

**EFFECTIVE JULY 1, 2017, ALL CIVIL CASES MUST BE
ELECTRONICALLY FILED**
See Supreme Court Website: www.illinoiscourts.gov

(FORM OF A PETITION FOR LEAVE TO APPEAL - Supreme Court Rule 315)
(Can also be used for a Petition for Appeal as a Matter of Right - Rule 317)

(Cover of Petition = White)

IN THE
SUPREME COURT OF ILLINOIS

_____ (Party's Name) _____,	)	Appellate Court, _____ Judicial
(Party Designation)	)	District, Case No. _____
)	
	)	Circuit Court, _____ County, Illinois
	)	_____ Judicial Circuit,
v.	)	Case No. _____
)	
_____ (Party's Name) _____,	)	Honorable _____,
(Party Designation)	)	Trial Judge Presiding.
)	
)	

Petition for Leave to Appeal
Pursuant to Supreme Court Rule 315

SAMPLE

NOTE:

**THIS TEMPLATE IS FOR INFORMATIONAL
PURPOSES ONLY. DO NOT FILL IN THE
BLANKS FOR USE AS YOUR PETITION.
IF THE TEMPLATE IS RETURNED FILLED IN,
YOUR SUBMISSION WILL NOT BE FILED.**

(Petitioner's Name)
(Mailing Address)
(Telephone Number)

(See attached Supreme Court Rule 315 regarding Petition and related documents.)

>>>> (Use 1 ½" left margin in body of Petition; 1" margin on right, top & bottom)

Prayer For Leave To Appeal

Comes now, petitioner, (party's name), pursuant to Supreme Court Rule 315, and respectfully petitions this Court for leave to appeal from the decision of the Appellate Court, District.

Judgment Below

(Instruction: Provide a statement 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 date of the judgment on rehearing.) (See Supreme Court Rule 315(c)(2), attached.)

SAMPLE

(Begin numbering each page)

Points Relied Upon
For Review of Judgment of the Appellate Court

(Instruction: Provide a statement of the points relied upon in asking the Supreme Court to review the judgment of the Appellate Court.) (See Supreme Court Rule 315(c)(3), attached.)

Statement of Facts

(Instruction: Provide a fair and accurate statement of the facts, which shall contain the facts necessary to an understanding of the case, without argument or comment, with appropriate references to the pages of the record on appeal, e.g., R. C7 or R. 7. Exhibits may be cited by references to pages of the record on appeal, or by exhibit number followed by the page number within the exhibit, e.g., Pl. Ex. 1, p.6. (See Supreme Court Rule 315(c)(4), attached.)

SAMPLE

Argument

(Instruction: Provide a short argument (including appropriate authorities) stating why review by the Supreme Court is warranted and why the decision of the Appellate Court should be reversed or modified.) (See Supreme Court Rule 315(c)(5), attached.)

Conclusion

Wherefore, Petitioner, (your name) , pursuant to Supreme Court Rule 315, respectfully petitions this Court for leave to appeal from the decision of the Appellate Court, _____ District, entered (date) .

Respectfully submitted,

(Petitioner's Signature)
(Printed Name)
(Mailing Address)
(Telephone Number)

SAMPLE

(NOTE: There are no margin requirements for the Appendix)

APPENDIX

(Instruction: Provide an appendix which shall include a copy of the opinion or order of the Appellate Court and any documents from the record which are deemed necessary to the consideration of the petition.) (See Supreme Court Rule 315(c)(6), attached.)

SAMPLE

(Suggested Page Numbering for Appendix): A-1

Additionally, in separate documents, include the following:

1. **Proof of Service/Notice of Filing** [Sample attached; See Rules 11 & 12];

- AND -

2. **A Certificate of Compliance** (See Rule 341(c)) - Rule 315(d) requires compliance with Rule 341, including a signed Certificate of Compliance, using the following language and filling in the blank. Be advised that a petition for leave to appeal has either a 20-page or 7,000 word limit. Do not use both the page count and word count.

Certificate of Compliance

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is ___ pages [or ___ words].

_____ (Sign _____ here)

SAMPLE

(Sample Proof of Service/Notice of Filing):

IN THE
SUPREME COURT OF ILLINOIS

_____ (Party's Name) _____,	)	Appellate Court, _____ Judicial
(Party Designation)	)	District, Case No. _____
)	
v.	)	Circuit Court, _____ County, Illinois
	)	_____ Judicial Circuit,
	)	Case No. _____
)	
_____ (Party's Name) _____,	)	Honorable _____,
(Party Designation)	)	Trial Judge Presiding.
)	
)	

PROOF OF SERVICE/NOTICE OF FILING

TO: (Here list the names and mailing addresses of the opposing counsels upon whom you have served your documents)

You are hereby notified that on (date) , I submitted for electronic Petitioner's (petition/motion/etc.) _____ to the Office of the Clerk of the Supreme Court of Illinois, and (# copies to each of the above-named opposing counsels by (personal delivery **OR** depositing in the U.S. mail, proper postage pre-paid, at (time and place of mailing)).

SAMPLE

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Date: _____

(Petitioner's Signature)
(Printed Name)
(Mailing Address)
(Telephone Number)

MOTIONS: See attached Rule 361 (Motions in Reviewing Court)

You may be required to file one of the following motions regarding your Petition:

Motion for Leave to File a Petition for Leave to Appeal Instanter -

(explaining why the Petition was submitted late and why you wish to file your petition now)

Motion for Extension of Time for Filing Petition for Leave to Appeal -

(explaining why you need more time than that allowed by the Rules, and include the phrase "for an extension of time to and including (date) .")

