



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 SIX: REQUEST FOR REPORT OF PROCEEDINGS (TRANSCRIPTS); OR SUBMITTING A BYSTANDER'S REPORT OR AGREED STATEMENT OF FACTS

1. What is the Report of Proceedings (Transcript)?

The Report of Proceedings is also called a transcript. A transcript is a typed record of a hearing or trial and includes what the judge, parties, witnesses, and lawyers said or testified to in court. A court reporter or recording equipment must have been present during your circuit court case to transcribe what was said. If there were multiple hearings, a court reporter may have recorded some of them and the court's audio equipment may have recorded others.

If neither a court reporter nor recording equipment was present during your case, see below for submitting either a Bystander's Report or Agreed Statement of Facts.

You can find the forms and instructions for the Report of Proceedings at: <https://www.illinoiscourts.gov/forms/approved-forms/approved-statewide-forms-appellate-forms/request-for-report-of-proceedings/>.

The forms and instructions for the Bystander's Report or Agreed Statement of Facts is here: <https://www.illinoiscourts.gov/forms/approved-forms/approved-statewide-forms-appellate-forms/bystanders-report-or-agreed-statement-of-facts>.



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2. How much do transcripts cost?

You do not have to pay to *submit* the Request for Report of Proceedings (Transcripts) form. However, you must pay the court reporter for the cost of the transcripts. The court reporter will tell you how much the transcripts will cost when you request them. Transcript fees are listed in the [Administrative Regulations for Court Reporting Services in the Illinois Courts](#) (see Uniform Schedule of Charges for Official Transcripts) in accordance with Section 5 of the [Court Reporters Act](#) (705 ILCS 70/5). Most court reporters will require you to pay at least half of the cost of the transcripts at the time you request them. Fee waivers do not apply to the cost of transcripts.

3. Are transcripts covered by a fee waiver?

Generally, fees for transcripts cannot be waived. This is because the statute [735 ILCS 5/5-105](#) does not specifically allow for fee waivers to be applied toward the cost of transcripts for indigent litigants in civil cases.

However, by filing a motion in the circuit court, you may ask the judge to waive fees for transcripts that “are necessary to commence, prosecute, defend, or enforce relief in a civil action.” ([In re Marriage of Main, 2020 IL App \(2d\) 200131](#)). The circuit court judge may determine what transcripts, if any, are necessary for an appeal and whether the fees will be waived.

You can find the forms and instructions to file a motion with the circuit court on [the Illinois Courts website](#). On that web page scroll down to Motion and click the + sign next to it to see all of the forms and instructions.

4. Where do I file the Request for Report of Proceedings (Transcripts)?

If your circuit court case had a court reporter or your case was recorded, complete the Request for Report of Proceedings (Transcripts) [form](#) and submit it directly to the court reporter.

- If the court provided the court reporter, ask the circuit court clerk’s office how to contact them.
- If the court made an audio or video recording, ask the circuit court clerk's office how to contact the person who will type the Report of Proceedings (Transcripts).
- In some counties, a private court reporter may have recorded the hearing or trial. If you hired a private court reporter, you can call the court reporter to find out where to deliver your Request for Report of Proceedings (Transcripts). If the other party hired the court reporter, you should contact that party (or their lawyer, if they have one) to get the name and telephone number of the court reporter. Then contact the court reporter to find out where to deliver your Request for Report of Proceedings (Transcripts).



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5. When do I need to submit the Request for Report of Proceedings (Transcripts)?

You should submit the Request for Report of Proceedings directly to the court reporter as soon as possible after filing your Notice of Appeal. This is because you need to attach a completed copy of this form to your Docketing Statement when you file it (Note: the Docketing Statement is due no later than 14 days after the Notice of Appeal is filed).

6. How long does the court reporter have to prepare the Report of Proceedings (Transcripts)?

After receiving your Request for Report of Proceedings (Transcripts), the court reporter will submit the prepared transcripts directly to the court within 49 days after your Notice of Appeal was filed.

