



## 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.

### SECTION NINE: ORAL ARGUMENT

#### 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.

#### 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.



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**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.

**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](#).

**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.

Appellate districts also have local rules about oral argument. Be certain to review the [local rules](#) for the district in which your appeal will be heard.

**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.

**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.