EXTENSION MOTIONS MUST ALSO INCLUDE ONE OF THE FOLLOWING:

Notarized Affidavit in Support of the Motion

- OR -

Verification in Support of the Motion

[Samples of each attached; See Rules 341(b)(2), 361(a), and 361(f)]

ALL MOTIONS ARE REQUIRED TO ALSO INCLUDE:

A Proof of Service/Notice of Filing of the Motion and related documents [Sample attached; See Rules 11, 12, 361(b)(1) and 361(c)(1)]

- AND -

A Proposed Draft Order, phrased in the alternative ("Allowed/Denied"), [Sample attached; See Rule 361(b)(3) and 361(c)(1)]

SAMPLE

(Sample Proposed Draft Order, phrased in the alternative, for a Motion for Leave to File a Petition for Leave to Appeal Instanter):

IN THE
SUPREME COURT OF ILLINOIS

_____)	
(Party's Name),	)	Appellate Court, _____ Judicial
	)	District, Case No. _____
(Party Designation))	
)	
	)	Circuit Court, _____ County, Illinois
	)	_____ Judicial Circuit,
v.	)	Case No. _____
)	
)	
_____	)	Honorable _____,
(Party's Name),	)	Trial Judge Presiding.
)	
(Party Designation))	
)	

ORDER

The Motion by Petitioner, Pro Se, for Leave to File Petition for Leave to Appeal Instanter, is hereby: ALLOWED / DENIED.

SAMPLE

(Blank Line for Justice's Signature)

(Sample Proposed Draft Order, phrased in the alternative, for a Motion for Extension of Time for Filing Petition for Leave to Appeal):

IN THE
SUPREME COURT OF ILLINOIS

_____)	
(Party's Name),	)	Appellate Court, _____ Judicial
	)	District, Case No. _____
(Party Designation))	
)	
	)	Circuit Court, _____ County, Illinois
	)	_____ Judicial Circuit,
v.	)	Case No. _____
)	
)	
_____	)	Honorable _____,
(Party's Name),	)	Trial Judge Presiding.
)	
(Party Designation))	
)	

ORDER

The Motion by Petitioner, Pro Se, for an Extension of Time for Filing a Petition for Leave to Appeal to and including _____ is hereby: ALLOWED / DENIED.

SAMPLE

(Blank Line for Justice's Signature)

(Sample Notarized Affidavit in Support of Extension Motion - Option #1):

(See Rule 361(a), attached: "When the motion is based on facts that do not appear of record it shall be supported by affidavit.")

IN THE
SUPREME COURT OF ILLINOIS

_____	)	Appellate Court, _____ Judicial
(Party's Name)	)	District, Case No. _____
(Party Designation))	
v.	)	Circuit Court, _____ County, Illinois
	)	_____ Judicial Circuit,
_____	)	Case No. _____
(Party's Name))	
(Party Designation)	)	Honorable _____,
	)	Trial Judge Presiding.

AFFIDAVIT

I, _____ (Party's Name), certifies that affiant has read the foregoing Motion; that affiant knows the contents therein; and that if called, affiant could testify that the facts set forth in Petitioner's Motion for an Extension of Time are true and correct.

(Sign name and date on signature line)
(Print Affiant's Name Below Signature Line)

SAMPLE

STATE OF ILLINOIS)
) SS
COUNTY OF _____

Subscribed and Sworn/Attested Before Me
this date, (insert date here).

(Signature of Notary Public)

(Notary's Official Seal _____)

(Sample Verification in Support of Extension Motion - Option #2):

IN THE
SUPREME COURT OF ILLINOIS

_____ (Party's Name) _____,	)	Appellate Court, _____ Judicial
(Party Designation)	)	District, Case No. _____
v.	)	Circuit Court, _____ County, Illinois
_____ (Party's Name) _____,	)	_____ Judicial Circuit,
(Party Designation)	)	Case No. _____
	)	Honorable _____,
	)	Trial Judge Presiding.

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Date: _____

(Petitioner's Signature)
(Printed Name)
(Mailing Address)
(Telephone Number)

SAMPLE

Checklist before submitting your Petition to the Clerk of the Court for Filing:

Under Supreme Court Rule 315, a Petition for Leave to Appeal must comply with the requirements of Rule 341 (Copies of both Rules are attached). A petition which is not in compliance with the requirements of the Supreme Court Rules will not be filed with the Court.

You may use the following check-list to see that your Petition is compliant with Rule 341, which was amended June 22, 2017, effective July 1, 2017::

- ___ 8 ½ x 11 inch white pages
- ___ 20 page limit, excluding Appendix
- ___ 12 point or larger typeface, including footnotes and quotations
- ___ Margins - 1.5" on left; 1" on right, top, and bottom
- ___ Double spaced, excluding footnotes
- ___ Paginated
- ___ 1 side only
- ___ Certificate of Compliance
- ___ Proof of Service/Notice of Filing
- ___ A \$50.00 docket fee** is due at the time of filing. Note: If there is more than one *pro se* petitioner filing your case, each must sign all documents and pay a separate \$50.00 fee.

****If you are financially unable to pay the required docket fee, it will be necessary for you to contact the Clerk's office and request receipt of an "Affidavit of Assets and Liabilities" form. This form must be completed, notarized, and returned to our office along with a "Motion to Proceed in Forma Pauperis", proof of service, and proposed draft order before your case will be filed in the Supreme Court.**

SAMPLE

**AFTER LOOKING THROUGH THIS TEMPLATE,
PLEASE CONTACT OUR OFFICE IF YOU HAVE ANY
QUESTIONS WITH REGARD TO PREPARING YOUR
FILINGS FOR THE SUPREME COURT.**

Rule 11. Manner of Serving Documents Other Than Process and Complaint on Parties Not in Default in the Trial and Reviewing Courts

(a) **On Whom Made.** If a party is represented by an attorney of record, service shall be made upon the attorney. Otherwise service shall be made upon the party.

(b) E-mail Address. An attorney must, and a self-represented party may, include on the appearance and on all pleadings filed in court an e-mail address to which documents and notices will be served in conformance with Rule 131(d).

(b)(c) Method. Unless otherwise specified by rule or order of court, documents shall be served electronically. Electronic service may be made either through the court electronic filing manager or an approved electronic filing service provider, if available. For all parties for which such service is not available, the filer shall make service to the e-mail address(es) identified by the party's appearance in the matter. If service is made by e-mail, the documents may be transmitted via attachment or by providing a link within the body of the e-mail that will allow the party to download the document through a reliable service provider.