7. Do I need transcripts for my appeal?

If a court reporter was present or if your case was recorded by audio equipment, it is important that you provide this record to the appellate court. If you don't file the Report of Proceedings (Transcripts), the appellate court will be limited in the information they review to decide your appeal and may be compelled to rule against you. While transcripts can be expensive, the record of what happened during your case in the circuit court is a very important record for the appellate court to consider for your appeal.

8. What if my circuit court case was not recorded or a court reporter was not present?

If an audio recording was not made, and there was no court reporter present to take down what happened in court, a Bystander's Report or Agreed Statement of Facts can be used to make the Record on Appeal complete. This is another way to give the appellate court a record of what the judge, parties, witnesses, and lawyers said or did in court.

9. What is a Bystander's Report or an Agreed Statement of Facts?

The [Bystander's Report or Agreed Statement of Facts](#) is used when transcripts are unavailable. They describe everything that happened during court hearings or a trial. They include what the judge, the parties, the witnesses, and the lawyers said or testified to in court. They may include a description of what happened in court in addition to what was said.

You must list all of the dates and times of the hearings or trial where testimony was given, evidence was introduced, or other things happened that will help the appellate court understand the facts relevant to your appeal. You should write your description so that a person who was not there can understand what happened when you appeared in court.



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10. What is the difference between a Bystander's Report and an Agreed Statement of Facts?

The Bystander's Report requires certification from the circuit court judge. That is, the circuit court judge must approve and certify a Bystander's Report before it can be made part of the Record on Appeal. See below for instructions on how to submit the Bystander's Report to the circuit court judge for certification.

The Agreed Statement of Facts requires that the parties **agree** on what was said and done in court. You will need to reach agreement with the other party in order to obtain their signature on the Agreed Statement of Facts. You may then file an Agreed Statement of Facts *without* the circuit court judge's approval or certification.

11. How much does it cost to file the Bystander's Report or Agreed Statement of Facts forms?

You do not need to pay to file either the Bystander's Report or the Agreed Statement of Facts.

12. When is the Bystander's Report or Agreed Statement of Facts due?

The Bystander's Report or Agreed Statement of Facts must be filed with the circuit court clerk within 49 days after the date the Notice of Appeal was filed.

13. How do I get the circuit court judge to certify the Bystander's Report?

If you are using a Bystander's Report there are 3 things that must happen before you can file it with the circuit court clerk (see [Rule 323\(c\)](#)):

- a. First, you must serve the Bystander's Report on all of the other parties within 28 days after you filed the Notice of Appeal (you can serve by personal hand delivery, mail, or by a third-party commercial carrier, such as UPS or FedEx). If any party has a lawyer, you must send your Bystander's Report to the lawyer. The 28-day period starts on the day after you filed the Notice of Appeal. You must count weekends and holidays. However, if the 28th day is on a weekend or court holiday, you may serve the Bystander's Report on the next business day. Be sure to include a Proof of Service with information to show you are sending the Bystander's Report to each party.



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- b.** Second, within 14 days after you serve the Bystander's Report, any other party may serve you with suggested changes to your Bystander's Report, or with their own Bystander's Report.
- c.** Third, within 7 days thereafter, you must request a hearing in front of the circuit court judge. To ask for a hearing to get the Bystander's Report certified and approved, you must fill out a circuit court motion and notice of motion and file it with the circuit court. You may use the statewide standardized motion [form](#) to ask the court to approve your Bystander's Report.
- d.** At the hearing, the circuit court judge will decide whether to approve and certify the Bystander's Report so that you can file it with the circuit court clerk to be included in the Record on Appeal. After the circuit court has heard and decided the motion, you must file the Bystander's Report and the order approving it with the circuit court clerk where your circuit court case was heard (remember, e-filing is mandatory unless you have an exemption or are incarcerated).