

You may have to complete the Argument section before completing the Points and Authorities section.

If the appellant makes a 3rd argument, state the title of your 3rd argument here and list the page where the argument starts later in the brief. Make the title responsive to the title of the appellant's 3rd argument. If the appellant doesn't make a 3rd argument, remove this page.

3. The trial court or jury (*check one*) was right to _____

Authorities:

In the formats provided by [Illinois Supreme Court Rule 6](#), list the authorities (cases, statutes (laws), etc.) that you refer to in your 3rd argument, in order of their importance, and the pages on which they will appear.

If the appellant is making more than 3 arguments, fill out and insert 1 or more *Additional Points and Authorities* forms after this page.

NATURE OF THE CASE

[Refer to [Illinois Supreme Court Rule 341\(h\)\(2\)](#)]

You do not need to include this section, but you may do so if you disagree with the appellant's version.

State the kind of case that was in the trial court (e.g., "This case was filed in the trial court to recover damages caused by the alleged negligence of the defendant in driving his automobile.").

This case was filed in the trial court to _____

Check boxes to designate:

(1) whether or not the judgment being appealed was based on a jury's verdict;
(2) whether the judgment was in favor of the plaintiff/petitioner or the defendant/respondent; and
(3) whether or not the judgment said there was a problem in the pleadings (meaning the complaint or petition). If the judgment did find a problem, describe the problem.

(1) The trial court judgment was based on a jury verdict

Yes No

(2) The trial court entered a judgment in favor of

Plaintiff/Petitioner Defendant/Respondent

(3) A question is raised on the pleadings

Yes No

If a question is raised on the pleadings, describe it: _____

Starting with this page, number the pages of your brief 1, 2, 3, etc. (This page is numbered for you.)

ISSUES PRESENTED FOR REVIEW
[Refer to [Illinois Supreme Court Rule 341\(h\)\(3\)](#)]

You do not need to include this section, but you may do so if you disagree with the appellant's version.

In **1**, state the title of your 1st argument as you wrote it in the Points and Authorities section above.

1. Whether the trial court or the jury (*check one*) was right to _____

If you are making more than 1 argument, use **2** and **3** (if necessary) to state the titles of those arguments. If not, leave the rest of this section blank.

2. Whether the trial court or the jury (*check one*) was right to _____

3. Whether the trial court or the jury (*check one*) was right to _____

If the appellant is making more than 3 arguments, fill out and insert 1 or more *Additional Issues* forms after this page.

JURISDICTION

[Refer to [Illinois Supreme Court Rule 341\(h\)\(4\)\(ii\)](#)]

You do not need to include this section, but you may do so if you disagree with the appellant's version.
In 1, state the Illinois Supreme Court Rule, if any, under which the appellate court has jurisdiction, and explain why the trial court's judgment is appealable under that rule. If no rule applies, explain why not.

- 1. This court has jurisdiction under Illinois Supreme Court Rule
 - 301, because the trial court's judgment ended a civil (non-criminal) case.
 - 304, because the trial court's judgment
 - ended only part of a civil (non-criminal) case but included a special finding of appealability under Rule 304(a).
 - ended only part of a civil (non-criminal) case but is one of the judgments listed in Rule 304(b), such as a child custody order.

Specifically, the judgment _____

- 307, because the trial court's judgment did not end any part of a civil (non-criminal) case but is one of the judgments listed in Rule 307, such as a termination of parental rights or a restraining order.

Specifically, the judgment _____

- Other: _____

- None: _____

In 2, 3, 4, and 5, referring to the pages of the common law record where the documents appear, fill in the dates of the documents that show whether the appeal is timely.
Specifically, fill in the date of the judgment, the dates of any post-judgment motions, the dates of the rulings on those motions, and the date of the Notice of Appeal. State whether the Notice of Appeal was timely.

2. On _____, the trial court entered the judgment (C _____)
Enter Date *Enter page(s) of record*

3. On _____, post-judgment motion(s) was/were filed
Enter Date(s)
(C _____).
Enter page(s) of record

4. On _____, the trial court ruled on the post-judgment
Enter Date(s)
motion(s) (C _____).
Enter page(s) of record

5. On _____, the Notice of Appeal was filed (C _____).
Enter Date

- The Notice of Appeal was timely. The Notice of Appeal was untimely.

ARGUMENT

[Refer to [Illinois Supreme Court Rule 341\(h\)\(7\)](#)]

State the title of your 1st argument here as you wrote it in the Points and Authorities section above.

1. The trial court or jury (*check one*) was right to _____

Standard of review (*Check all that apply to your 1st argument*)

- The trial court correctly applied the law. (This is **de novo** review. The appellate court must give **no** deference to the trial court);
- The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);
- The trial court correctly conducted the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or
- other: _____

Authority for standard of review: _____

Explain your argument, using the law to demonstrate why, under the facts of your case, the appellant's argument is wrong. (*Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.*) _____

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

- the standard of review you want the appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

State the title of your 2nd argument here as you wrote it in the Points and Authorities section above.

If you don't have a 2nd argument, remove this page and the following argument pages.