If a self-represented party so opts, or if service other than electronic service is specified by rule or order of court, or if extraordinary circumstances prevent timely electronic service in a particular instance, service of documents may be made by any-one of the following alternative methods:

(1) *Personal Service.* Delivering them the document to the attorney or party personally;

(2) *Delivery to Attorney's Office or Unrepresented Self-Represented Party's Residence.* Delivery of the document to an authorized person at the attorney's office or in a reasonable receptacle or location at or within the attorney's office. Leaving them in the office of the attorney with the attorney's clerk, or with a person in charge of the office; or if If a party is not represented by counsel, by leaving them the document at the party's residence with a family member of the age of 13 years or older; upwards;

(3) *United States Mail.* Depositing ~~them~~ the document in a United States post office or post office box, enclosed in an envelope, ~~plainly addressed to the attorney at the attorney's business to the party's address, as identified by the party's appearance in the matter, or to the party at the party's business address or residence,~~ with postage fully prepaid; or

(4) *Third-Party Commercial Carrier.* Delivery of the document through Delivering them to a third-party commercial carrier or courier, to the party's address, as identified by the party's appearance in the matter, with delivery charge fully prepaid. ~~including deposit in the carrier's pick-up box or drop-off with the carrier's designated contractor enclosed in a package, plainly addressed to the attorney at the attorney's business address, or to the party at the party's business address or residence, with delivery charge fully prepaid;~~

~~(5) Facsimile Transmission.~~ ~~Transmitting them via facsimile machine to the office of the attorney or party, who has consented to receiving service by facsimile transmission. Briefs filed in reviewing courts shall not be served by facsimile transmission;~~

~~(i) A party or attorney electing to serve pleadings by facsimile must include on the certificate of service transmitted the telephone number of the sender's facsimile transmitting device. Use of service by facsimile shall be deemed consent by that party or attorney to receive service by facsimile transmission. Any party may rescind consent of service by facsimile transmission in a case by filing with the court and serving a notice on~~

~~all parties or their attorneys who have filed appearances that facsimile service will not be accepted. A party or attorney who has rescinded consent to service by facsimile transmission in a case may not serve another party or attorney by facsimile transmission in that case.~~

~~(ii) Each page of notices and documents transmitted by facsimile pursuant to this rule should bear the circuit court number, the title of the document, and the page number.~~

~~(6) *E-mail Transmission.* Transmitting them via e-mail to all primary and secondary e-mail addresses of record designated by the attorney or unrepresented party in conformance with Rule 131(d); or~~

~~(7) *Electronic In-box.* Transmission through a service provider that provides an electronic in-box for those parties registered to use the service.~~

(e)(d) Multiple Parties or Attorneys. In cases in which there are two or more plaintiffs or defendants who appear by different attorneys, service of all documents shall be made on the attorney for each of the parties. ~~If one attorney appears for several parties, that attorney is entitled to only one copy of any document served upon the attorney by the opposite side. When more than one attorney appears for a party, service of a copy upon one of them is sufficient.~~

~~(d) **E-mail Address.** An attorney must include on the appearance and on all pleadings filed in court an e-mail address to which documents may be served in conformance with Rule 131(d).~~

(e) Notice of E-mail Rejection. If a party serving a document via e-mail receives a rejection message or similar notification suggesting that transmission was not successful, the party serving the document shall make a good-faith effort to alert the intended recipient of a potential transmission problem and take reasonable steps to ensure actual service of the document.

(e)(f) Limited Scope Appearance. After an attorney files a Notice of Limited Scope Appearance in accordance with Rule 13(c)(6), service of all documents shall be made on both the attorney and the party represented on a limited scope basis until: (1) the court enters an order allowing the attorney to withdraw under Rule 13(c) or (2) the attorney's representation automatically terminates under Rule 13(c)(7)(ii).

Amended April 8, 1980, effective May 15, 1980; amended April 10, 1987, effective August 1, 1987; amended October 30, 1992, effective November 15, 1992; amended December 29, 2009, effective immediately; amended Oct. 24, 2012, effective Jan. 1, 2013; amended Dec. 21, 2012, eff. Jan. 1, 2013; amended June 14, 2013, eff. July 1, 2013; amended Dec. 9, 2015, eff. Jan. 1, 2016; amended June 22, 2017, eff. July 1, 2017.

Rule 12. Proof of Service in the Trial and Reviewing Courts; Effective Date of Service

(a) **Filing.** When service of a document is required, proof of service shall be filed with the clerk.

(b) **Manner of Proof.** Service is proved:

(1) in the case of electronic service through the court electronic filing manager or an approved electronic filing service provider, by an automated verification of electronic service, specifying the time of transmission and e-mail address of each recipient;

(2) in the case of service by e-mail, by certification under section 1-109 of the Code of Civil Procedure of the person who initiated the transmission, stating the date of transmission and the e-mail address of each recipient;

~~(1)~~(3) by written acknowledgment from signed by the person served;

~~(2)~~(4) in case of service by personal, office, or residential delivery, by certification under section 1-109 of the Code of Civil Procedure of the person who made delivery, stating the time and place of delivery; certificate of the person, as provided in section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109 (West 2012)), who made delivery;

~~(3)~~(5) in case of service by mail or by delivery to a third-party commercial carrier, by certification under section 1-109 of the Code of Civil Procedure certificate of the person, as provided in section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109 (West 2012)), who deposited the document in the mail or delivered the document to a third-party commercial carrier or courier, stating the time and place of mailing or delivery, the complete address which that appeared on the envelope or package, and the fact that proper postage or the delivery charge was prepaid; or

~~(4)~~(6) in case of service by mail by a self-represented litigant residing in a correctional facility, pro se petitioner from a correctional institution, by certification under as provided in section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109 (West 2012)) of the person who deposited the document in the institutional mail, stating the time and place of deposit and the complete address to which the document was to be delivered.;

~~(5)~~ in case of service by facsimile transmission, by certificate of the person, as provided in section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109 (West 2012)), who transmitted the document via facsimile machine, stating the time and place of transmission, the telephone number to which the transmission was sent, and the number of pages transmitted; or

~~(6)~~ in case of service by e-mail, by certificate of the person, as provided in section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109 (West 2012)), who transmitted the document via e-mail, stating the time and place of transmission to a designated e-mail address of record.

