSWERS CANNOT:

- Serve as your lawyer in your case or go to court with you.
- Conduct legal research for you.
- Make calls or attend meetings for you.
- Change an order signed by a judge.
- Give advice about federal appeals or criminal appeals.
- Help you if you already have a lawyer.



**Published by the Administrative Office of the
Illinois Courts and the Supreme Court
Commission on Access to Justice**



**May 2020
APR-P 4000.1**