2. The trial court or jury (*check one*) was right to _____

Standard of review (*Check all that apply to your 2nd argument*)

- The trial court correctly applied the law. (This is **de novo** review. The appellate court must give **no** deference to the trial court);
- The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);
- The trial court correctly conducted the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or
- other: _____

Authority for standard of review: _____

Explain your argument, using the law to demonstrate why, under the facts of your case, the appellant's argument is wrong. (*Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.*) _____

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

- the standard of review you want the appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

State the title of your 3rd argument here as you wrote it in the Points and Authorities section above.

If you don't have a 3rd argument, remove this page and the following argument pages.

3. The trial court or jury (*check one*) was right to _____

Standard of review (*Check all that apply to your 3rd argument*)

- The trial court correctly applied the law. (This is **de novo** review. The appellate court must give **no** deference to the trial court);
- The trial court or the jury correctly decided the facts. (This is **manifest weight of the evidence** review. The appellate court must give **great** deference to the trial court or the jury);
- The trial court correctly conducted the trial procedure. (This is **abuse of discretion** review. The appellate court must give **extreme** deference to the trial court); and/or
- other: _____

Authority for standard of review: _____

Explain your argument, using the law to demonstrate why, under the facts of your case, the appellant's argument is wrong. (*Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.*) _____

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

- the standard of review you want the appellate court to apply;
- the law that you want the appellate court to apply;
- how the law applies to your case; and
- the relief you want from the appellate court.

Enter the Case Number given by the Appellate Court Clerk: _____

CONCLUSION

[Refer to [Illinois Supreme Court Rule 341\(h\)\(8\)](#)]

State what you want the court to do. You may check as many as apply.

The appellee respectfully requests that this court:

affirm the trial court's judgment;

other: _____

and grant any other relief that the court finds appropriate.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

Respectfully submitted,

/s/
Signature

Print Name

CERTIFICATE OF COMPLIANCE

[Refer to [Illinois Supreme Court Rule 341\(c\)](#)]

Rule 341(a) governs the form of briefs, and Rule 341(b) governs the length. Unless a motion to file a longer *Brief* is granted, the *Appellee's Brief* (not counting the pages listed) must contain no more than 50 pages OR no more than 15,000 words.

If your *Brief* is within the page limit, add the number of pages in your *Brief* (not counting the pages listed).

If your *Brief* is not within the page limit, but is within the word limit, add the number of words in your *Brief* (not counting the pages listed).

I certify that this *Brief* conforms to the requirements of Supreme Court 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.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

/s/
Signature

Print Name

Enter the Case Number given by the Appellate Court Clerk: _____

PROOF OF SERVICE

[Refer to [Illinois Supreme Court Rule 11](#)]

In **1a**, enter the name, mailing address, and email address of the party or lawyer to whom you sent the document.

In **1b**, check the box to show how you sent the document, and fill in any other information required on the blank lines.

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.

In **c**, fill in the date and time that you sent the document.

In **2**, if you sent the document to more than 1 party or lawyer, fill in **a**, **b**, and **c**. Otherwise leave **2** blank.

1. I sent this document:

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

- b. By: Personal hand delivery
 Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

- Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address

- The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)
 Email (not through an EFM or EFSP)
 Mail from a prison or jail at:

Name of prison or jail

c. On: _____
Date

At: _____ a.m. p.m.
Time

2. I sent this document:

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

- b. By: Personal hand delivery
 Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

Enter the Case Number given by the Appellate Court Clerk: _____

Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address

The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)

Email (*not through an EFM or EFSP*)

Mail from a prison or jail at:

Name of prison or jail

c. On: _____
Date

At: _____ a.m. p.m.
Time

In 3, if you sent the document to more than 2 parties or lawyers, fill in a, b, and c. Otherwise leave 3 blank.

3. I sent this document:

a. To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

Email address: _____

b. By: Personal hand delivery

Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address

The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)

Email (*not through an EFM or EFSP*)

Mail from a prison or jail at:

Name of prison or jail

c. On: _____
Date

At: _____ a.m. p.m.
Time

If you are serving more than 3 parties or lawyers, fill out and insert 1 or more *Additional Proof of Service* forms after this page.

Enter the Case Number given by the Appellate Court Clerk: _____

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is perjury, a Class 3 Felony.

I certify that everything in the Proof of Service is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

/s/

Your Signature

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

Print Your Name

Enter the Case Number given by the Appellate Court Clerk: _____

[Complaint or Petition]

After this page, insert
the complaint or
petition that was filed in
the trial court.

A- _____

Enter the Case Number given by the Appellate Court Clerk: _____

After this page, insert the trial court's written judgment that the appellant is saying was wrong (including any opinion, memorandum, or findings of fact).

[Judgment]

A- _____

Enter the Case Number given by the Appellate Court Clerk: _____

After this page, insert the *Notice of Appeal*.

[*Notice of Appeal*]

Add any other materials from the record that are relevant to the appeal. Number those pages. List the additional materials and page numbers in the Table of Contents for the Appendix, in the order in which you attach them.

A- _____