(c) **Effective Date of Service by Mail.** Service by electronic means or by personal, office, or residential delivery is complete on the day of transmission. Service by delivery to a third-party commercial carrier or courier is complete on the third court day after delivery of the package to the third-party carrier. Service by U.S. mail is complete four days after mailing.

~~(d) Effective Date of Service by Delivery to Third-Party Commercial Carrier. Service by delivery to a third-party commercial carrier is complete on the third business day after delivery of the package to the third party carrier.~~

~~(c) Effective Date of Service by Facsimile Transmission. Service by facsimile machine is complete on the first court day following transmission.~~

~~(f) Effective Date of Service by E-mail. Service by e-mail is complete on the first court day following transmission.~~

~~(g) Effective Date of Service by Electronic In box. Service by electronic in box under Rule 11(b)(7) is complete on the first court day following transmission.~~

Amended effective July 1, 1971, and July 1, 1975; amended October 30, 1992, effective November 15, 1992; amended December 29, 2009, effective immediately; amended Dec. 21, 2012, eff. Jan. 1, 2013; amended Jan. 4, 2013, eff. immediately; amended September 19, 2014, eff. immediately; amended Dec. 9, 2015, eff. Jan. 1, 2016; amended Oct. 6, 2016, eff. Nov. 1, 2016; amended June 22, 2017, eff. July 1, 2017.

Rule 315. Leave to Appeal From the Appellate Court to the Supreme Court

(a) Petition for Leave to Appeal; Grounds. Except as provided below for appeals from the Illinois Workers' Compensation Commission division of the Appellate Court, a petition for leave to appeal to the Supreme Court from the Appellate Court may be filed by any party, including the State, in any case not appealable from the Appellate Court as a matter of right. Whether such a petition will be granted is a matter of sound judicial discretion. The following, while neither controlling nor fully measuring the court's discretion, indicate the character of reasons which will be considered: the general importance of the question presented; the existence of a conflict between the decision sought to be reviewed and a decision of the Supreme Court, or of another division of the Appellate Court; the need for the exercise of the Supreme Court's supervisory authority; and the final or interlocutory character of the judgment sought to be reviewed.

No petition for leave to appeal from a judgment of the five-judge panel of the Appellate Court designated to hear and decide cases involving review of Illinois Workers' Compensation Commission orders shall be filed, unless two or more judges of that panel join in a statement that the case in question involves a substantial question which warrants consideration by the Supreme Court. A motion asking that such a statement be filed may be filed as a prayer for alternative relief in a petition for rehearing, but must, in any event, be filed within the time allowed for filing a petition for rehearing.

(b) Time.

(1) **Published Decisions.** Unless a timely petition for rehearing is filed in the Appellate Court, a party seeking leave to appeal must file the petition for leave in the Supreme Court within 35 days after the entry of such judgment. If a timely petition for rehearing is filed, the party seeking review must file the petition for leave to appeal within 35 days after the entry of the order denying the petition for rehearing. If a petition is granted, the petition for leave to appeal must be filed within 35 days of the entry of the judgment on rehearing. The Supreme Court, or a judge thereof, on motion, may extend the time for petitioning for leave to appeal, but such motions are not favored and will be allowed only in the most extreme and compelling circumstances.

(2) **Rule 23 Orders.** The time for filing a petition for leave to appeal a Rule 23 order shall be the same as for published opinions, except that if the party who prevailed on an issue in the appellate court timely files a motion to publish a Rule 23 order pursuant to Rule 23(f), and if the motion is granted, a nonmoving party may file a petition for leave to appeal within 35 days after the filing of the published opinion. The filing of a Rule 23(f) publication motion shall not invalidate a previously filed petition for leave to appeal.

(c) Contents. The petition for leave to appeal shall contain, in the following order:

(1) a prayer for leave to appeal;

(2) a statement 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 date of the judgment on rehearing;

(3) a statement of the points relied upon in asking the Supreme Court to review the judgment of the Appellate Court;

(4) a fair and accurate statement of the facts, which shall contain the facts necessary to an understanding of the case, without argument or comment, with appropriate references to the

pages of the record on appeal, in the format as set forth in the Standards and Requirements for Electronic Filing the Record on Appeal, e.g., R. C7 or R. 7, or to the pages of the abstract, if one has been filed, e.g., A. 7. Exhibits may be cited by references to pages of the record on appeal, or of the abstract, or by exhibit number followed by the page number within the exhibit, e.g., Pl. Ex. 1, p. 6;

(5) a short argument (including appropriate authorities) stating why review by the Supreme Court is warranted and why the decision of the Appellate Court should be reversed or modified; and

(6) an appendix which shall include ~~a copy of the opinion or order of the Appellate Court~~ and any documents from the record which are deemed necessary to the consideration of the petition.

(d) Format; Service; Filing. The petition shall otherwise be prepared, ~~duplicate~~, served, and filed in accordance with the requirements for briefs as set forth in Rules 341 through 343, except that it shall be limited to 20 pages, or alternatively 7,000 words, excluding only the appendix.

(e) Records; Abstracts. The clerk of the Supreme Court shall transmit notice of the filing of the petition to the clerk of the Appellate Court, who, upon request of the clerk of the Supreme Court made either before or after the petition is acted upon, shall transmit to the clerk of the Supreme Court the record on appeal that was filed in the Appellate Court and the certified Appellate Court record.

(f) Answer. The respondent need not but may file an answer, with proof of service, within 21 days after the expiration of the time for the filing of the petition, or within such further time as the Supreme Court or a judge thereof may grant within such 21-day period. An answer shall set forth reasons why the petition should not be granted, and shall conform, to the extent appropriate, to the form specified in this rule for the petition, omitting the items (1), (2), (3), (4) and (6) set forth in paragraph (c) except to the extent that correction of the petition is considered necessary. The answer shall be prepared, ~~duplicate~~, served, and filed in accordance with the requirements for briefs except that it shall be limited to 20 pages, or alternatively 7,000 words, excluding only the appendix. No reply to the answer shall be filed. If the respondent does not file an answer or otherwise appear but wants notice of the disposition of the petition for leave to appeal, a request for letter requesting such notice should be submitted directed to the clerk in Springfield.

