

Rule 318. General Rules Governing All Appeals from the Appellate Court to the Supreme Court

(a) Relief to Other Parties. In all appeals, by whatever method, from the Appellate Court to the Supreme Court, any appellee, respondent, or coparty may seek and obtain any relief warranted by the record on appeal without having filed a separate petition for leave to appeal or notice of cross-appeal or separate appeal.

(b) Interlocutory Review. The review of cases at an interlocutory stage is not favored, and a failure to seek review when the Appellate Court's disposition of the case is not final does not constitute a waiver of the right to present any issue in the appropriate court thereafter.

(c) Appellate Court Briefs. If it is important for the Supreme Court to know the contentions of any party in the Appellate Court, e-filed, stamped copies of the pertinent Appellate Court briefs may be filed with the Supreme Court.

(d) Fees. In appeals taken from the Appellate Court, the clerk of that court is entitled to receive from the party appealing only the fees allowed by law or these Rules.

Amended December 17, 1993, effective February 1, 1994; [amended June 22, 2017, eff. July 1, 2017](#); [amended Sept. 30, 2020, eff. Oct. 1, 2020](#).

Committee Comments

This rule is taken without major change from former Rules 32(1), 32(4), 32(5) and 39(2). Paragraph (c) differs from the last mentioned rule in that it dispenses with the need for obtaining leave of the Supreme Court in order to have briefs in the Appellate Court certified to the Supreme Court. In addition it deletes the requirement of former Rule 39 that the Appellate Court briefs shall be filed only "if it is important to know the position taken by any party in the Appellate Court."