



## 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 THREE: INFORMATION FOR THE APPELLEE

#### 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.

#### 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.



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**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: <https://www.illinoiscourts.gov/documents-and-forms/approved-forms/>. 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.

**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: <https://www.illinoiscourts.gov/documents-and-forms/approved-forms/appellate-forms/feewaiver>.