(g) Abstracts; Transmittal of Trial Court Record if Petition Is Granted. If the petition is granted, upon notice from the clerk of the Supreme Court and to the extent that copies have not already been filed, the appellant shall file 20 copies of the abstract, as filed in the Appellate Court, within the time for the filing of his or her brief. If no abstract was filed in the Appellate Court, but the Supreme Court so orders, an abstract shall be prepared and filed in accordance with Rule 342. Upon the request of any party made at any time before oral argument or upon direction of the Supreme Court, the clerk of the Appellate Court, at the expense of the petitioner, shall transmit to the Supreme Court the record on appeal that was filed in the Appellate Court and the Appellate Court record, unless if not already filed in the Supreme Court.

(h) Briefs. If leave to appeal is allowed, the appellant may allow his or her petition for leave to appeal to stand as the brief of appellant, or may file a brief in lieu of or supplemental thereto. Within 14 days after the date on which leave to appeal was allowed, appellant shall serve on all counsel of record a notice of election to allow the petition for leave to appeal to stand as the brief

of appellant, or to file an additional brief, and within the same time shall file a copy of the notice with the clerk of the Supreme Court. If appellant elects to allow the petition for leave to appeal to stand as his or her brief, appellant shall file with the notice a complete table of contents, with page references, of the record on appeal and a statement of the applicable standard of review for each issue, with citation to authority, in accordance with Rule 341(h)(3). If appellant elects to file an additional brief, it shall be filed within 35 days from the date on which leave to appeal was allowed. Motions to extend the time for filing an additional brief are not favored and will be allowed only in the most extreme and compelling circumstances.

The appellee may allow his or her answer to the petition for leave to appeal to stand as the brief of appellee, or may file a brief ~~in lieu of or supplemental thereto~~. If the appellant has elected to allow the petition for leave to appeal to stand as the brief of appellant, within 14 days after the due date of appellant's notice the appellee shall serve on all counsel of record a notice of election to let the answer stand as the brief of appellee, or to file an ~~additional~~ brief, and within the same time shall file a copy of the notice with the clerk of the Supreme Court. If the appellee elects to file an ~~additional~~ brief, such brief shall be filed within 35 days of the due date of appellant's notice of election to let the petition for leave to appeal stand as the brief of appellant.

If the appellant has elected to file an additional brief, within 14 days after the due date of appellant's brief the appellee shall serve on all counsel of record a notice of election to let his or her answer stand as the brief of appellee, or to file an additional brief, and within the same time shall file a copy of the notice with the clerk of the Supreme Court. If appellee elects to file an additional brief it shall be filed within 35 days of the due date of appellant's brief.

If an appellee files a brief, the appellant may file a reply brief within 14 days of the due date of appellee's brief. If the brief of appellee contains arguments in support of cross-relief, the appellant's arguments in opposition shall be included in the reply brief and the appellee may file a reply brief confined strictly to those arguments within 14 days of the due date of appellant's reply brief. If the brief of the appellee contains arguments in support of cross-relief, the cover of the brief shall be captioned: "Brief of Appellee. Cross-Relief Requested."

Briefs, pleadings and other documents filed with the Supreme Court in cases covered by this rule shall, to the extent appropriate, conform to Rules 341 through 343.

In cases involving more than one appellant or appellee, including cases consolidated for purposes of the appeal, any number of either may join in a single brief, and any appellant or appellee may adopt by reference any part of the brief of another. Parties may similarly join in reply briefs.

(i) Child custody cases. A petition for leave to appeal in a child custody or allocation of parental responsibilities or relocation of emancipated minors case, as defined in Rule 311, and any notice, motion, or pleading related thereto, shall include the following statement in bold type on the top of the front page: ~~THIS APPEAL INVOLVES A QUESTION OF CHILD CUSTODY, ALLOCATION OF PARENTAL RESPONSIBILITIES, ADOPTION, TERMINATION OF PARENTAL RIGHTS OR OTHER MATTER AFFECTING THE BEST INTERESTS OF A CHILD.~~ **THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).**

(j) Delinquent minor cases. A petition for leave to appeal in a delinquent minor case, as provided for in Rule 660A, and any notice, motion, or pleadings related thereto, shall include the

following statement in bold type on the top of the front page: THIS APPEAL INVOLVES A DELINQUENT MINOR PROCEEDING UNDER THE JUVENILE COURT ACT.

(k) Oral Argument. Oral argument may be requested as provided in Rule 352(a).

Amended effective November 30, 1972; amended effective September 1, 1974; amended October 1, 1976, effective November 15, 1976; amended September 29, 1978, effective November 1, 1978; amended July 30, 1979, effective October 15, 1979; amended February 19, 1982, effective April 1, 1982; amended May 28, 1982, effective July 1, 1982; amended February 1, 1984, effective February 1, 1984, with Justice Moran dissenting (see *Yellow Cab Co. v. Jones* (1985), 108 Ill. 2d 330, 342); amended April 27, 1984, effective July 1, 1984; amended February 21, 1986, effective August 1, 1986; amended February 27, 1987, effective April 1, 1987; amended April 7, 1993, effective June 1, 1993; amended December 17, 1993, effective February 1, 1994; amended September 23, 1996, effective immediately; amended September 22, 1997, effective October 1, 1997; amended March 19, 2003, effective May 1, 2003; amended December 5, 2003, effective immediately; amended October 15, 2004, effective January 1, 2005; amended February 10, 2006, effective July 1, 2006; amended May 24, 2006, effective September 1, 2006; amended August 15, 2006, effective immediately; amended October 2, 2006, effective immediately; amended September 25, 2007, effective October 15, 2007; amended February 26, 2010, effective immediately; amended Mar. 15, 2013, eff. May 1, 2013; amended May 23, 2013, eff. July 1, 2013; amended Dec. 11, 2014, eff. Jan. 1, 2015; amended Mar. 15, 2016, eff. immediately; amended June 22, 2017, eff. July 1, 2017; amended June 28, 2017, eff. July 1, 2017.

