



Supreme Court of Pennsylvania

Checklist of Rule Requirements for Filing an Appellate Brief

Always consult the Pennsylvania Rules of Appellate Procedure prior to any filing. Specific information on the filing of a brief and reproduced record can be found in Chapter 21 of the Pennsylvania Rules of Appellate Procedure.

I. Conformance to Requirements (Pa. R.A.P. 2101)

Any brief or reproduced record submitted for filing must comply in substance and form with the applicable rules of appellate procedure. Nonconformity may be waived by the Court depending on the circumstances of the individual case, or as justice may require. Nevertheless failure to conform to the applicable rules may result in sanctions, including but not limited to dismissal of the appellate action.

II. Contents of Briefs

A. Appellant's Brief (Pa. R.A.P. 2111)

1. Contents

- a. Statement of Jurisdiction (Pa. R.A.P. 2114)
- b. Order or other determination in question (Pa. R.A.P. 2115)
- c. Statement of the Scope and Standard of Review (Pa. R.A.P. 2111)
- d. Statement of the Questions involved (Pa. R.A.P. 2116)
- e. Statement of the Case (Pa. R.A.P. 2117)
- f. Summary of Argument (Pa. R.A.P. 2118)
- g. Argument for Appellant (Pa. R.A.P. 2119)
- h. A short conclusion stating the precise relief sought
- i. Opinions and pleadings specified in Subdivisions (2) and (3) below.

2. Opinions Below

Attach all opinions from any court or administrative proceeding below which relate to the determination to be reviewed. If an opinion has been reported state that fact and give the appropriate citation. (Pa. R.A.P. 2111(b))

3. Length of Brief (Pa. R.A.P. 2135)

4. Pleadings

If the matter falls under Pa. R.A.P. 2151(c) (relating to original hearing cases) and no reproduced record is required, any pleadings relevant to the case or from which a question for review arises shall be appended to the brief.

(Pa. R.A.P. 2111(c))

B. Appellee's Brief (Pa. R.A.P. 2112)

1. Contents

a. Summary of Argument (Pa. R.A.P. 2118)

b. Argument for Appellee (Pa. R.A.P. 2119)

2. Matters included only if challenged

a. Counter-Statement of the Questions involved

b. Counter-Statement of the Case

3. Length of brief (Pa. R.A.P. 2135)

C. Reply Brief (Pa. R.A.P. 2113)

1. Appellant may file a reply brief in response to issues found in the appellee's brief that were not raised in appellant's initial brief, and limited to those issues. An Appellee may file a similarly limited brief in the case of a cross-appeal. See Pa. R.A.P. 2136 for detailed information regarding briefs in cases involving cross-appeals.

2. A reply brief may be filed as a response to a draft or plan pursuant to Pa. R.A.P. 2134.

3. No other briefs may be filed without leave of Court.

4. Length of reply brief (Pa. R.A.P. 2135)

III. Reproduced Records

A. Where not required (Pa. R.A.P. 2151)

1. Certain individual cases or classes of cases

2. In forma pauperis status

3. If the record is already before the Court in an original hearing case

4. By application, if the cost is disproportionate or for other sufficient reason

B. Contents (Pa. R.A.P. 2152; Pa. R.A.P. 2153)

1. All relevant docket entries, orders, opinions and related matter

2. Relevant portions of pleadings, charge or findings

3. Any additional portion of the record directed to the Court's attention

4. Omit all immaterial formal matter

5. Note -- omitted material is not precluded from reliance or review

C. Designation of Contents (Pa. R.A.P. 2154)

1. Appellant shall file a designation of contents of the record he/she plans to reproduce and a brief statement of issues to be presented no later than 30 days prior to the due date of the appellant's brief and serve it upon all parties unless appellant deems it necessary to proceed under the large record provision of Pa. R.A.P. 2154(b). Irrelevant material should be avoided.
2. If desired, Appellee may file and serve a counter designation of the record within 10 days of service of appellant's designation
3. Costs of reproduction will be allocated according to Pa. R.A.P. 2155.
4. In exceptional circumstances, appellee may file a Supplemental reproduced record. (Pa. R.A.P. 2156)

A limited checklist is provided for purposes of convenience. Please note that not all circumstances are covered by this checklist, and all filings are governed by the appropriate rules of court.

Appropriate Cover (Pa. R.A.P. 2172)

- A light colored material that will permit writing (no plastic) (Pa. R.A.P. 2172(d))
- Name of court (a)(1)
- Docket number (a)(2)
- Proper caption of the case (a)(3): Full and complete.
- Title of document with designation of the order appealed (a)(4) and (a)(5)
- Name(s) of counsel (a)(6)
- Properly bound (Pa.R.A.P. 124(a)(5))

Table of Contents and properly numbered pages (Pa. R.A.P. 2173; Pa. R.A.P. 2174)

Table of Citations (Pa. R.A.P. 2174; Pa. R.A.P. 2111)

Substantive content as described in Section II above

Meets page limits and physical characteristics (Pa. R.A.P. 124; Pa. R.A.P. 2135)

Principal Briefs

- 70 pages of production when produced on word processor/computer or typewriter

Reply Briefs

- 25 pages of production when produced on word processor/computer or typewriter

Paper size 8½ inches by 11 inches

Printed matter 6½ inches by 9 inches

- ___ Original Signature in ink on one designated copy
- ___ Proof of Service (Pa. R.A.P. 121; Pa. R.A.P. 122)
- ___ Reproduced record (Pa. R.A.P. 2152-2156; Section IV above)
- ___ Correct number of copies (Pa. R.A.P. 2187)
 - 25 copies to be filed with Court
 - 10 copies of the reproduced record to be filed with Court
 - 2 copies to be served on opposing party

Exception in forma pauperis:

- 15 copies to be filed with Court
- 1 copy to be served on opposing party