Rule 341. Briefs

(a) Form of Briefs. Briefs shall be ~~submitted~~ produced in clear, black ~~text~~ print on white, opaque, unglazed paper, pages, each measuring 8½ by 11 inches, ~~and paginated. Only one side of the paper may be used.~~ The text must be double-spaced; however, headings may be single-spaced. Margins must be at least 1½ inch on the left side and 1 inch on the other three sides. Each page shall be numbered within the bottom margin. ~~Briefs shall be safely and securely bound on the left side in a manner that does not obscure the text.~~ Quotations of two or more lines in length may be single-spaced; however, lengthy quotations are not favored and should be included only where they will aid the court's comprehension of the argument. Footnotes are discouraged but, if used, may be single-spaced.

~~Documents may be produced by a word processing system, typewritten, or commercially printed, and reproduced by any process that provides clear copies consistent with the requirements of this rule. Typeface must be 12-point or larger throughout the document, including quoted material and any footnotes. Condensed type is prohibited. Carbon copies are not permitted.~~

(b) Length of Briefs.

(1) Length Limitation. The brief of appellant and brief of appellee shall each be limited to 50 pages, and the reply brief to 20 pages. Alternatively, the brief of appellant and brief of appellee shall each be limited to no more than 15,000 words, and the reply brief to 7,000 words. This length-limitation excludes pages and words contained in the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a). Cross-appellants and cross-appellees shall each be allowed an additional 30 pages, or alternatively 8,400 words, and the cross-appellant's reply brief shall not exceed 20 pages, or alternatively 7,000 words.

(2) Motions. Motions to file a brief in excess of the length limitation of this rule are not favored. Such a motion shall be filed not less than 10 days before the brief is due or not less than 5 days before a reply brief is due and shall state the excess number of pages or words requested and the specific grounds establishing the necessity for excess pages or words. The motion shall be supported by affidavit or verification by certification under Section 1-109 of the Code of Civil Procedure of the attorney or self-represented litigant~~unrepresented party~~. Any affidavit shall be sworn to before a person who has authority under the law to administer oaths.

(c) Certificate of Compliance. The attorney or self-represented litigant~~unrepresented party~~ shall submit with the brief his or her signed certification that the brief complies with the form and length requirements of paragraphs (a) and (b) of this rule, as follows:

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is ___ pages or words.

(d) Covers. The cover of the brief shall contain: the number of the case in the reviewing court and the name of that court; the name of the court or administrative agency from which the case was brought; the name of the case as it appeared in the lower tribunal, except that the status

of each party in the reviewing court shall also be indicated (*e.g.*, plaintiff-appellant); the name of the trial judge entering the judgment to be reviewed; and the individual names and addresses of the attorneys and their law firm (or of the party if the party has no attorney) filing the brief shall also be stated.

The colors of the covers of the documents, whether electronic or paper, shall be: abstract, ~~gray~~; appellant's brief or petition, white; appellee's brief or answer, light blue; appellant's reply brief, light yellow; reply brief of appellee, light red; petition for rehearing, light green; answer to petition for rehearing, tan; and reply on rehearing, orange. If a separate appendix is filed, the cover shall be the same color as that of the brief which it accompanies.

(e) ~~Number of Copies To Be Filed and Served;~~ Duplicate Copies and Proof of Service. Electronically filed briefs shall be considered the official original. A court of review may, in its electronic filing procedures, require duplicate paper copies bearing the court's electronic file stamp. Such copies shall be printed one-sided and securely bound on the left side in a manner that does not obstruct the text. Such copies shall be received by the clerk within five days of the electronic notification generated upon acceptance of an electronically filed document. Except as provided hereafter nine copies of each brief shall be filed in appeals to the Appellate Court. In proceedings in the Appellate Court to review orders of the Illinois Workers' Compensation Commission, 15 copies of each brief shall be filed. In appeals to the Supreme Court, 20 copies of each brief shall be filed. Three copies (or one copy if by e-mail service)

The brief shall be served upon each other party to the appeal represented by separate counsel. If the Attorney General and the State's Attorney both appear for a party, each shall be served with three copies (or one copy if by e-mail service). Proof of service shall be filed with all briefs.

(f) References to Parties. In the brief the parties shall be referred to as in the trial court, *e.g.*, plaintiff and defendant, omitting the words appellant and appellee and petitioner and respondent, or by using actual names or descriptive terms such as "the employee," "the injured person," "the taxpayer," "the railroad," etc.

In all appeals involving juveniles filed from proceedings under the Juvenile Court Act or the Adoption Act, and in all appeals under the Mental Health and Developmental Disabilities Code, the Mental Health and Developmental Disabilities Confidentiality Act, or from actions for collection of fees for mental health services, the respective juvenile or recipient of mental-health services shall be identified by first name and last initial or by initials only.

The preferred method is the first name and last initial. The alternative method of initials only is to be used when, due to an unusual first name or spelling, the preferred method would create a substantial risk of revealing the individual's identity. The name of the involved juvenile or recipient of services shall not appear in the brief.

(g) Citations. Citations shall be made as provided in Rule 6.

(h) Appellant's Brief. The appellant's brief shall contain the following parts in the order named:

(1) A summary statement, entitled "Points and Authorities," of the points argued and the authorities cited in the Argument. This shall consist of the headings of the points and subpoints as in the Argument, with the citation under each heading of the authorities relied upon or distinguished, and a reference to the page of the brief on which each heading and each authority appear. Cases shall be cited as near as may be in the order of their importance.

(2) An introductory paragraph stating (i) the nature of the action and of the judgment

appealed from and whether the judgment is based upon the verdict of a jury, and (ii) whether any question is raised on the pleadings and, if so, the nature of the question.

Illustration:

“This action was brought to recover damages occasioned by the alleged negligence of the defendant in driving his automobile. The jury rendered a verdict for the plaintiff upon which the court entered the judgment from which this appeal is taken. No questions are raised on the pleadings.”

(3) A statement of the issue or issues presented for review, without detail or citation of authorities.

Illustration:

Issue Presented for Review:

“Whether the plaintiff was guilty of contributory negligence as a matter of law.”

[or]

“Whether the trial court ruled correctly on certain objections to evidence.”

[or]

“Whether the jury was improperly instructed.”

The appellant must include a concise statement of the applicable standard of review for each issue, with citation to authority, either in the discussion of the issue in the argument or under a separate heading placed before the discussion in the argument.

(4) A statement of jurisdiction:

(i) In a case appealed to the Supreme Court directly from the trial court or as a matter of right from the Appellate Court, a brief statement under the heading “Jurisdiction” of the jurisdictional grounds for the appeal to the Supreme Court.

(ii) In a case appealed to the Appellate Court, a brief, but precise statement or explanation under the heading “Jurisdiction” of the basis for appeal including the supreme court rule or other law which confers jurisdiction upon the reviewing court; the facts of the case which bring it within this rule or other law; and the date that the order being appealed was entered and any other facts which are necessary to demonstrate that the appeal is timely. In appeals from a judgment as to all the claims and all the parties, the statement shall demonstrate the disposition of all claims and all parties. All facts recited in this statement shall be supported by page references to the record on appeal.

(5) In a case involving the construction or validity of a statute, constitutional provision, treaty, ordinance, or regulation, the pertinent parts of the provision verbatim, with a citation of the place where it may be found, all under an appropriate heading, such as “Statutes Involved.” If the provision involved is lengthy, its citation alone will suffice at this point, and its pertinent text shall be set forth in an appendix.

(6) Statement of Facts, which shall contain the facts necessary to an understanding of the case, stated accurately and fairly without argument or comment, and with appropriate

reference to the pages of the record on appeal in the format as set forth in the Standards and Requirements for Electronic Filing the Record on Appeal, e.g., R. C7, or R. 7, or to the pages of the abstract, e.g., A. 7. Exhibits may be cited by reference to pages of the abstract or of the record on appeal or by exhibit number followed by the page number within the exhibit, e.g., Pl. Ex. 1, p. 6.

(7) Argument, which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on. Evidence shall not be copied at length, but reference shall be made to the pages of the record on appeal or abstract, if any, where evidence may be found. Citation of numerous authorities in support of the same point is not favored. Points not argued are waived and shall not be raised in the reply brief, in oral argument, or on petition for rehearing.

(8) A short conclusion stating the precise relief sought, followed by the names of counsel as on the cover.

(9) An appendix as required by Rule 342.

(i) Briefs of Appellee and Other Parties. The brief for the appellee and other parties shall conform to the foregoing requirements, except that items (2), (3), (4), (5), (6), and (9) of paragraph (h) of this rule need not be included except to the extent that the presentation by the appellant is deemed unsatisfactory.

(j) Reply Brief. The reply brief, if any, shall be confined strictly to replying to arguments presented in the brief of the appellee and need contain only Argument.

(k) Supplemental Brief on Leave to Appeal. A party allowing a petition for leave to appeal or for appeal as a matter of right or an answer thereto to stand as his or her main brief, may file a supplemental brief, so entitled, containing additional material, and omitting any of the items set forth in paragraph (h) of this rule to the extent that they are adequately covered in the petition or answer. The Points and Authorities in the supplemental brief need relate only to the contents of that brief.

~~**(l) Copy of Document in Electronic Format.** In addition to the number of copies required to be filed and served in accordance with this rule, the brief may be furnished on any removable media, such as floppy disk or CD-ROM, acceptable to the clerk of the reviewing court in Adobe Acrobat and served on each party to the appeal. The electronic document may but need not contain the required appendix. A copy of a brief in electronic format shall be filed upon request of the court or a judge thereof.~~

Amended October 21, 1969, effective January 1, 1970; amended July 30, 1979, effective October 15, 1979; amended January 5, 1981, effective February 1, 1981; amended February 19, 1982, effective April 1, 1982; amended May 28, 1982, effective July 1, 1982; amended April 27, 1984, and May 16, 1984, effective July 1, 1984; amended April 10, 1987, effective August 1, 1987; amended May 21, 1987, effective August 1, 1987; amended June 12, 1987, effective immediately; amended May 18, 1988, effective August 1, 1988; amended January 20, 1993, effective immediately; amended December 17, 1993, effective February 1, 1994; amended May 20, 1997, effective July 1, 1997; amended April 11, 2001, effective immediately; amended October 1, 2001, effective immediately;

amended May 24, 2006, effective September 1, 2006; amended March 16, 2007, effective immediately; amended June 4, 2008, effective July 1, 2008; amended Feb. 6, 2013, eff. immediately; amended Dec. 9, 2015, eff. Jan. 1, 2016; amended June 22, 2017, eff. July 1, 2017.

Rule 361. Motions in Reviewing Court

(a) Content of Motions; Supporting Record; Other Supporting Documents~~Papers~~. Unless another form is elsewhere prescribed by these rules, an application for an order or other relief shall be made by filing a motion. Motions shall be in writing and shall state the relief sought and the grounds therefor. If the record has not been filed the movant shall file with the motion an appropriate supporting record (Rule 328). When the motion is based on facts that do not appear of record it shall be supported by affidavit or verification by certification pursuant to section 1-109 of the Code of Civil Procedure. Any affidavit shall be sworn to before a person who has authority under the law to administer oaths. Argument not contained in the motion may be made in a supporting memorandum.

If counsel has conferred with opposing counsel and opposing counsel has no objection to the motion, that fact should be stated in the motion in order to allow the court to rule upon the motion without waiting until the time for filing responses has expired~~passed~~.

(b) Filing; Proposed Order; Responses~~In Appellate Court; In Supreme Court While in Session~~. If the ~~motion is filed in the Appellate Court, or in the Supreme Court while in session,~~ theThe motion shall be served, presented, and filed as follows:

(1) The motion, together with proof of service, shall be filed with the clerk. See Rule 11 regarding manner of serving documents and Rule 12 regarding proof of service. Service and filing will be excused only in case of necessity.

(2) A proposed order phrased in the alternative (e.g., "Allowed" or "Denied") shall be submitted with each motion and shall be served upon all counsel of record. No motion shall be accepted by the clerk unless accompanied by such a proposed order.

(3) Responses to a motion shall be in writing and be filed, with proof of service, within 5 days after personal, or e-mail or facsimile service of the motion, or 10 days after mailing of the motion if service is by mail, or 10 days after delivery to a third-party commercial carrier if service is by delivery to a third-party commercial carrier, or within such further time as the court or a judge thereof may allow. Except by order of court, replies to responses will not be allowed and oral arguments on motions will not be heard.

~~(3) Motions, supporting papers, and responses filed in the Supreme Court shall consist of an original and one copy and in the Appellate Court an original and three copies (in workers' compensation cases arising under Rule 22(g) an original and five copies). A proposed order phrased in the alternative (e.g., "Allowed" or "Denied") shall be submitted with each motion, and a copy shall be served upon all counsel of record. A copy of the style of such orders may be obtained from the clerk's office. No motion shall be accepted by the clerk unless accompanied by such a proposed order.~~

(c) Additional Requirement in~~In~~ **Supreme Court While Not in Session.**

(1) If a rule provides that relief may be granted "by the court or a justice thereof," the motion shall be directed to only one justice. Such a motion shall be directed-~~The clerk shall direct the motion~~ to the justice of the judicial district involved or, in Cook County, to the justice designated to hear motions. ~~For the second, third, fourth, and fifth judicial districts, the original motion and one copy shall be filed with the clerk in Springfield, together with a proof of service and a proposed order in compliance with paragraph (b)(3). The response to a motion shall also be directed to the justice within the time provided in paragraph (b)(3).~~(2), and the original and one copy shall be filed with the clerk in Springfield. For the first judicial

~~district (Cook County), the motion and one copy, together with a proof of service and a proposed order, shall be filed with the clerk in the Chicago satellite office. The deputy clerk will direct the motion to the justice designated to hear motions. Responses to a motion shall be filed with the clerk in the Chicago satellite office within the time provided in paragraph (b)(2).~~

~~(2) If the motion seeks relief that under these rules requires action by the full court, and the case arises from the second, third, fourth, or fifth judicial district, the movant shall file the motion in accordance with paragraph (b)(1), original and eight copies with the clerk in Springfield. Responses to a motion and eight copies shall be filed with the clerk in Springfield within the time provided in paragraph (b)(3)(2) or, if applicable, within the time provided in Rule 381 or 383. If the case arises from the first judicial district (Cook County), the movant shall file an original and eight copies with the clerk in the Chicago satellite office. Responses to a motion and eight copies shall be filed with the clerk in Chicago within the time provided in paragraph (b)(2) or, if applicable, within the time provided in Rule 381 or 383. Regardless of district, a proof of service in the form required in the preceding shall accompany the motion.~~

(d) When Acted Upon. Except in extraordinary circumstances, or where opposing counsel has indicated no objections, no motion will be acted upon until the time for filing responses has expired.

(e) Corrections. The clerk is authorized to make corrections in any document of a party to any pending case upon receipt of written request from that party together with proof that a copy of the request has been transmitted to all other parties.

(f) Motions for Extensions of Time. Motions for extensions of time shall be supported by affidavit or verification by certification under section 1-109 of the Code of Civil Procedure of counsel or the party showing the number of previous extensions granted and the reason for each extension. Any affidavit shall be sworn to before a person who has authority under the law to administer oaths.

(g) Emergency Motions and Bail Motions. Each District of the Appellate Court shall promulgate and publish rules setting forth the procedure for emergency motions, including notice requirements. Subject to the rules of each District, an emergency motion must specify the nature of the emergency and the grounds for the specific relief requested. Except in the most extreme and compelling circumstances, a motion for an extension of time will not be considered an emergency. Motions regarding bail in criminal cases or bonds in civil and criminal cases shall be considered emergency motions if so designated by the movant.

(h) Dispositive Motions.

(1) Dispositive motions in the Appellate Court should be ruled upon promptly after the filing of the objection to the motion, if any. A dispositive motion may be taken with the case where the court cannot resolve the motion without consideration of the full record on appeal and full briefing of the merits.

(2) For purposes of this Rule 361(h), "dispositive motion" means any motion challenging the Appellate Court's jurisdiction or raising any other issue that could result in the dismissal of any portion of an appeal or cross appeal without a decision on the merits of that portion of the appeal or cross-appeal.

(3) A dispositive motion shall include:

(a) a discussion of the facts and issues on appeal sufficient to enable the court to consider the dispositive motion;

(b) a discussion of the facts and law supporting the dismissal of the appeal or cross-appeal or portion thereof prior to a determination of the appeal on the merits;

(c) a discussion of the relationship, if any, of the purported dispositive issue to the other issues on appeal;

(d) an appropriate supporting record containing (i) if the record on appeal has not yet been filed, the parts of the trial court record necessary to support the dispositive motion; and (ii) if necessary, any evidence of relevant matters not of record in accordance with Rule 361(a).

(4) An objection to a dispositive motion shall address each of the required portions of the motion, and if the record on appeal has not yet been filed, shall include any parts of the trial court record not submitted by the movant that is necessary to oppose the motion, and may include evidence of relevant matters not of record in accordance with Rule 361(a).

(5) The Appellate Court may order additional briefing, record submissions, or oral argument as it deems appropriate.

Amended September 29, 1978, effective November 1, 1978; amended July 30, 1979, effective October 15, 1979; amended January 5, 1981, effective February 1, 1981; amended May 28, 1982, effective July 1, 1982; amended June 15, 1982, effective July 1, 1982; amended August 9, 1983, effective October 1, 1983; amended August 30, 1983, effective October 1, 1983; amended February 27, 1987, effective April 1, 1987; amended December 17, 1993, effective February 1, 1994; amended October 1, 1998, effective immediately; amended May 25, 2001, effective immediately; amended October 14, 2005, effective January 1, 2006; amended May 24, 2006, effective September 1, 2006; amended December 29, 2009, effective immediately; amended March 14, 2014, effective immediately; amended Dec 11, 2014, eff. Jan. 1, 2015; amended June 22, 2017, eff. July 1, 2017.